

# LEBANON: LOOKING AHEAD IN TIMES OF CRISIS

Taking stock of the present to urgently build sustainable options for the future



An informal refugee settlement in Anfie, north Lebanon, 2013. Photo: Sam Tarling/Oxfam

**Since the outbreak of the crisis in Syria in March 2011, Lebanon has felt the impact politically, socially and economically. Four-and-a-half years into the crisis and with an all-out war on its doorstep, the country is experiencing ever greater repercussions. Lebanon now hosts the highest number of refugees per capita in the world, with one in five inhabitants a refugee. This paper draws on Oxfam research among refugees and host communities in Lebanon in 2015 and aims to contribute to an urgent discussion of both interim and longer term solutions to address protection issues, living conditions, access to services and reduced aid dependency for refugees; along with stronger social protection, access to services and greater employment opportunities for poor and vulnerable Lebanese.**

## Oxfam Discussion Papers

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## RESEARCH FOR THIS PAPER

This paper draws from programmes, partners and three pieces of research commissioned by Oxfam between March and August 2015. The first is Oxfam's annual survey of people's perceptions of protection risks and of the self-protection strategies used by the different groups residing in Lebanon. This is a qualitative study of the findings from 209 semi-structured interviews with Syrian refugees, Palestine refugees from Syria, and Lebanese and Palestinian host communities across Lebanon. It aims to capture changes over time in the protection situation and coping strategies of communities facing shocks, in rural as well as urban areas, across five different regions of the country. Interviewees were asked to describe their daily lives and if and how they have changed over time, the challenges they experienced, and how they were coping with those.

The second research focused on poverty, inequality, and social protection in Lebanon, in an effort to gain better insight into the lives and struggles of poor people in Lebanon, as well as the formal and informal support mechanisms accessed by them for their survival. This research is a qualitative study that provides a deeper understanding of the lives of poor households through 33 in-depth interviews and focus group discussions using a participatory research methodology framed by a modified<sup>1</sup> household economy approach (HEA).<sup>2</sup>

The third piece of Oxfam research was on social stability in the T5 (El-Koura, Bcharreh, Zgharta and Minieh-Dannieh) region of North Lebanon, where Oxfam has worked with both municipalities and refugee communities. This research project sought to understand the informal and formal power dynamics and governance structures at the local level. It also looked at the impact of the Syria crisis in this area, to understand the basic needs, priorities and concerns of Syrian refugees and host communities and how local actors can manage tensions and foster local development. It was carried out through 12 focus group discussions and 10 interviews with community members and leaders.

This paper was conceived and should be read as a tool for dialogue with various stakeholders within Lebanon and internationally to collectively identify options to effectively address the current crisis facing the country. Through this process, Oxfam intends to develop a series of briefings to analyse the key themes in more detail, in line with its programme and partnerships in Lebanon.

### **Oxfam in Lebanon**

In all its country programmes, Oxfam applies a 'one programme' approach – integrating humanitarian, development and policy initiatives to effect change and address root causes of poverty, suffering and inequality.

In the current Lebanese context of existing development and governance challenges as a backdrop to a humanitarian refugee crisis, Oxfam's one programme approach aims to respond to the clear need for parallel and complementary humanitarian and development work.

Drawing on Oxfam's global areas of expertise and its overall focus on poverty and inequality, Oxfam in Lebanon focuses on economic justice, humanitarian assistance, women's rights and gender justice, and active citizenship, with advocacy on all four thematic work streams.

For humanitarian programming, this means integrated WASH (drinking water, waste water, sanitation and solid waste management), protection, and multi-sector cash programming as well as improvement in livelihoods for Syrian and where relevant, Palestinian populations. A specific focus on women's rights and 'safe programming' are integral to this work.

In development programming, Oxfam works with partners to address governance issues, including supporting the provision of basic services to people living in poverty in Lebanon, a crucial complement to any humanitarian assistance to refugee populations – in addition to promoting transparent, accountable resource management and equitable wealth distribution. Based on value chain analysis, Oxfam also works to promote small businesses in relevant markets and works with the private sector to create job opportunities for women and youth. With its particular focus on working with women and youth, Oxfam aims to strengthen a rights-based approach to active citizenship at local and national levels.

Oxfam has been championing women's rights and empowerment in Lebanon for over 10 years. Empowering women through economic engagement to take a stronger role in decision making at home and within communities, and promoting women's access to justice are core components of Oxfam's work.

# SUMMARY

Oxfam has been present in Lebanon since 1993. Over the past four years Oxfam has, like many humanitarian organizations, scaled up activities in Lebanon in response to the Syria conflict and resulting refugee flows. It is increasingly apparent that traditional approaches to displacement response are failing to meet the needs of refugees, but also of neighbouring countries as economics, poverty and displacement become increasingly intertwined. In Lebanon in particular, shaped by sectarian politics and subject to regional political dynamics, governance challenges add an additional layer of complexity.

Considerable analysis has been undertaken to date on the challenges and impacts on and of Syrian refugees in Lebanon – including by Oxfam<sup>3</sup> – but the bulk of this analysis is seen through the lens of the wider Syria crisis and often fails to take into consideration Lebanon itself as a country in crisis or use a wider inequality and poverty lens. This discussion paper aims instead to bring together the key areas of displacement – including pre-existing refugees – economics, poverty and governance in Lebanon and from a Lebanon perspective, highlight some of the challenges that the country and the people in its territory are confronted with.

In doing so, the paper deliberately raises difficult realities for populations within Lebanon, reflecting very real policy and programme challenges drawn from Oxfam's programmes, partnerships and community consultations over the past year as it attempts to reconcile its response to poverty with a humanitarian response to displacement, using a comprehensive rights based approach relevant to all segments of the population. Many of these realities echo global concerns around asylum, migration and host community fears, but they also point to the need for a fundamental shift in national and international engagement in Lebanon.

The paper also outlines policy propositions rooted in national and international rights frameworks as a basis for dialogue – which, if used to build a more comprehensive framework for engagement in Lebanon, could help to re-think approaches to long-term solutions for Lebanon as a whole, and for the displaced populations living there.

## A COUNTRY IN CRISIS

Since the outbreak of the crisis in Syria in March 2011, Lebanon has felt the impact politically, socially and economically. Almost five years into the crisis,<sup>4</sup> the repercussions have steadily increased. Today, Lebanon hosts the highest number of refugees per capita in the world, where 1 in 5 people is a refugee amounting to a 30 percent increase in population. Refugees are dispersed in more than 1,700 localities across the country, and a high proportion of them are under 18 years of age,<sup>5</sup> with growing signs of vulnerability among refugee and host communities alike.

At present, the total estimated cost of the crisis on the Lebanese economy is US\$7.5bn annually of which \$1.1bn is in increased expenditure due to an increased demand for services.<sup>6</sup> The increased demands on government revenue has dramatically affected local authorities, the first responders to the crisis, and particularly so the communities where population increase has been as high as 100 percent.

The majority of Syrian refugees in Lebanon have been welcomed by the poorest Lebanese communities, in part due to lower living costs in those communities.<sup>7</sup> About 86 percent of Syrian refugees live in 242 communities<sup>8</sup> where 66 percent of Lebanese are living on less than \$4 a day.<sup>9</sup> Poverty figures for Palestinian communities, which have also received refugees, tend to be even higher. These communities have also been most affected by rising living costs, inflation and reduced public services, with limited public or international investment to date in expanding

poverty reduction programmes, employment schemes or public service provision to such areas. Prior to the Syrian crisis in 2011, 37 percent of Lebanon's population was estimated to be living on \$4 a day.<sup>10</sup> By the end of 2014, it is estimated that approximately 170,000 additional Lebanese were pushed into poverty and the unemployment rate doubled to above 20 percent, mainly among unskilled youth, as a result of poor governance and management of the crisis.<sup>11</sup>

*'We have never had enough to buy a single item for our house since we got married. All these items you see here were purchased at least 20 years ago.'*

Lebanese women to Oxfam researcher

Against this backdrop of rising inflation and living costs, refugees themselves are experiencing the significant impact of the Lebanese government's October 2014 Policy that went into effect in January 2015, aimed at managing the displacement crisis within Lebanon. The policy presents the GOL's goals and assumptions on the crisis, but lacks a clear implementation mechanism. Through the October Policy, the GOL declared its intention to first, reduce the number of refugees on its territory by controlling border access; second, to address rising security concerns, including by bolstering municipal police units to manage the displaced population; and third, to ease the economic impacts of the crisis. Syrian refugees present in the country before the October policy came into effect are now requested to sign a pledge not to work, in order to renew their residency on the basis of registration with UNHCR; or to renew residency by obtaining sponsorship from a Lebanese national. Both options offer little legal protection, with no or limited legal livelihood options. As a result of these measures and as of September 2015, an estimated 60 percent of Syrians and 90 percent of Palestine refugees<sup>12</sup> from Syria (PRS) lack valid residency documents, undermining their protection and increasing the risk of exploitation.<sup>13</sup> The 2015 Vulnerability Assessment of Syrian Refugees (VASyR) found that 70 percent of all Syrian refugees are now living below the poverty line, with 50 percent below the survival level (up from 29 percent in 2014). At the same time, it is estimated that 70 percent of Palestine refugees from Syria are living below the poverty line. Add to this, 91 percent of PRS families lack food or the money to buy food.<sup>14</sup>

*'I fled the war without anything. I came here and I can't make a living. People sometimes give me things but I can't pay rent and I can't pay for things. I'm afraid to walk in the streets, I start trembling because my residency permit has expired...they have put impossible conditions on us...we're suffocating, we're desperate.'*

Syrian man, over 30 years of age, Tripoli

## A COMPREHENSIVE RESPONSE

This paper will argue that the current situation in Lebanon is no longer sustainable, either for the refugee populations or the Lebanese poor. National and international responses to date are largely inadequate, meaning that refugees from Syria are increasingly searching for alternative durable solutions by themselves, while poor Lebanese and Palestinian communities continue to bear the brunt of rising living costs, reduced public service capacity and unemployment nationally, and in some cases are themselves seeking alternatives, including attempting migration to Europe.

Without a more comprehensive response that is specifically tailored to the wider Lebanon context, there is likely to be a significant increase in some of the impacts on people and the negative coping mechanisms they are adopting. For refugees, these include dangerous onward migration and increasing repercussions in terms of health, education and well-being. For Lebanese and Palestinian poor, Oxfam's research shows growing poverty and unemployment and an increase in negative coping mechanisms that include rising debt and diminishing access to basic services. Significant measures need to be taken by the Lebanese government to put in

place policies that ensure the protection of all people on its territory, guided by a rights-based approach and with constructive engagement from the international community.

Drawing on Oxfam's programme and partnerships in areas of protection, poverty reduction and governance, a selection of policy options outlined below will be presented and discussed at roundtable discussions and meetings on the issues reflected on in the paper with key policy makers, civil society groups, and development partners. This paper was conceived and should be read as a tool for dialogue with various stakeholders within Lebanon and internationally to collectively identify options to effectively address the current crisis facing the country.

## **1 A comprehensive Syrian Refugee Policy that allows refugees to live in safety and with dignity**

Five years into the Syrian crisis, with no indication that the conflict will end soon and a large refugee population that has been in exile in some cases for more than four years, the current displacement situation needs to be seen as a protracted refugee context.<sup>15</sup> A shift in policies and interventions by all stakeholders is needed. It should also be acknowledged that basic minimum standards and safeguards for a mass influx situation should be put in place (EXCOM parameters determine 'mass influx') within the context of EXCOM Conclusion No 22 – pending arrangements for a durable solution.<sup>16</sup> Lebanon itself has recognized that it is facing such a situation. Such a policy should be informed by global lessons learned in other situations of protracted displacement, including from recent history in the region. It should ensure that policies and practices implemented now are not counterproductive to the longer-term goal of durable solutions for refugees, and it should proactively contribute to enabling refugees to make future choices, including repatriation.

The Government of Lebanon needs to review its October 2014 policy, carefully assessing the wide-ranging impacts the policy has had one year on, and analysing the risks that can stem from the current situation if implementation continues. From this reflection a new comprehensive, multi-sectoral Syrian refugee policy should be developed that is grounded in international human rights law, and that can offer more constructive options for response. The policy would need to ensure a better protection of the refugee population during displacement, enabling Syrian nationals on Lebanese territory to easily access a form of legal status that grants them basic rights and allows them the capacity to sustain themselves. With a view to the future, the policy should include provisions that recognize and legitimize the importance for refugees to maintain connections with their country of origin as a positive contribution to a more sustainable return and reconstruction in the future, by allowing for a certain degree of legal movement to Syria, while maintaining a right to protection in Lebanon.

Although Lebanon is not a party to the 1951 Convention Relating to the Status of Refugees, this is not an obstacle to the development of a strategic and comprehensive refugee policy. As one of the first signatories to the Universal Declaration of Human Rights and a party to several key international conventions, Lebanon has a number of frameworks at its disposal that can serve as a guide in developing a comprehensive approach.

## **2 Resettlement, humanitarian admissions and other safe and legal routes as part of a 'comprehensive solutions package'**

To support Lebanon – and neighbouring countries – in dealing with this mass influx, the international community must have a credible international approach to the refugee response, combining provision of aid funding with the creation of more legal and safe routes for seeking relocation to rich countries, including within the region. This can be achieved through widening the mechanisms for applications for asylum, legal migration channels and increasing resettlement numbers; looking to learn from global best practice and experience in other regions.

With living conditions in Lebanon deteriorating across the board, and protection and access to basic rights and needs not guaranteed, migration to a third country is often seen as the only way to exercise one's right to seek protection. Recognizing that the sheer size of the displacement makes it extremely challenging for the country to ensure quality of asylum for the whole refugee population, the international community has an obligation to provide additional support through resettlement and other relocation options. Rich countries should increase resettlement quotas for the most vulnerable refugees as well as subsidiary protection or other forms of humanitarian admission including family reunification to a fair share of 10 percent of the total refugee population by the end of 2016.

Resettlement as is currently implemented can only make sense, however, if it is part of a comprehensive solutions package<sup>17</sup>: rich countries must open legal and legitimate channels and schemes for onward movement,<sup>18</sup> accessible through application from the current country of first refuge. These alternative channels would provide more clarity and transparency for refugees wanting to leave the country and not having access to resettlement, including safe and legal routes for Syrians seeking protection to access – and remain in – their territories. Opening legal channels for access to third countries through voluntary applications would break the circle of forced movement, allowing for safe and dignified travel and recognized access to protection and asylum alternatives<sup>19</sup> Such schemes should include family reunification, academic and labour-based immigration opportunities, or other options while guaranteeing the rights of Syrians who would benefit from these solutions in line with the Refugee Convention

In order to allow refugee populations to live with dignity in a situation of protracted displacement, while minimizing tensions between communities and contributing to building long-term solutions, there is also a need for international donors to contribute their fair share of funding to appeals in order to ensure basic humanitarian needs are met. This should include funding for longer term programmes aimed at enhancing refugees' self-reliance. Sufficient resources and space need to be made available to ensure that aid agencies provide aid impartially and strictly on the basis of needs, without consideration of nationality or the status of beneficiaries, in respect of the do-no-harm principle and taking into account the needs of other vulnerable and marginalized communities in Lebanon.

### **3 Local governance structures that are fully supported and funded, with rule of law respected**

The local delivery system is under intense pressure. Investments in local economic development are not enough. Municipalities in Lebanon have had to bear the brunt of the refugee response with few resources and little capacity. This has pushed them to make decisions that are not always in line with national and international legal frameworks that contribute to equitable local economic development. Investing in local government – including capacity building and improving the quality of service delivery – can create a clear line of accountability from local representatives to constituents and ensure responsiveness to citizens' needs.

Aid that does not contribute to such development has the potential to leave needs unmet and exacerbate tensions and perceptions of marginalization. It is clear, however, that traditional means of funding have not been tailored to such a large-scale, protracted crisis. Ensuring municipalities have access to resources allocated to them through the distribution of resources of the Independent Municipal Fund in an equitable, transparent, and timely manner, in addition to releasing additional resources to satisfy the increasing demand for public goods and services would pave the way for local economic development.<sup>20</sup>

The Government of Lebanon should prioritize necessary reforms, including the draft decentralization law and resources distribution law to ensure municipalities have the independence and legitimacy to respond to constituents' needs and to specific needs resulting from the refugees' presence on their territory. The international community on the other hand should ensure that Lebanon, as a middle-income country, has access to funding mechanisms to



help it deal with the demographic shock it is experiencing and its growing financial needs. Agreeing financial modalities that can help build in effectiveness and transparency is in the interests both of addressing social inequalities and as a confidence measure towards international investors.

#### **4 An effective and funded social protection strategy**

People living in poverty, regardless of their social and legal status, should be protected from risks in their efforts to move out of poverty. Such support would help households cope with the impact of poverty and stem the intergenerational transfer of poverty. In order to do this the Government of Lebanon, with the support of international donors should work to introduce an expanded and effective social protection strategy that significantly benefits all poor families in Lebanon. Although the Lebanese government has not officially committed to setting up a social protection floor, elements of a social protection floor already exist in the country with the NSSF, ENPTP and other health-service-related programmes. A social protection floor would provide a basic set of transfers in kind or in cash to the most vulnerable populations, thus ensuring they are able to deal with shocks and stresses without having to compromise on their rights. A well thought out strategy and action plan to incrementally build a social protection floor should be initiated.

#### **5 Prioritize job creation based on labour market assessments and access, to create and protect employment for all**

Lebanon has not managed to generate inclusive growth – a crucial complement to investments in expanding social safety nets. Weak job creation has fallen behind an increasingly growing labour force that has been affected by the refugee crisis.<sup>21</sup> Job creation, however, must be based on a comprehensive assessment of the labour market which identifies needs and leads to support for existing sectors as well as investment in new ones. Social protection for workers also contributes to social stability, and curbs the rise of the informal employment sector and protects the poor against shocks. Respect for the labour law is crucial in this regard, as the law establishes a right to employment, as well as employer and employee protection. In addition, enforcing the current social protection mandate to ensure that those who should receive NSSF have access to their entitlements and that employers are paying in what is required is also necessary as more jobs in the formal sector are created.

Bilateral dialogue among different international actors can support the GOL in identifying new and innovative legal frameworks that provide employment opportunities for Syrians while protecting the employment of all workers. The current framework, in limiting access to employment for refugees, is likely to have damaging costs for the economy and for the Lebanese poor; a problem which international donors can help to address. Past experience has shown how the ability of refugees and displaced people to be more self-sustaining and avoid poverty in situations of protracted displacement, contributes to a more certain and sustained return and reconstruction in their countries of origin after displacement.

Heavy investment by the international community in Lebanon (potentially including economic trade zones and fair trade agreements) is imperative to kick-start the economy, create jobs, and move towards equitable growth. Lebanon should seek to benefit from large-scale investments over the medium term through the opening of the labour market, based on market analysis, to trigger economic growth while at the same time actively improving the quality of asylum for refugee populations on Lebanese territory.

# 1 INTRODUCTION

Since the outbreak of the crisis in Syria in March 2011, Lebanon has felt the impact politically, socially and economically. Four-and-a-half years into the crisis and with an all-out war on its doorstep, the country is experiencing ever greater repercussions. Today, Lebanon hosts the highest number of refugees per capita in the world, with one in five people a refugee, dispersed in more than 1,700 localities across the country, and a high proportion of them under 18 years of age.<sup>22</sup> This amounts to an unprecedented 30 percent increase in the population of this tiny nation, with its own long history of civil conflict and external intervention. Thirty years of Syrian military presence, as well as a pattern of social injustice and conflict, have influenced government, policies and decision-making and the public perceptions of the Lebanese. Lebanon is currently experiencing political deadlock within constitutional institutions: the presidency, the legislative, and the executive. This has paralysed public policy and made it difficult to actively address any crisis the country is faced with. Crucially, it has directly impacted on both the government's approach to the Syria refugee influxes and on wider international engagement with Lebanon.

Lebanon's experience highlights a number of recurring challenges seen globally in responding to large-scale, protracted displacement. Reflection and analysis can serve as an opportunity for the re-evaluation of national and international policy positions towards this now protracted and global crisis, to support a comprehensive solutions framework. A comprehensive solution is one that addresses protection issues, living conditions, access to services and reduced aid dependency for refugees; along with stronger social protection, access to services and greater employment opportunities for poor and vulnerable Lebanese. This comprehensive approach must at the same time take into account interim as well as longer-term solutions, including but not limited to the traditional durable solutions<sup>23</sup> that are not available to the vast majority of refugees in Lebanon.

Yet, as the paper will discuss, structural decision making and governance challenges are at the heart of the problem in Lebanon, making policy responses to the needs of the country extremely ad-hoc, inconsistent, and therefore problematic, especially during times of crises. A comprehensive response therefore needs to acknowledge, and proactively engage which such challenges.

# 1 A COUNTRY IN POLITICAL AND ECONOMIC CRISIS

Since the Syrian crisis erupted in 2011, Lebanon's population of just over 4 million has grown by 30 percent. The nation currently hosts an estimated 1.5 million Syrian refugees, of which 1.1 million are registered refugees, and 43,377 Palestine refugees from Syria.<sup>24</sup> This amounts to the highest number of refugees per capita in the world.

As of September 2015, the UN/GoL Lebanon Crisis Response Plan for the refugee crisis was only 48 percent funded, as committed funding has failed to keep pace with needs. In addition, political paralysis at the presidential, legislative and executive levels has made it difficult for actors such as the World Bank to release much needed money allocated to Lebanon to support longer term developmental needs for infrastructure and economic development.

More recently, discussions among international donors have shifted to 'resilience', whereby longer term financing is made available to Syria's neighbouring countries. While the recognition is welcome that both humanitarian and developmental funding is necessary, it is clear that the basic needs of refugees as well as those of host communities are still not being met and that it is not an 'either/or' option.

## 1.1 THE POLICY OF NO POLICY

Lebanese governments through the years have consistently struggled to provide comprehensive policies that reflect public needs and interests.<sup>25</sup> Cycles of internal, regional and international stresses have hampered Lebanon's development trajectory, perpetuated fragility, and exacerbated social and political tensions, reflective of systemic structural problems.<sup>26</sup>

These shortcomings have become increasingly visible in the face of the growing regional and refugee crisis.<sup>27</sup> At the onset of the Syria crisis, the Lebanese government adopted an official policy of 'dissociation' towards developments in Syria in order to preserve the delicate political<sup>28</sup> balance between the various sectarian forces, which as Lebanese political factions, were unable to agree on a unified position. Eager to maintain this balance, the government presented dissociation as a form of neutrality, while hoping that the crisis would be resolved quickly. In reality, however, this policy merely exported deadlocked political decisions in Lebanon to Syria, as different political groups played out their positions through political and armed interventions. This has effectively led to a *de facto* paralysis of the major political institutions. The country has been without a President since May 2014. Parliamentary elections scheduled for 2013 have been postponed twice. Meanwhile, the executive branch has been unable to make any decisions or achieve necessary consensus among political factions on all major policy issues.

This policy of dissociation has translated into a series of decisions and actions with both intended and unintended consequences, primarily for refugees, but also for the Lebanese, as refugees poured into the country despite the absence of a policy to respond to the influx. In light of the experiences of Palestinian refugees in Lebanon,<sup>29</sup> the Lebanese government refused to establish official relief camps for Syrian refugees, fearing such a move would lead to a permanent settling of them and a potential shift in the country's confessional and demographic balance.<sup>30</sup> As a result, Syrians sought refuge in informal settlements, where they had to provide for their own shelter in the most underdeveloped and impoverished rural areas, or in urban poverty belts.<sup>31</sup>

In February 2014, following months of consultation, a new government was formed in Lebanon. By April 2014, the number of refugees in the country had reached over one million. This was in

part thanks to the open border agreement between Syria and Lebanon which allowed Syrians to cross freely and to obtain legal status easily and with limited costs.<sup>32 33</sup> Soon the wider impacts of this massive population influx coupled with an inadequate response aimed mainly at the refugees themselves became apparent: economic stagnation, challenges in aid delivery and growing pressures on public services were all attributed to these developments, at a time when a spill-over of the conflict along the north-eastern border raised concerns over presence of radical Islamist groups inside Lebanon.

In response, the new government made two key decisions in October 2014. First, it decided to work with the UN to develop a Lebanon Crisis Response Plan (LCRP)<sup>34</sup> as part of the UN's Regional Refugee and Resilience Plan, to mitigate the effects of the crisis on Lebanon and affected communities.<sup>35</sup> Second, it issued a 'Policy Paper on the Syrian Crisis' that aimed to manage the displacement crisis within Lebanon. The paper presents the GOL's goals and assumptions on the crisis, but lacks a clear implementation mechanism and came relatively late in terms of refugee response planning. Through the October Policy, the GOL declared its intent to first, reduce the number of refugees in its territory by controlling border access; second, address rising security concerns, including bolstering municipal police units to manage the displaced population; and third, to ease the economic impacts of the crisis by, among other things, strictly enforcing laws governing displaced persons and foreigners to protect Lebanese employment and employment generally.<sup>36</sup> The wide-ranging impacts of this policy on refugees and host communities alike are discussed in section 2.

## 1.2 DECENTRALIZING PROBLEMS: RELIANCE ON MUNICIPAL-LEVEL RESPONSES

Political deadlock at the central government level transferred the burden of crisis management to municipalities where the impact of the influx was immediately visible. Recent Oxfam research conducted in five districts in north Lebanon found that local authorities considered the central state to be absent and that the municipalities and the local communities were left alone to deal with the complex issues of the crisis, such as housing shortages, sewage treatment, healthcare service provision and security. Local authorities have limited administrative and governance capacities to address the protracted and massive refugee crisis. This has contributed to high levels of frustration among local populations.

*'Our spending has doubled in every direction. At the same time, we have a limited ability to tax Syrians who are already suffering. And we don't have any compensation from the central government. So, what do you want us to do?'*

Municipal leaders, north Lebanon

Municipalities also have limited financial capacities. What they have they receive from the Independent Municipal Fund<sup>37</sup> – a central, intergovernmental grant-funding system that transfers resources such as taxes and fees from central to local governments. The municipalities' resources are often drained by the basic needs of the local population and the provision of essential infrastructure. Of 1000 municipalities in Lebanon, 70 percent have less than 4000 registered inhabitants. An estimated 80 percent are administratively and fiscally weak.<sup>38</sup> For example, Deddeh, a town in El-Koura where Oxfam has worked, has a population of 3,993 Lebanese, and hosts around 2,500 refugees. The local municipal council is composed of four full-time employees: the president of the municipality, an assistant and two security personnel. This lack of administrative capacity restricts local authorities' ability to mitigate or respond to the deep socio-economic and political ramifications of the crisis, such as rising unemployment, intensifying social conflict and humanitarian needs.<sup>39</sup> In the eyes of some interviewees the only functioning municipal councils are in the Union of Municipalities.<sup>40</sup> These councils have the ability to undertake infrastructure projects and possess sufficient administrative capacity to plan and design long-term interventions.

Until January 2015 refugees were registered by UNHCR and rarely had to deal with local governments. In response to expressions of frustration of the local population, as many perceived ever-greater impacts on public services and living costs, local governments assumed responsibility for 'law and order'. This was promoted at the central level, where MOI specifically decentralized a certain component of security management with two circulars restricting the establishment of informal settlements – although this was interpreted very broadly by municipalities and used as the basis for evictions, for impeding the relocation of refugees after evictions, and for the establishment of curfews.<sup>41</sup>

*'At one point my son got very sick in the night, so my wife and I took him to the doctor. But I was stopped by the police for breaking the curfew even though I was with my wife and son. They confiscated my papers and I had to get a Lebanese mediator to help me resolve the situation.'*

Syrian man, over 30, Akkar

The majority of municipal leaders also asked for support to introduce local police forces<sup>42</sup> to fight off a perceived increase in criminal incidents. While the perception is not corroborated with official data, this request was legally facilitated by the central government but with no funding or training in line with human rights principles and practices. Due to the absence of effective law enforcement, many areas opted for informal security networks, through which young Lebanese males conduct daily patrols to identify 'suspicious' security threats. Such patrols in rural areas are conducted with the knowledge of the municipality and local political party leaders.<sup>43</sup> They respond to Lebanese communities' perceptions of insecurity, which have led to some Lebanese adopting coping strategies such as staying home at night and keeping children inside the house.<sup>44</sup>

In the northern T5 area, several towns have experienced a 100 percent increase in population and are using curfews as a tool to manage fears and managing social tensions. Many municipalities are unaware that under Lebanese law enforcing curfews requires the endorsement of Lebanon's Council of Ministers.<sup>45</sup> They also are unaware that curfews may breach international and bilateral agreements between Lebanon and Syria concerning citizens' rights to freedom of movement in each other's territories.<sup>46</sup> Nonetheless, by the end 2014, some 45 villages had imposed curfews on Syrian refugees and other non-Lebanese nationalities.<sup>47</sup>

Municipalities also started regulating a number of other domains. In the Bekaa the governor, as well as several municipalities, issued regulations halting the creation of new informal settlements or the expansion of the refugee population in their territories. Some municipalities in the north (Zgharta and Ehden, north Lebanon) have even gone so far as to impose a salary ceiling for refugees. This caps the daily wage of Syrian refugees at \$16 a day for male labourers, and half that for female workers.<sup>48</sup> Municipal leaders explain this measure as a response to growing unemployment, and the perceived need to 'protect' the Lebanese labour force runs counter to the country's labour laws. But it is in line with the tendency of municipalities to take law and order into their own hands in the absence of a coherent national policy to address the impact of the crisis, and to respond to the needs of Lebanese constituents.

## 1.3 ECONOMIC IMPACTS – REINFORCING PATTERNS OF INEQUALITIES

The prolonged nature of the crisis has placed tremendous pressures on Lebanon's already weak infrastructure, communities and economy, prolonging social and economic stress over time and directly impacting social stability in the country.

*'This idea of decentralization is one big lie. There is no decentralization in Lebanon. I can't build a budget as a municipal leader, because I have to wait to see if the independent municipal council will send money. You can't run a municipality this way.'*

FGD-Municipal leaders, North

Lebanon: looking ahead in times of crisis. Taking stock of the present to urgently build sustainable options for the future

By the end of 2014, the total estimated cost of the Syrian conflict to the Lebanese economy is \$7.5bn,<sup>49</sup> while the Lebanese Prime Minister stated that this year, the cost has increased to a staggering \$16bn.<sup>50</sup> This cost includes required spending for stabilization,<sup>51</sup> with an estimated \$308m through 2014 for health, education, and social safety nets. Real GDP growth in Lebanon is estimated to be down by 2.9 percentage points each year, resulting in large losses 'in terms of wages, profit, taxes, and private consumption and investment'.<sup>52</sup> The crisis is estimated to cost the Lebanese government \$1.5bn each year in lost revenue, due to the direct impact on key sectors such as tourism, and the indirect impact of weaker economic activity. At the same time, there has been an increase in expenditure of \$1.1bn from the increased demand for services.<sup>53</sup> Municipalities in Lebanon receive their finances from central government, which collects revenues on their behalf and sends them back annually. Changes in revenue collection and expenditure are being felt first hand by local governments.<sup>54</sup>

*'The borders were closed. Our apples were falling under the trees, and then we had thousands of refugees, many of them as poor as the people of Dannieh. What do you think is going to happen?'*

FG- Municipal leaders, North

The tourism sector suffered a significant blow from an estimated loss of 894,000 tourists (approximately 50 percent) between 2011 and 2013.<sup>55</sup> Furthermore, the closure of the Syrian borders heavily affected agricultural businesses in the North and Bekaa by cutting off local producers' markets to Syria, Jordan and the Gulf. The inability to import and export produce contributed to an unprecedented economic decline in these areas<sup>56</sup> at a time when the labour force in the country has increased by 50 percent. This decline potentially plays a role in intensifying competition in labour markets that were traditionally dominated by Lebanese.<sup>57</sup> In the T5,<sup>58</sup> sectors such as construction, hairdressing, vegetable sales and the service industry are being replaced by cheaper Syrian labour. Unemployment rates have risen and the social crisis, already present in 2010, has now worsened.<sup>59</sup> Syrian refugees, however, are largely employed in the informal sectors and do not have social security benefits or protection.

Certain segments of Lebanese society have benefited from the crisis. Landowners collect rent from refugees. Businesses profit from cheap and often informal labour.<sup>60</sup> But these gains are not enough to offset the huge losses to the local economy in terms of infrastructure depletion and diminished economic growth as a result of the Syrian conflict. More importantly, the economic benefits are limited to a small segment of society, further exacerbating inequalities in Lebanese communities and reinforcing frustrations among them.

## 2 REFUGEES, DISPLACED, ASYLUM SEEKERS OR MIGRANTS?

### 2.1 THE PRE-CRISIS LEGAL FRAMEWORK

Lebanon lacks a comprehensive domestic legal framework to guide authorities' treatment of refugees and does not legally differentiate between refugees and other immigrants to the country. Refugees and all other foreigners in Lebanon fall under the 'Law Regulating the Entry, Stay, and Exit from Lebanon', dating from 1962.

The presence and right to work of foreign nationals, other than Syrians, in the country is regulated through work permits or through the sponsorship system. The sponsorship system, which previously only applied to third-country migrants and domestic workers, assumes that employers take full responsibility for the 'worker' and his or her activities, including those that have any security implications or could cause harm to others. The employer also must ensure medical coverage and guarantee accommodation. The system gives employers substantial control over the life of the employee, and there is significant potential for abuse and exploitation.

Entry into Lebanon, residency and employment for Syrian nationals is regulated by additional legislation. In 1993 a bilateral agreement for Economic and Social Cooperation and Coordination was signed between Lebanon and Syria. This agreement abolished restrictions on mobility and granted freedom of work, residence and economic activity for nationals of both countries.<sup>61</sup> It is not known how many Syrian workers resided in Lebanon prior to the crisis, with estimates ranging between 300,000 and 600,000.<sup>62</sup> Syrian workers were mostly engaged in agriculture, construction, commerce and hand-crafts.<sup>63</sup> While Syrian nationals were legally obligated to obtain a work permit, in practice neither Lebanese employers, nor Ministry of Labour (MOL) or General Security Office (GSO), implemented the law before 2014. According to official figures from the Department of Syrian Workers in the MOL, there were 650 Syrians officially registered in 2012–2013, including 200 workers who had renewed their work permits. Although Syrian migrant workers have the same right as Lebanese workers to access social security, Syrian workers traditionally have not done so.

Different frameworks apply to Palestinian refugees in Lebanon both with regard to labour laws and social security. In 2010, Palestinian refugees in Lebanon were granted the right to benefit from the end of service provisions under the National Social Security Fund (NSSF), the independent, public social insurance institution. However, they still do not have the right to illness, maternity and family indemnities,<sup>64</sup> despite having to pay the same contributions as the Lebanese. This law does not extend to Palestinian refugees from Syria.

Given that Lebanon does not have a specific law or policy on asylum and refugees, refugees in the country do not have access to a national legal mechanism for the protection of the rights they enjoy under international law. Nonetheless, the 1962 law has some limited references to prohibiting forcible returns of political asylum seekers. Article 31 stipulates that a political refugee deported from Lebanon will not be returned to a country in which 'his or her life or freedom is threatened.'<sup>65</sup> Articles 19 and 20 authorize GSO to grant a pass to people with no travel documents so they can transit to other countries if they are refugees, stateless, or a national of a country that has no representation in Lebanon. Furthermore, the Lebanese government recognizes that individuals registered with UNHCR shall not be returned to the countries from which they fled.<sup>66</sup> While not offering a specific status or protection regime for individuals fleeing violence or persecution, this suggests a strong commitment to avoiding forcible returns, despite some doubts over the management of Iraqi refugees in 2011, when

there were allegations of forced repatriation of Iraqi nationals following long periods in detention.<sup>67</sup>

These provisions, however, have a limited effect because the GoL has declared the Syrian refugee crisis to be governed not by law, but by governmental decisions. This contradicts the Lebanese Constitution which enshrines the Universal Declaration of Human Rights and its commitment on the right to seek and enjoy asylum.<sup>68</sup> It also violates Lebanese laws and a number of international treaties<sup>69</sup> and conventions to which Lebanon is a party.

## 2.2 ENTRY RESTRICTIONS AND LEGAL STATUS

Within the framework of the October Policy, the General Security Office, in charge of all entry to Lebanon and the granting of asylum, used its discretionary powers to restrict entry of Syrian nationals according to specific categories. It also imposed various costly and complex procedures for managing the legal status of those in the country. These measures ultimately led to a blurring of the lines between who the government considers to be displaced, refugees, and migrants.

As the Lebanese security apparatus worked to ensure a minimal spill-over of the conflict into Lebanon and cracked down on armed groups, regular checkpoints and other security measures targeted specifically at refugees such as raids on informal settlements became part of the October Policy's implementation. Arbitrary arrests and detention of suspected refugees caught during raids became quite frequent at the end of 2014 and in early 2015, as did evictions of entire settlements, justified on security grounds.

*'We discussed in the family and agreed together that my son should be getting work, as we were so desperate for money to supplement the aid we receive. But it makes me very nervous when he is walking to and from work through our unsafe neighbourhood.'*

Syrian man under 30 years of age.

This approach became increasingly problematic for refugees as a result of more challenging procedures for the renewal of residency documents after February 2015. Progressively greater numbers of refugees were unable to renew their documents. As a result, they became technically 'illegal' and at greater risk of arrest.<sup>70</sup> When arrested, most refugees are released within 72 hours, but there is no clear understanding of the actual numbers of people detained for longer periods of time. In addition, many refugees are reported to have been given departure orders on release. To date, these orders have not been carried out, and the GoL has offered assurances that they will not be.<sup>71</sup> Nonetheless, refugees who are served such an order are effectively more vulnerable to arrest. This has created a very unstable environment for refugees. It is a threat to their safety and well-being.<sup>72</sup> Moreover, it has led some refugees to reduce their mobility.<sup>73</sup>

The new border measures introduced seven different categories through which a Syrian national can enter the country.<sup>74</sup> If Syrian citizens seeking asylum in Lebanon fail to meet one of these criteria – which do not include fleeing violence and persecution, but do include the need to prove financial stability and plans to return – they are left with only two options for entering the country. They can enter either as a worker with a Lebanese sponsor on the basis of a 'prior pledge of responsibility' or under one of the four humanitarian exceptions, based on criteria outlined by MOSA.<sup>75</sup> The process of granting humanitarian exceptions, however, presents a number of limitations. On one hand, there are concerns around the restricted number and nature of the exceptions. On the other hand, there is a clear practical difficulty in accessing such exceptions for those who might need them: the process requires MOSA – and the Minister himself – to approve each exception made. This poses questions about the appropriateness of



such a procedure when large numbers are at stake. Moreover, the process does not include procedures for appealing cases that are denied.

Palestine refugees from Syria have been admitted under even stricter conditions since May 2014: they can enter only if they have an embassy appointment, are transiting to a third country (with proof of airline tickets and a visa to the third country) or with a pledge of responsibility. They cannot benefit from the humanitarian exceptions. Again, the prohibitive costs, coupled with the fear of arrest and/or deportation by the GSO, means that few such refugees have approached the GSO to renew.<sup>76</sup>

Syrian refugees who were already in the country before the October policy came into effect have two options. They can sign a pledge to not work so as to be able to renew their residency on the basis of registration with UNHCR, sacrificing, in the process, badly needed income for themselves and their families; or they can renew their residency by obtaining sponsorship from a Lebanese national (which effectively treats them as migrants). Both options offer little legal protection. UNHCR registration does not accord refugees asylum or legal status. Meanwhile, 'the sponsorship system for Syrians violates the Lebanese Foreigners Law and the Labour Law' and leads to exploitation of refugees under the pretext of sponsorship.<sup>77</sup>

As a result of these measures, an estimated 57 percent of Syrians and 90 percent of Palestine Refugees<sup>78</sup> from Syria lacked valid residency documents as of September 2015. This undermines their protection as refugees, increasing their risk of exploitation, abuse, and violations, including gender-based violence.<sup>79</sup> As they fear being detained, refugees also reduce their mobility. As a result, they have more limited access to healthcare, education, employment, and even to the ATM machines and contracted shops that they need to collect cash or in kind assistance.

#### **Iman: Implications of lack of legal status**

'Iman' (not her real name) is a Palestinian refugee from Syria under 30 years of age who lives with her parents and siblings in a Palestinian camp. She and her family came to Lebanon at the end of 2012, and moved around multiple times before settling in this camp. She works for a local NGO, and also teaches children in the afternoons. In addition to the UNRWA aid that her family members receive, hers is the only source of income since her 60-year-old father is too old and sick to work. She says that she feels unsafe in the streets, that men harass her verbally. She has also overstayed her residency permit, which is a significant source of stress. Recently she was stopped at a checkpoint and she felt terrified; she gave her ID to the soldier and when he said that it had expired, she told him that her paperwork was at general security and that she had forgotten her receipt at home. The young man next to her in the van tried to use the same excuse and had his paperwork confiscated, but the soldier handed back her paperwork with his phone number and name in it. Ever since, she tries to limit her movements as much as she can.

Current policy and practice are therefore *de facto* re-categorizing Syrians who fled the conflict as irregular migrants. As such, they are faced with the choice of both regularizing their migrant status and giving up any right to protection, or depending fully on diminishing humanitarian aid. In addition, the complexity of the procedures, the associated costs, and the inconsistencies in practices in different GSO offices across the country make the application process even more problematic.<sup>80</sup>

## 2.3 REFUGEE PERCEPTIONS: LIMITED OPTIONS AND INCREASING DESPERATION

The new policies and practices of the authorities in Lebanon and the inadequate aid response had profound negative impacts on refugees.

*'I fled the war without anything, I came here and I can't make a living. People sometimes give me things but I can't pay rent and I can't pay for things. I'm afraid to walk in the streets, I start trembling because my residency permit has expired...they have put impossible conditions on us...we're suffocating, we're desperate.'*

Syrian man, over 30 years of age, Tripoli

Interviews with Syrians conducted by Oxfam between March and May 2015, found that interviewees reportedly travelled sporadically to Syria before the changes to the border policy in January 2015. They travelled to purchase long-duration food at cheaper prices than in Lebanon; at times to seek medical care, which is still free in Syria; to obtain civil documentation, including for newborn children; to renew passports; and to attend important family events such as funerals. These are coping strategies to mitigate some of hardships they face in Lebanon. They also are a means to renew their legal status by crossing the border temporarily before returning. The mobility enabled them to maintain family links, keep on top of events back home, ensure the status and security of their land holdings and gain insights into safety levels back home. The new border regulations significantly affected this mobility and obliged people to fundamentally cut relations with their families and places of origin. It also had an economic impact on their lives and interfered with these positive coping strategies.<sup>81</sup> The latter may have serious repercussions down the line, making repatriation more complicated, and returnees less accepted, as has happened consistently in other countries in the past decade.<sup>82</sup>

The new regulations described above are perceived as posing a real dilemma for those who, though wanting to renew their visa and maintain a regular status, are unable to do so. Interviewees in informal settlements in Akkar and in the Bekaa reported also having an increased fear of raids, which often result in the detention of boys and men for lacking legal residency.

Very few families report being able to renew residency permits for all members of their families. A common strategy adopted by some families is to renew the permit of one family member. This enables them to move more safely in search of work or while going to work. A frequent rationale for renewing the permits of men and older boys first is that it at least allows them to cross checkpoints more safely. Women and girls are perceived to be at lesser risk of being stopped at checkpoints.<sup>83</sup>

*'...now my residency has expired again and I don't have the money to renew it. But sometimes I cannot avoid crossing checkpoints when I have work far from here, in another village. For the regular checkpoints, the soldiers usually let me through and just tell me that I should renew; but when there is a pop-up one, I simply ask the bus to stop and turn around. This has caused me a lot of problems with my freelance job.'*

Syrian man under 30 years of age.

Refugees who do not have valid papers reported staying at home more. When they have to go somewhere, they take back roads or travel by foot to avoid the checkpoints. Young women, when stopped at checkpoints, reported having to engage in humiliating behaviour to avoid detention, being obliged to pretend flirting and leaving their phone numbers with security personnel at the checkpoint. This presents clear risks of sexual exploitation. Moving around in public also becomes risky, as those whose permits have expired are subject to arrest, and are

often served departure orders, or given little time to return to the authorities with a renewed document. Though departure orders reportedly have not been enforced to date, individuals presented with such orders are constantly at risk of arrest or detention.<sup>84 85</sup>

Increasingly, refugees are relying on negative coping mechanisms that raise serious protection concerns, such as spiralling debt, reduced food intake, survival sex, early marriage, and the withdrawal of children from school so they can work. While risky migration to Europe increases, some refugees are also considering returning to Syria, despite the danger of the journey and the raging conflict at home.

*'I'm sick, I dream of going home to Syria to at least die in my own house, even though I'm sure that my furniture is gone and there is no electricity or water.'*

PRS man, nearly 60 years old, Chatila

## **Aid is not enough**

The combination of changes in the regulations determining refugees' ability to enter or exit Lebanon and the conditions of their stay, coupled with significant gaps and reductions in the provision of humanitarian assistance, has created a challenging environment in terms of satisfying basic needs and protection.

The 2015 Vulnerability Assessment of Syrian Refugees (VASyR) found that 70 percent of all Syrian refugees are now living below the poverty line, with 50 percent below the survival level (up from 29 percent in 2014). At the same time, it is estimated that 70 percent of Palestine refugees from Syria are living below the poverty line and that 91 percent of such families lack food or money to buy it.<sup>86</sup>

On April 1, 2015, the World Food Programme (WFP) implemented a cut in its food assistance programme to Syrian refugees living in Lebanon because of funding shortfalls. This reduced the value of the food voucher from \$27 (January 2015) to \$19. On July 1 there was a further reduction to \$13.5 per person as commodity prices increased and inflation rose. It also reduced the number of people that can be covered per household, which is now a maximum of 5, independent of the number of household members.<sup>87</sup> As of October 2015, the amount has again been raised to \$21.60 until the end of the year. The situation of Palestinian refugees from Syria is not much better; UNRWA, the main UN body responsible for Palestinian refugee affairs, has suffered from severe underfunding. This forced the agency in April 2015 to cut its assistance from \$31 to \$27 a month per person and reduce food vouchers. The agency suspended its housing allowance of \$100 in July 2015.

During the research on coping strategies, all respondents agreed that it is not possible for them to live on aid alone, and even for those who are able to find some paid work, it is insufficient to provide for their families' needs. In addition, the restrictions on the way the aid is provided make it difficult to fully benefit from even that already limited support. Furthermore, the types of products they are entitled to purchase mean that, if they have no other income, or their other income is insufficient, they are not able to obtain non-food goods that they deem equally necessary. The coping strategy for bridging the cash gap adopted by most refugees from Syria is to sell other aid in order to purchase more food or food from different (usually less expensive) suppliers. They also reported selling their food vouchers to other refugees or even to third party resellers for cash to buy other types of goods, at a discount averaging approximately 25 percent of their value.

Syrian refugees are able to access health services with a nominal fee through the Ministry of Social Affairs run Social Development Centres (SDC). They pay less than Lebanese, and can access primary health care through Public Health Clinics operated by the Ministry of Public Health (MoPH). Secondary health care is subsidized by UNHCR through a private contract with MediVisa. However, the long waiting times mean that out of pocket expenses for refugees end up being the same. In addition, the costs that are not covered – as fees are subsidized, but not Lebanon: looking ahead in times of crisis. Taking stock of the present to urgently build sustainable options for the future

covered 100 percent – still represent a significant obstacle for families whose income keeps reducing. For Syrians who are used to free health services in their home country, this is a significant expense. Palestinian refugees from Syria (PRS) have the same access to healthcare in Lebanon as PRL, except for non-life-threatening hospitalization cases, as they have access to UNRWA healthcare facilities.

## Limited livelihoods options

Syrians interviewed by Oxfam agree that it is impossible to live on aid alone. Even those who find paid work say they are unable to provide for their families' needs. A number of individuals reported borrowing money from family members, either in Lebanon or abroad, or from acquaintances and neighbours. In this situation, access to income or lack thereof severely affects perceptions of the quality of life and the sense of safety and protection across all sectors of the population in Lebanon – from Syrian refugees, to Palestinians and Lebanese.

### Mohammed: struggling day to day

'Mohammed' (not his real name) is a Syrian man over 30 living in the Tabbaneh area of Tripoli. He came to Lebanon one-and-a-half years ago from a village near Aleppo with his wife and four children aged 5 to 11, leaving after the street next to his was shelled by tanks and bombed by airplanes for an extended period. He used to work as a real estate agent in Syria, and owned a car and a house; now he works about one day out of nine pushing a vegetable cart in Tripoli's *souq*. Mohammed says that there used to be more work in the *souq*, but now people send their boys to do the work and they'll work for less money, so employers prefer to hire them. He describes always being broke, and says he never pays his landlord on time and is going deeper into debt – therefore he feels that his housing situation is highly insecure. He also has injured his back at work – but when he went to the Public Health Center, they just gave him painkillers and told him to change jobs. Overall, he feels very stressed, and is always fighting with his wife and children.

Access to work for Syrian refugees is almost exclusively through informal structures and mechanisms. Refugees generally tend to find precarious day labour positions as farmhands, shop assistants or in other forms of manual labour. They are disproportionately concentrated in the construction and agriculture sectors, having historically worked as seasonal workers in Lebanon. Refugees typically work for very low wages, almost always lower than those of their Lebanese counterparts. Many of them reported to Oxfam having suffered abuse at the hands of their employers, ranging from verbal abuse to arbitrary withholding of pay and threats of dismissal.<sup>88</sup> Employers also threaten to report them to the authorities. These abuses are exacerbated by the fact that employers are well aware that most refugees either lack visas or hold expired ones, and are therefore in no position to seek the authorities' assistance. Employers also exaggerate when they make such threats, because they themselves are committing a violation by employing refugees without providing them with work permits.<sup>89</sup>

A number of Syrian refugees reported asking for their immediate neighbours' assistance in supporting them with legal paperwork or in vouching for them with local business owners with whom they hoped to find jobs.<sup>90</sup> Various interviewees also reported growing competition between Syrian men and children in the labour arena. Since children are less likely to be arrested when moving about without legal documents, there has been an apparent increase in the number of children working to support their families. At the same time these children are being paid even lower rates.<sup>91</sup> In all regions examined in the study, families are more likely to have older children or even young children and women engaged as the primary earners when the male head of the household is older and thus finds it harder to get work. In general terms, refugees living in informal settlements in rural parts of the Bekaa and Akkar tend to have younger children and women working than those in urban areas. In rural settings, women who

work tend to work as farmhands. Female and male interviewees, in rural and urban settings alike, tended to characterize women working as evidence of how bad their situation is.

While all refugees interviewed say they want to work, PRS tend not to have work as frequently as Syrian refugees. Indeed, according to the International Labour Organization (ILO), the unemployment rate for PRS is around 90 percent as compared to around 50 percent for Syrian refugees (though this figure is higher among women).<sup>92 93</sup> This is primarily because PRS tend to live in host communities where there are few opportunities for employment and because they lack the informal social networks enjoyed by Syrian refugees. Moreover, the little employment available in host communities where PRS tend to live – primarily Palestinian communities – is often given preferentially to Palestinian host communities. Finally, PRS find it difficult to leave PRL camps, especially camps such as Nahr al-Bared and Ayn al-Helweh, to seek work elsewhere, because they generally have no legal right under national law to be in Lebanon. The situation is only marginally better for PRS living in the southern suburbs of Beirut, as the camp boundaries are more porous and thus allow more access to employment in surrounding neighbourhoods.

## **Domino effect**

Flexibility in the search for shelter is one of the first coping strategies to which refugees resort. This is because they have little income and aid and must seek less expensive accommodation, especially in urban settings where there is more choice, or by moving from one informal settlement to another less expensive one in rural areas.<sup>94</sup> Because of the threats of eviction and other abuses reported by some refugees, aid payments are given first to the landlords. This means that the cash the refugees received for special needs, such as the winterization of their dwellings, is instead spent on paying rent.

*'I came to Lebanon about three years ago with my husband and our six children. We have moved around quite a lot in Tabbaneh since arriving. Our situation is very difficult, we don't have enough money for food basics like courgettes and have tried to save money by moving into a flat in one of the least safe parts of the neighbourhood.'*

Syrian woman, under 30 years of age, Tabbaneh, Tripoli

Some landlords, particularly though not exclusively in rural areas, will allow refugees to work for their rent. While this can sometimes free up cash for other purposes, it also can lead to abuse, as landlords occasionally demand unpaid labour from their tenants even when they have paid the rent. Given their precarious situation, many refugees feel they cannot refuse to provide it.<sup>95</sup>

In terms of the home environment, Oxfam research found strong signs of stress. This was a direct result of displacement and the difficulties experienced in finding work, obtaining income and providing for the family. Children were generally described by respondents as being increasingly unruly and ill-tempered, or depressed and listless. Respondents also depicted tense relationships between couples and between parents and children. Such situations were described by both men and by women, and were usually characterized as not having existed in the household prior to displacement.

## Staying or going?

### Fatima: desperate to join her family in Germany

'Fatima' (not her real name), a nearly 30-year-old PRS living in Nahr al-Bared, came to Lebanon for the first time in 2012 with her husband and four children, then went back to Syria for about a year before coming to Lebanon again about a year ago. She says that she and her husband decided that they would try irregular migration as their situation was so desperate. The original plan that was heavily pushed by her husband was for him to take the 13-year-old to Germany and to set him up there, before returning to get his wife and the other children. But the 13-year-old felt nervous about going alone, so the husband also took the 8-year-old when they went by boat from Syria to Turkey and then by another boat to Italy. Near the Italian coast, they were put into smaller boats and pushed away from the main boat, to wait for the Coast Guard to come and pick them up. They were eventually picked up and taken to a camp in Italy, which they walked out of and took a bus to Germany. Her husband has not been able to send much money as he is supporting the three of them in Germany, and she has been living with her parents while waiting for him to be able to sponsor her to come.

Syrian refugees in Lebanon<sup>96</sup> consistently characterize their situation as getting worse, and say they are increasingly worn down by difficult circumstances, including legal status issues and deteriorating relations with host communities. Many are considering moving on to countries where they feel they will not face these difficulties.

Relatively few interviewees spoke about the future, overwhelmed as they were by their current situations and the challenge of making it safely to the end of the day. Of those who did speak about it, there was a strong tendency, among Syrians but also frequently among PRLs, to express hopelessness or even desperation. Palestinians in Lebanon have long suffered from limited rights, human rights abuses and constrained access to livelihoods. Syrian refugees from Syria, as well as Syrians are now experiencing a similar situation. In these circumstances, the refugees described the dilemma of how to survive in this situation as the most difficult they had ever faced. A broad cross-section of refugees said that they would like to go home to Syria and regretted that doing so was impossible to imagine in the foreseeable future because of the ongoing conflict. A few respondents indicated their intention to stay in Lebanon, as they thought this would make it easier for them to eventually return home due to the geographical proximity,<sup>97</sup> or because they still had family members in Syria who they would feel they were abandoning. The vast majority of refugees interviewed said they had given up hope of returning to Syria, while at the same time experiencing their situation in Lebanon as unbearable. The only feasible option they said was relocating to Europe or to another country such as Canada or Brazil, for a better life.

*'I would prefer that our youth emigrate by sea rather than stay in the camps; here they are dead, they aren't living at all. Since the crisis started, the pressure has become too much.'*

PRL woman, over 30, Ain El Hilwe camp, Saida – many of her family members have left by sea.

## Resettlement: an arduous process

Refugees cited another cause of hopelessness. Nearly all those interviewed have registered, or sought to register, with UNHCR (for Syrian refugees), thinking this would give them an opportunity for third-country resettlement programmes. Yet practically none of the interviewees in this situation have received offers of relocation; resettlement is currently only available to a limited number of very vulnerable cases. Most interviewees explained how they had also made the rounds of the various embassies in Beirut to apply for refugee status in different countries.

But they found the process extremely difficult and often inaccessible. The vast majority of respondents indicated that they do not understand the criteria used in selection for resettlement. Moreover, even when they are considered for resettlement, refugees find the process of relocation very lengthy.<sup>98</sup> Many of them are reluctant to separate their families. For example, in two cases mentioned in the interviews, the refugees indicated that while they had received offers of relocation to Germany, they were forced to turn them down because the whole family was not covered. In one case, the family's widowed daughter and in the other a young adult son had been excluded from the offer.

The perceived slowness or inaccessibility of existing processes has led many to seek alternative, irregular routes to seek protection in Europe. Of those respondents who discussed the issue, the majority have multiple family members and/or acquaintances who have gone to Europe in this way. At the time of the interviews, (first half of 2015) most of them went to Egypt while visas to that country were still available to them, or through Sudan. From there they would take an overland route, driving through the desert for 12 hours to four days, to the Libyan coast, where they sought to embark towards Italy. Syrian refugees in particular were just starting to travel by an alternative route to Europe, heading towards Turkey and onwards to Greece.

Among our respondents, it appears that Palestinians from Lebanon as well as PRS have been taking or considering the option of irregular migration slightly more often than Syrian refugees. This may be related to the fact that the international response to the Syrian crisis has primarily focused on assisting Syrians to relocate, while no provisions are being made for PRS. It is also more prevalent among young men, though there were examples of several family members going at the same time. There also were multiple examples of men who had gone ahead of their wives and daughters, with the aim of sponsoring them through official channels for entry into Europe. Some men had gone with or been followed by male children of various ages.

#### **Rima: worried about her children's security**

'Rima' is a Syrian woman of just under 30 who came to Lebanon about three years ago with her husband and their six children. They have moved around quite a bit in the Tabbaneh area of Tripoli since arriving, preferring to stay in that area as it is close to where her husband works infrequently as a day labourer. She says that their situation is very difficult; they don't have enough money for food basics like courgettes and have tried to save money by moving into a flat in one of the least safe parts of the neighbourhood. One of the difficulties of the area is that her children are always getting into fights with Lebanese children, so she tries to keep them inside as much as possible. She also has to walk her children to school, which is quite far away and which concerns her because of the harassment she faces when coming back alone. She says that she deals with her stress as best she can, but that she's impatient and her husband even more so, especially when he thinks about income issues. According to Rima, her husband hits her when he is stressed and she also hits her children as a way of releasing stress, even if they are asking for something very simple. She says that they didn't do this when they were still living in Syria.

### 3 LEBANESE POOR: HARSH REALITIES AND PUSHED TO THE LIMIT

As noted, the majority of Syrian refugees in Lebanon have settled in the poorest Lebanese communities.<sup>99</sup> About 86 percent of the Syrian refugees live in 242 communities<sup>100</sup> where 66 percent of the Lebanese are living less than \$4 a day.<sup>101</sup> This situation leads to high social polarization and regional disparities. Poverty in Lebanon is concentrated in the suburbs and poverty belts of large cities, as well as in the rural areas of north Lebanon such as Akkar and Northern Bekaa. Prior to the outbreak of the Syrian crisis in 2011, 37 percent of Lebanon’s population was estimated to be living on \$4 a day.<sup>102</sup> Poor households in Lebanon depend on the informal labour market in agriculture, construction and the services sector. They usually do not have regular jobs with fixed contracts. As a result, there is an irregular flow of income into the household. Depending on the number of earning members, poor households typically earn between \$4000 and \$8000 per annum. This income is typically below the estimated national poverty line of \$4/person/day. Discussions<sup>103</sup> with poor households in the summer of 2015, for Oxfam’s poverty, inequality, and social protection research, suggest that their livelihood systems have been stretched since 2010.<sup>104</sup>

*‘They ran away from their country and we don’t have the resources to support them, especially because there was already so little before.’*

Lebanese woman, over 30, Tabbaneh – many of her family members have left by sea.

#### Poverty line in relation to household size

Poverty Lines in Lebanon	USD/pers on/day	Household Size					
		3	4	5	6	7	8
Upper Poverty Line	4	4380	5840	7300	8760	10220	11680
Lower Poverty line	2.4	2628	3504	4380	5256	6132	7008

By the end of 2014, it is estimated that approximately 170,000 additional Lebanese were pushed into poverty as a result of the social, economic, demographic, and political crisis facing the country. This was over and above the already 1 million living in poverty and doubled the unemployment rate to more than 20 percent, mainly among unskilled youth.<sup>105</sup> In May 2015, the Lebanese Ministry of Labour reported an unemployment rate of 25 percent among Lebanese generally, with a 36 percent rate among youth. According to the World Bank, an additional 220,000 Lebanese, most of them unskilled youth, are expected to become unemployed by end of the year.<sup>106</sup>

#### Palestinian host communities in Lebanon

In 2010, 66.4 percent of Palestine refugees in Lebanon were considered to be poor, and a further 6.6 percent extremely poor. This meant that almost 160,000 refugees could not satisfy their basic food and non-food needs, and 16,000 refugees could not satisfy their essential food requirements<sup>107</sup>. Poverty and development challenges among Palestinian refugees from Lebanon are very much linked to their employment status. The lack of access to fair job opportunities and decent work, coupled with perceived competition with Palestine refugees from Syria, is exacerbating a vicious cycle of impoverishment.<sup>108</sup>

The impression of competition with Syrian incomers similarly extended to aid, with PRL frequently saying that they are unfairly disadvantaged in relation to the new arrivals. Aid is also related to concerns about income because it is widely perceived to enable Syrian refugees to



lower their wage demands, thus disadvantaging Lebanese and PRL competitors. Tensions around this issue have resulted in outbreaks of violence.<sup>109</sup>

### 3.1 SOCIAL PROTECTION MECHANISMS FOR THE LEBANESE POOR

A number of policies and programmes designed to redistribute wealth and provide safety nets for poor households exist in Lebanon. The Lebanese social protection system is characterized by a multiplicity of social assistance and insurance programmes that are mostly ad hoc and initiated in response to events instead of being universal and based on risks faced in different stages of the lifecycle. The informal sector is excluded from any kind of social insurance. Because of the different legal frameworks for Palestinian Refugees from Lebanon, UNRWA is the main provider of social protection.

‘Confronted with the country’s bleak record on poverty reduction and its inability to boost shared prosperity, Lebanese stakeholders revealed in a World Bank (2014) country survey that social protection and job creation ranked as their second and third development priorities respectively (public sector governance ranked first).’<sup>110</sup>

When the initial impacts on the economy and on the poorer sectors of the population from the Syrian crisis began to be felt in 2014, the existing National Poverty Targeting Programme (NPTP) was refunded by the World Bank, GoL and UNHCR and re-launched as the Emergency NPTP (ENPTP). The programme is a combination of social assistance and social service provision to ‘extremely poor’ Lebanese households. It consists of partial medical bill payments,<sup>111</sup> school fee waivers, free books and food assistance. The programme was initially launched with a \$28.2m budgetary allocation by the Council of Ministers for 2012–14. After the refund in 2014, the benefits were expanded to include a separate food e-card issued for only the poorest among the extremely poor 5,076 Lebanese households, due to the shortage of funding. As of July 2015, the poorest 12 percent of Lebanese were registered as beneficiaries of the ENPTP.

Established in 1963, is the National Social Security Fund (NSSF) is the largest independent public social insurance institution in Lebanon and falls under the mandate of the Ministry of Labour (MoL) and the Council of Ministers. The NSSF is a contributory fund that gathers contributions from employers, employees and the government.<sup>112</sup> Studies indicate that because employers pay the highest contributions, more than 40 percent of employees in the private sector have not been registered with the NSSF and 30 percent of the workforce is self-employed.<sup>113</sup>

Technically, all formal employers are mandated to register their employees in the NSSF. These include employees of private sector enterprises and of the public administration who are contractual wage earners. The NSSF however, is criticized for excluding the self-employed and the unemployed. Moreover, it fails to provide medical support to the elderly, who need it the most. The NSSF also lacks strong enforcement mechanisms to ensure that employers do not hire workers without registering them.

*‘My daughter has worked in the same store for more than 3 years but she is afraid to ask the owner to regularize her. She does not want to upset the owner because he can replace her with cheaper labour. For us it is important to keep the job’.*

The words of an elderly Lebanese woman whose daughter is her only source of Income.

Oxfam’s research highlighted that most poor households face serious barriers in accessing the NSSF. Most households encountered during the study engage in the informal economy and have irregular jobs (i.e. they are not regularized even in cases where they have worked for the same employer for more than 3–4 years). This automatically excludes them from accessing the

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NSSF. Most households interviewed had heard about the NSSF and seemed to be aware of the entitlements, but only a negligible few mentioned being registered with it.

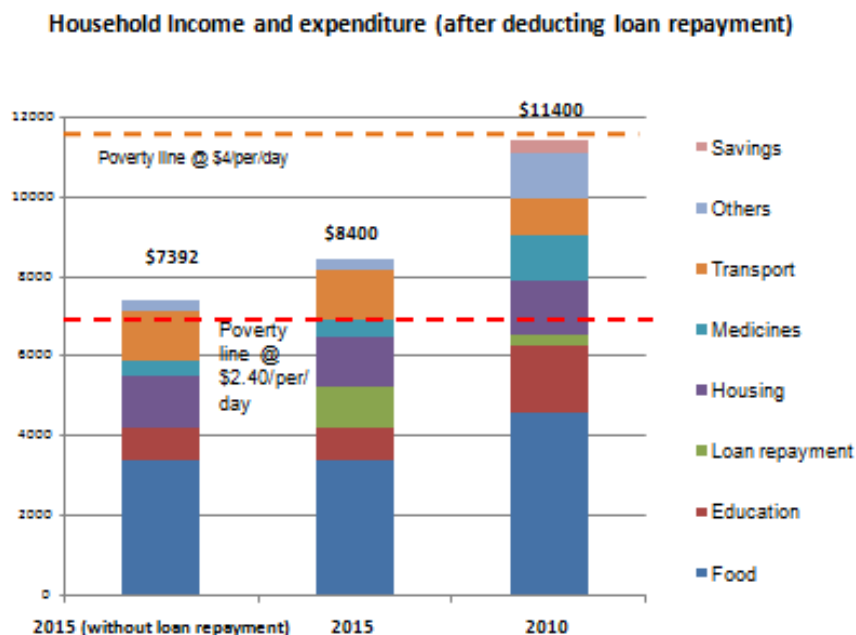
For those who seek work as daily wage or seasonal labourers, registering with the NSSF is rare. Even labourers who tend to work with the same employer are unsure whether they qualify to be registered and more importantly whether the employer is willing to contribute towards their social security. The current labour market, where competition for jobs is high, was cited as a key reason by such workers for not asking the employer to regularize and include them in the NSSF. As outlined above, Syrian migrant workers technically have the same right as Lebanese workers to access social security. But Syrian workers traditionally have not demanded this right, and they cannot be expected to do so in the current context due to the challenges they are facing with regards to legal status and limited livelihood options.

In addition to ENPTP and NSSF, there are a few other Ministerial support schemes, mostly for education and public health. The Ministry of Education and Higher Education provides enrolment fee waivers, scholarships, and school food programmes in order to ensure access to public education for children from poorer backgrounds. The Ministry of Public Health also provides health insurance to about 1.6 million beneficiaries,<sup>114</sup> most of whom are not covered by the NSSF or private insurance. The services provided include 85 percent fee waivers for hospitalization, primary healthcare through a network of 182 Primary Healthcare Centres; and 100 percent coverage of medication for chronic and high-risk diseases and preventive healthcare.

### 3.3 PURCHASING POWER, DEBT AND VULNERABILITY

In the absence of widened poverty reduction programmes and safety nets for poor Lebanese, many households have struggled to manage their expenses. According to Oxfam’s research, all respondents stressed that since 2010 wages have not increased in line with the rising cost of essential commodities. Indeed, some households pointed out that their annual incomes have fallen by 25–30 percent since 2010. Food was reported as the main expense of poor Lebanese households, comprising 35–50 percent of their annual expenditure. It is the second most important expense for the refugee population; rents, said respondents, were their priority expenditure. The prices of basic food items (i.e. sugar, rice, oil etc.) in Oxfam’s research study areas appear to have increased by an average of 40 percent since 2010.

Figure 1



Oxfam's research reveals that borrowing is one of the most commonly used strategies to cope with economic stresses and sudden economic shocks in Lebanon. As households increasingly struggle to meet rising costs, debt has become a fundamental factor in determining their purchasing power and vulnerability. In-depth household interviews indicate that these accumulated debts from informal sources to meet basic needs could be as high as \$1000 a year. Most borrowing is in kind from stores for food, groceries, medicines etc. But cash is also borrowed for unexpected and large expenses. Such credit is either obtained from informal sources, such as friends and relatives, or from formal lending institutions like banks, that charge high interest rates. Informal sources of credit appear to be interest free.<sup>115</sup> Figure 1 visualized the household income of one family, and what their situation would be if the debt repayment were to be removed from the household income to understand their real income. The overall household income would come dangerously close to the lower poverty line of \$2.40/person/day.

*'We have never had enough to buy a single item for our house since we got married. All these items you see here were purchased at least 20 years ago'.*

Lebanese women to Oxfam researcher

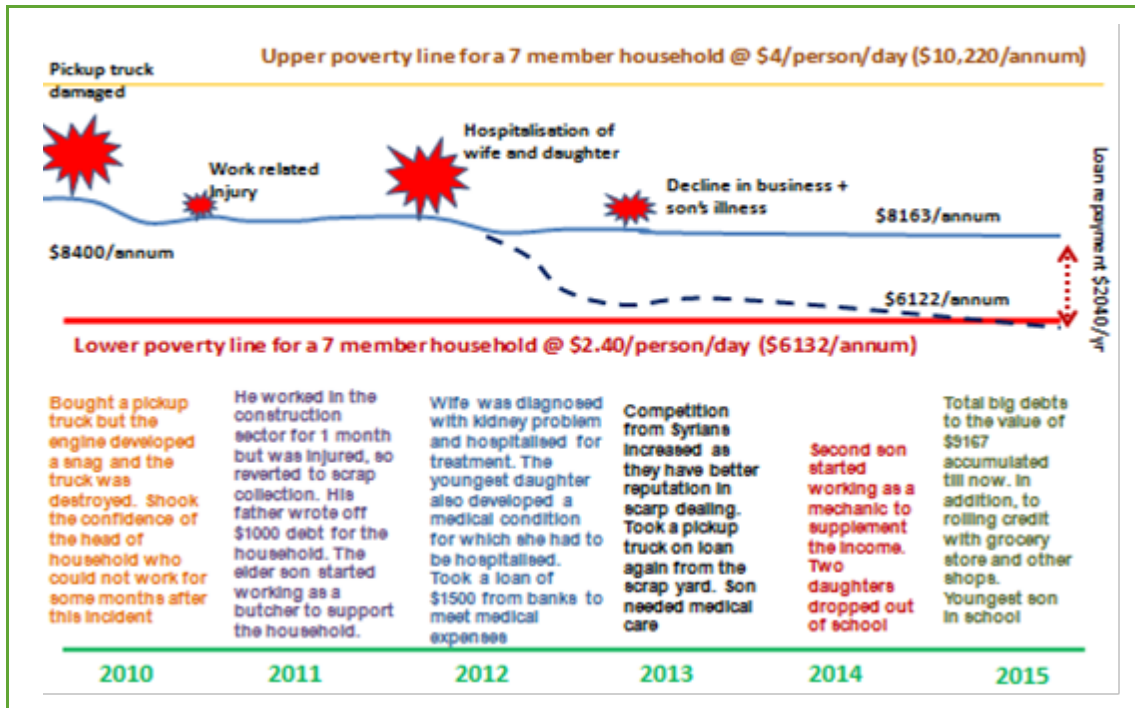
Debt usually keeps accumulating and forms a significant but hidden<sup>116</sup> part of household expenses. Debt can be as high as 25 percent of household expenditure, and, as such, constitutes a major distorting factor in overall household purchasing power

Oxfam researchers spoke to a woman from a seven-member Lebanese household in Nabatieh that has struggled since 2010 to cope with the various stresses and shocks to their household economy. Over the years, the household has survived with formal and informal borrowing.

Using the measure of extreme poverty in Lebanon of \$2.40/person/day, this household would appear to be well above the poverty line. However, under closer examination, it becomes clear that the household economy is propped up by a huge amount of debt. This debt comes at the cost of educating the children. The effective income (after deducting the regular loan repayment) on which the household survives is below the extreme poverty line of \$2.40/person/day.<sup>117</sup> Any small shock at this stage could destabilize the household and easily push them further below the extreme poverty line.

#### **One family's descent into poverty**

Oxfam also spoke to an eight-member Lebanese household in Beka'a that lived below the upper poverty line of \$4/person/day (i.e. \$11,680) in 2010. Over the years, the household has experienced a 26 percent decline in the annual income, as outlined in the illustration below. The main reason for this decline in income is the injury of the main income earner. Removing debt repayments to understand real household income available to meet basic needs, the overall household income would come dangerously close to the lower poverty line of \$2.40/person/day. The implications of reducing expenses on health in such a context can be potentially disastrous for the longer term quality of life for the entire family.



Like refugee households, poor Lebanese households control expenditure as a coping strategy to withstand stresses to their household economy.<sup>118</sup> They reduce the number of meals they eat and the quantity they consume, and buy cheap and extremely low quality food (damaged and close to expiry). While adults in households prioritize the needs of children when it comes to reducing food expenditure, there are times when the entire household cuts its food consumption, surviving on bread and tea alone.<sup>119</sup>

Lebanese households also control their expenditures by cutting or ceasing payments for education and health. Education appeared to be a high priority among all interviewed households. But the team found many instances where, as with refugee families, children had to drop out of school to contribute to the household economy. This is usually the case at the secondary level of education. Some households change schools (from private to public schools) to reduce costs. But this can impact education quality and, as such, affect children's longer term opportunities.<sup>120</sup>

Also like refugee households, health needs put a heavy burden on the household economy of poor Lebanese households. Medical expenses in Lebanon are high, and not all governorates have the desired quality of services. When faced with difficult situations, households tend to defer expenses on health, especially those for chronic illnesses. This can have potentially dangerous implications.

# CONCLUSION: POLICY OPTIONS AND KEY QUESTIONS FOR CONSIDERATION

The current situation in Lebanon is no longer sustainable, either for the refugee populations or the Lebanese and Palestinian poor. Refugees are taking matters into their own hands in search of alternative solutions, while poor Lebanese and other marginalized communities continue to suffer disproportionately from rising living costs, reduced public service capacity and unemployment, exacerbating national patterns of social inequality.

If the current status quo is not addressed, there will likely be a significant increase in some of the negative coping mechanisms highlighted in this paper. Among refugees, these include a dangerous onward movement to Europe and significant repercussions in terms of health, education and well-being. They include situations in which individuals are unable to access basic services, and there is increased tension between refugees and host communities, a rise in security concerns, and large numbers of people lacking valid legal stay. Among the Lebanese and Palestinian host communities, we may see increased poverty and unemployment and negative coping mechanisms that include rising debt, and the limiting of access to much needed basic services, like health and education.

In these circumstances, it is of paramount importance that the international community works with the people concerned and the Government of Lebanon in identifying and supporting alternative policy solutions to construct a comprehensive response that can ensure protection and respect for the basic rights of all populations, including poor Lebanese.

The selection of policy options outlined below will be presented and debated at a number of roundtable discussions and meetings on the issues reflected on in the paper with key policy makers, civil society groups, and development partners. This paper was conceived and should be read as a tool for dialogue with various stakeholders within Lebanon and internationally to collectively identify options to effectively address the current crisis facing the country.

## **1 A comprehensive Syrian Refugee Policy that allows refugees to live in safety and with dignity**

Five years into the Syrian crisis, with no indication that the conflict will end soon and a large refugee population that has been in exile, in some cases, for more than four years, the current displacement situation needs to be seen as a protracted refugee one.<sup>121</sup> This requires a shift in policies and interventions by all stakeholders. It should also be acknowledged that basic minimum standards and safeguards for a mass influx situation should be put in place (EXCOM parameters determine 'mass influx') within the context of EXCOM Conclusion No 22 – pending arrangements for a durable solution.<sup>122</sup> Such a policy should be informed by lessons learned in other situations of protracted displacement, including from other examples from the recent history in the region. It should ensure that policies and practices implemented now are not counterproductive to attaining the longer term goal of durable solutions for refugees, and it should proactively contribute to enabling refugees to make future choices, including repatriation.

The Government of Lebanon needs to review its October policy, carefully assessing the negative impact the policy has had one year on, and analysing the risks that can stem from the current situation if it continues. And from this reflection a new comprehensive and multi-sectoral Syrian refugee policy should be developed that is solidly grounded in international human rights law, and that can offer a more constructive approach in a protracted displacement situation. The policy would need to ensure a better protection of the refugee population during displacement, enabling Syrian nationals on Lebanese territory to easily access a form of legal status that at the same time grants them basic rights and allows them the capacity to sustain themselves. In

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addition, maintaining a view to the future, the policy should include provisions that recognize and legitimize the importance for refugees to maintain connection with their country of origin as a positive contribution to more sustainable return and reconstruction in future, by allowing for a certain degree of legal movement to Syria, while maintaining a right to protection in Lebanon.

Although Lebanon is not a party to the 1951 convention, this is not an obstacle to the development of a strategic and comprehensive refugee policy. As one of the first signatories to the Universal Declaration of Human Rights and a party to several key international conventions, Lebanon has a number of frameworks at its disposal that can serve as a guide in developing a comprehensive approach.

### **Key questions**

- Acknowledging the protracted nature of displacement of Syrian refugees currently on Lebanese territory, both with regards to the duration of the displacement and the lack of viable durable solutions, how could a new, comprehensive refugee policy be developed to ensure the protection of Syrian refugees in Lebanon for the full duration of their presence in the country?
- How can national and local authorities, with support from donors, ensure rule of law at the national and local levels is respected and applied equitably and consistently to all people residing in its territory, in line with national and international legal obligations?
- Taking into account the complexity of legal frameworks in relation to the different nationalities present in Lebanon, how can the GoL ensure the administrative and judicial systems are able to uphold the rights of all people present in Lebanese territory, including those not holding Lebanese citizenship?
- Would the GoL and donors be open to humanitarian programming designed to reduce aid dependency over time and providing for a form of assistance that allows for some degree of self-reliance?
- What could forms of legal mobility (legal movements between Lebanon and Syria) look like for the Government of Lebanon to be able to take into account concerns for the security of its territory, while at the same time allowing refugees to maintain some relation with their home country, which could in future make return more sustainable?

## **2 Resettlement, humanitarian admissions and other safe and legal routes as part of a ‘comprehensive solutions package’**

To support Lebanon – and the neighbouring countries – in dealing with this mass influx, the international community must have a credible international approach to refugee response, combining provision of aid funding with the creation of more legal and safe routes for seeking relocation to rich countries. This can be achieved through widening mechanisms of applications for asylum, legal migration channels and increasing resettlement numbers.

With living conditions in Lebanon deteriorating across the board, and protection and access to basic rights and needs not guaranteed, migration to a third country is often seen as the only alternative to exercise one’s right to seek protection. Recognizing that the sheer size of the displacement contributes to making it extremely challenging for the country to ensure quality of asylum for the whole refugee population, the international community has an obligation to provide additional support through resettlement and other relocation options. Rich countries should increase resettlement quotas for the most vulnerable refugees as well as subsidiary protection or other forms of humanitarian admission including family reunification to a fair share of 10 percent of the total refugee population by the end of 2016.

But resettlement as is currently implemented can only make sense if part of a comprehensive solutions package.<sup>123</sup> Rich countries must open legal and legitimate channels and schemes for onward movement<sup>124</sup> accessible through application from the current country of first refuge.

These alternative channels would provide more clarity and transparency for refugees wanting to leave the country and not having access to resettlement, including safe and legal routes for Syrians seeking protection to access – and remain in – their territories. Opening legal channels for access to third countries through voluntary applications would break the circle of forced movement, allowing for a safe and dignified travel and recognized access to protection and asylum alternatives.<sup>125</sup> Such schemes should include family reunification, academic and labour-based immigration opportunities, or other options, while guaranteeing the rights of Syrians who would benefit from these solutions in line with the Refugee Convention.

Further to this, in order to allow refugee populations to live with dignity in a situation of protracted displacement while minimizing tensions between communities and contributing to building long-term solutions, there is also a need for international donors to contribute their fair share of funding to appeals in order to ensure basic humanitarian needs are met. This should include funding for longer term programmes aimed at enhancing refugees' self-reliance. Sufficient resources and space need to be made available to ensure that aid agencies provide aid impartially and strictly on the basis of needs, without consideration of nationality or status of beneficiaries, in respect of the do-no-harm principle and taking into account the needs of other vulnerable and marginalized communities in Lebanon.

### **Key questions**

- What new or alternative legal channels and schemes can the international community consider and open soon to provide more dignified and safe means for refugees to seek interim solutions to their displacement in line with the principles of the Geneva Convention?
- Can the current resettlement practice be complemented with other legal channels for access to third countries through voluntary applications, channels which can provide people in need of international protection with a stronger sense of agency and the ability to access legal and dignified options, rather than having to pursue illegal and risky migration routes?
- How can the international community move away from considering refugees as a burden, and design schemes more respectful of the principles of the refugee conventions that contribute to welcoming people seeking international protection to their countries and be seen as a resource?

### **3 Local governance structures that are fully supported and funded, with rule of law respected**

Investing in local government – including capacity building and improvement in the quality of service delivery – can create a clear line of accountability from local representatives to constituents and ensure responsiveness to citizens' needs.

The local delivery system is under intense pressure. Investments in local economic development are not enough. Municipalities in Lebanon have had to bear the brunt of the refugee response with few resources and little capacity. This has pushed them to make decisions that are not always in line with national and international legal frameworks that contribute to equitable, local economic development.

Aid that does not contribute to such development has the potential to leave needs unmet and exacerbate tensions and perceptions of marginalization. It is clear, however, that traditional means of funding have not been tailored to such a large-scale, protracted crisis.

Ensuring municipalities have access to resources allocated to them through the distribution of resources of the Independent Municipal Fund in an equitable, transparent, and timely manner, in addition to releasing additional resources to satisfy the increasing demand for public goods and services would pave the way for local economic development.<sup>126</sup>

The GOL should prioritize necessary reforms, including the draft decentralization law and resources distribution law to ensure municipalities have the independence and legitimacy to respond to constituents' needs and to specific needs resulting from the refugees' presence in their territory. The international community on the other hand should ensure that Lebanon, as a middle-income country, has access to funding mechanisms that help it deal with the demographic shock it is experiencing and its growing financial needs.

### **Key questions**

- What is the mechanism and regulatory frameworks that bridge the role of municipal councils, private sector, national institutions, and ordinary citizens to kick-start sustainable local economic development?
- What further reforms to the 1997 ones need to be prioritized in the Municipal Code and to the Independent Municipal Fund collection and distribution mechanisms that would allow for more effective and transparent governance and resource management?
- How can municipalities play the role as incubators of social and economic innovation in their communities?
- What type of capacity building and technical support do municipal councils and local-level police forces need to ensure that operations are in line with a rights-based approach as well as national and international law?
- How can local-level development be supported with long-term development funding that ensures equitable public services that contribute to the improvement of the quality of asylum for refugees and support host communities' social stability?
- How can the GOL guarantee to the international community that funds will be managed effectively transparently and reach the most vulnerable communities and populations, free from political corruption and in line with good governance principles?

## **4 An effective and funded social protection strategy**

In June 2013, the International Labour Conference adopted Recommendation 202, calling for the creation of a social protection floor by governments of all countries. The measure recognizes the need for an incremental building up of the floor to achieve universal coverage and to increase the depth of the coverage. In the same year, the UN Committee on World Food Security recommended that food security and nutrition be integrated into the social protection floors for greater impact on hunger and malnutrition.

The poor, regardless of their social and legal status, should be protected from risks in their efforts to move out of poverty. Such support would help households cope with the impacts of poverty and stem the intergenerational transfer of poverty. In order to do this the Government of Lebanon, with the support of international donors should work together to introduce an expanded and effective social protection strategy that significantly benefits all poor families in Lebanon. Although the Lebanese government has not officially committed to setting up a social protection floor, elements of a social protection floor already exist in the country with the NSSF, ENPTP and other health service programmes. A social protection floor would provide a basic set of transfers in-kind or in cash to the most vulnerable populations, thus ensuring they are able to deal with shocks and stresses without having to compromise on their rights. A well thought out strategy and action plan to incrementally build a social protection floor should be initiated.

### **Key questions**

- How can the delivery of necessary public services in particular health and education be strengthened?
- What role can the private sector play in supporting local and national governance structures to deliver social protection services?



- How can evidence-based policies feed into key ministerial development strategies?
- How can all social protection policies and programmes be consolidated under one social protection strategy to ensure effective coordination of efforts by different ministries?
- How can existing programmes (especially the ENTP and the NSSF) ensure adequacy and appropriateness of benefits?
- How can the current selection process of social protection programmes be more transparent and inclusive?

## **5 Prioritize job creation based on labour market assessments and access, to create and protect employment for all**

Lebanon has not managed to generate inclusive growth. Weak job creation has fallen behind an increasingly growing labour force that has been impacted by the refugee crisis.<sup>127</sup> Job creation, however, must be based on a comprehensive assessment of the labour market which identifies needs and leads to support for existing sectors as well as investment in new ones. Social protection for workers also contributes to social stability, and curbs the rise of the informal employment sector and protects the poor against shocks. Respect for the labour law is crucial in this regard as the law establishes a right to employment, as well as employer and employee protection. In addition, enforcing the current social protection mandate to ensure that those who should receive NSSF have access to their entitlements and that employers are paying in what is required is also necessary as more jobs in the formal sector are created.

Bilateral dialogue among different international actors can support the GOL in identifying new/innovative legal frameworks that provide employment opportunities for Syrians and protect the employment of all workers. The current framework, in limiting access to employment for refugees, is likely to have damaging costs for the economy, a problem that international donors can help to address. Past experiences have shown how the ability of refugees and displaced people in situations of protracted displacements to be more self-sustainable and avoid poverty, contributes to more likely and sustained return and reconstruction in their countries of origin after displacement.

Heavy investment by the international community in Lebanon (potentially including economic trade zones and fair trade agreements) is imperative to kick-start the economy, create jobs, and move towards equitable growth. Lebanon should look to turn the presence of refugees into an opportunity over the medium term through the opening of the labour market, based on a market assessment, that would trigger economic growth while at the same time actively contributing to the priorities of other populations in Lebanese territory in relation to security and access to basic services, and national development strategies.

A dual-track modality for humanitarian and development financing that works in harmony would a) improve the quality of asylum for refugees, b) ensure that Lebanon's developmental vision and policies are financed and c) support different types of investment that trigger growth, create much needed jobs, and improve needed investments in infrastructure and public service delivery.

A dialogue around this issue should be started among relevant stakeholders and alliances created among actors including the private sector (national and foreign investors in sectors not limited to agriculture and construction), finance institutions and local authorities (including the federation of municipalities) as they are most able to highlight needs and propose solutions.

### **Key questions**

- What are the steps needed to ensure enforcement of labour standards as per the ILO's fundamental labour conventions ratified by Lebanon?<sup>128</sup>
- How can current policies and practices be realigned to respect the country's labour law?

- How can Lebanon play a role in incubating Syria's post-conflict economy and jump-start future recovery?
- How can the presence of refugees in Lebanon help support an economic shift to increased production and manufacturing?
- What types of investments are needed to support inclusive and equitable growth that closes the growing inequality gap in the country and decreases current unemployment rates?
- What type of incentives such as financial incentives and trade concessions can the international community offer Lebanon that would both allow for refugee employment and contribute to the diversification and growth of the Lebanese economy?
- As a middle-income fragile state in crisis, what long-term development funding is available to Lebanon? What are others to consider?
- What are the challenges in financing middle-income countries in crisis?

## NOTES

- 1 HEA process involves mapping of livelihood zones, wealth ranking by key informants and focus group discussions with members of each wealth category in these livelihood zones to collect detailed information on their sources of food, income and expenditure in a reference year and the current year. It looks at seasonal variations in expenditure as well as availability and access to food and income. In this research, livelihood zoning was replaced with poor governorates to facilitate programming later on. Also, a wealth-ranking exercise was considered sensitive in the current context of Lebanon, therefore key informants at governorates helped with identification of poor households based on perceived indicators of poverty. Detailed information on calorie intake by households was not collected as food security assessment was not the aim of this research.
- 2 Save the Children, 'The Practitioners' Guide to the Household Economy Approach'.
- 3 Oxfam (2015) 'A Fairer Deal for Syrians: International commitments needed to arrest the deepening crisis in Syria and the region', published in September 2014; and Syria Crisis Fair share analysis 2015, issued in March 2015
- 4 The authors define the Syria crisis as a description of the conflict internally in Syria and economic, social, humanitarian, developmental, and security spill-over into neighbouring countries. The displacement caused by the conflict is considered to be only one of the dimensions of the crisis. This is how the expression 'Syria crisis' is used throughout the paper.
- 5 UNHCR (2014) Syria Regional Response Plan- Strategic Overview—Mid-year update p. 60. Available at: <http://unhcr.org/syriarp6/midyear/docs/syria-rrp6-midyear-full-report.pdf>  
<http://reliefweb.int/report/lebanon/refugees-syria-lebanon-march-2015>
- 6 Ibid.
- 7 World Bank (2015), 'Promoting Poverty Reduction and Shared Prosperity: Lebanon Systematic Country Diagnostic'. Available at: [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/06/23/090224b082f55445/1\\_0/Rendered/PDF/Lebanon000Prom0c0country0diagnostic.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/06/23/090224b082f55445/1_0/Rendered/PDF/Lebanon000Prom0c0country0diagnostic.pdf)
- 8 'The Syrian Crisis and its implications on Lebanon', USJ, March 9, 2015, available at: [http://www.sciences-po.usj.edu.lb/pdf/The percent20Syrian percent20Crisis percent20and percent20its percent20Implications percent20on percent20Lebanon percent20- percent20Khalil percent20Gebara.pdf](http://www.sciences-po.usj.edu.lb/pdf/The%20Syrian%20Crisis%20and%20its%20Implications%20on%20Lebanon%20-%20Khalil%20Gebara.pdf)
- 9 Ibid.
- 10 'Lebanon Crisis response Plan 2015–2016', Oxfam research on Poverty, inequality, and social protection in Lebanon, October 2015.
- 11 Executive summary: 'Lebanon's Economic and Social Assessment of the Syrian Crisis', The World Bank, available at: [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/09/24/000333037\\_20130924111238/Rendered/PDF/810980LB0box379831B00P14754500PUBLIC0.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/09/24/000333037_20130924111238/Rendered/PDF/810980LB0box379831B00P14754500PUBLIC0.pdf)
- 12 UNRWA vulnerability report/USJ Study on Perceptions of Syrian refugees in Lebanon, July 2015
- 13 Protection research findings, Research into self-protection and coping strategies of refugees from Syria and host communities in Lebanon, Oxfam GB and Merits Partnerships, August 2015.
- 14 UNRWA vulnerability assessment.
- 15 Protracted refugee situations are defined as situations where refugees have been in exile for 5 years or more since the beginning of their displacement, 'without immediate prospects for implementation of durable solutions'. (UNHCR, Conclusion on Protracted Refugee Situations No.109 (LXI) – 2009, EXCOM Conclusions, 8 December 2009)
- 16 '(...) mass influx situations may, inter alia, have some or all of the following characteristics: (i) considerable numbers of people arriving over an international border; (ii) a rapid rate of arrival; (iii) inadequate absorption or response capacity in host States, particularly during emergency; (iv) individual asylum procedures, where they exist, which are unable to deal with the assessment of such large numbers' EXCOM Conclusion No 100 on International Cooperation and Burden and Responsibility Sharing in Mass Influx Situations, 2004 at: <http://www.unhcr.org/41b041534.html> K. Long (2011) 'Permanent crises? Unlocking the protracted displacement of refugees and internally displaced persons', Refugee Studies Centre, University of Oxford.
- 18 Examples of other schemes include expedited family-based immigration processes, community sponsorship arrangements, academic scholarship opportunities, labour-based immigration opportunities and other options, while guaranteeing Syrian nationals rights in line with the Refugee Convention.
- 19 Ibid.
- 20 Sami Atallah, Raneem Bassiri and Jana Harb. 'Municipal Finance must be reformed to address Lebanon's socio-economic crisis', Lebanese Center for Policy Studies, April 2014
- 21 World Bank June 2015, p. 23.
- 22 UNHCR (2014) Syria Regional Response Plan- Strategic Overview—Mid-year update p. 60. Available at: <http://unhcr.org/syriarp6/midyear/docs/syria-rrp6-midyear-full-report.pdf>

<http://reliefweb.int/report/lebanon/refugees-syria-lebanon-march-2015>

- 23 The traditional options referred to as durable solutions are: return, resettlement, and local integration.
  - 24 UNRWA Lebanon available at: <http://www.unrwa.org/where-we-work/lebanon>
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