



The “Voluntary” Forced Return of Syrian Refugees in Lebanon

A summary report on the Lebanese government's "voluntary return" plan to return Syrian refugees to their country

December 2022



ACHR

Centre d'accès pour les droits de l'homme

Table of Contents

03

Who we are

05

Executive summary

06

What is the **Lebanese government's plan** to return the refugees

07

What **pressures are being exerted** on refugees in Lebanon?

09

Return cases that were documented by Access Center for Human Rights (ACHR)

09

First Testimony

09

Second Testimony

09

Third Testimony

10

Legal Components of Voluntary Return

11

The compatibility of the return plan in Lebanon with International Law





Who we are

Access Center for Human Rights (ACHR) is a non-profit and non-governmental human rights organization founded in Lebanon in 2017 and was re-established in France in 2020; and consists of a group of human rights defenders with experience in law and local and international advocacy. ACHR launched its activities in Lebanon due to its belief in supporting refugee rights during a rise in grave violations against them. ACHR is specialized in monitoring and documenting the refugees' human rights situation and publishes periodic publications to raise awareness and contribute to national and international advocacy efforts to ensure the refugees' rights in the countries of asylum until their voluntary, dignified, and safe return to their country of origin.

In this context, ACHR works to protect refugees from human rights violations through monitoring and documenting violations, raising awareness about the issues and conditions of refugees in their host countries, and providing them with legal aid and support when needed.

ACHR also works to support host communities by providing correct information to civil society, the private sector, decision-makers, supporters, and international organizations to help them understand the situation of refugees in a way supported by data with the aim of developing policies that reduce human rights violations and contribute to finding sustainable solutions to the issue.

In addition, ACHR seeks to create a common activity space for human rights defenders, which helps them submit complaints to the special procedures of the Human Rights Council and provides them with the tools and information necessary to continue their human rights and media activities.

Since the Syrian government began to re-establish its control over most of the country in 2016, Syrian refugees have been under increased pressure from neighbouring countries, forcing them to return to Syria. Perhaps the most prominent of these countries is "Lebanon," from which unofficial military militias have participated in the Syrian war: Hezbollah, a party in power, declared in 2016 its "official" participation in Syria on the Syrian authorities' side, under the pretext of combating terrorism and protecting the Lebanese borders. Lebanese authorities, such as municipalities, began imposing curfews on Syrians in 2014¹, and Lebanon applied harsher policies in border management.

In January 2015, Lebanon ended its visa waiver policy² for Syrians and officially requested the United Nations High Commissioner for Refugees (UNHCR) to stop registering Syrian refugees. The Lebanese General Security implemented restrictive and costly conditions for renewing refugees' residencies. In the past few years, with the escalation of the economic crisis in Lebanon, tension rose quickly between Syrian refugees and local citizens due to discriminatory campaigns and hate speeches launched by authority officials against refugees, blaming them for the burdens of the political and economic problems Lebanon is undergoing.

In the past months, the Lebanese government announced, in a move widely condemned by human rights organizations and, unofficially, the UNHCR, that every month, 15,000 Syrian refugees would be returned to their country³. This step was not officially clarified by the Lebanese government but applied by implementing strict measures restricting refugees' access to jobs and housing and reducing their livelihood opportunities.

Several factors influence the decision of refugees to return to Syria or stay in Lebanon; some of these factors do not reflect the genuine opinion of refugees regarding the choice of return. The principle of "voluntary" is one of the pillars of non-forced return, and non-forced is often interpreted as consent based on total satisfaction without any pressures or influences affecting the decision, which is a narrow interpretation because it is not issued independently when deciding the humanitarian conditions experienced by refugees in host countries.

In this report, ACHR sees that the reasons pushing Syrian refugees in Lebanon to consider returning to their country are such as they prevent them from their right to a suitable job, safe movement, and education. Also, Syria's current security and economic conditions are unsuitable for refugees and do not guarantee their safe and dignified return. Therefore, the twenty-two protection thresholds set by the UNHCR⁴ do not apply to the return of Syrian refugees from Lebanon to Syria. In addition, the report of the Independent International Commission of Inquiry on the Syrian Arab Republic said that "The Syrian Arab Republic is still not a safe place to return."⁵

Therefore, the Lebanese authorities should respect binding local and international laws and thus limit deportations and forced returns of Syrian refugees from Lebanon to their country. Also, as a party to the "Convention against Torture,"⁶ Lebanon is obligated not to return or extradite anyone if reasonable reasons indicate they may be at risk of torture. Lebanon is also bound to participate in the customary international law of non-refoulement⁷, which prohibits sending refugees back to a country that might be a source of danger where refugees might fear for their lives, be persecuted, and subjected to torture, harm, or ill-treatment.

ACHR believes that the European Union, supporting countries, and donors should propose a monitoring mechanism to assess the Lebanese authorities' response to address deportation and forced return violations of Syrian refugees. We stress the need for the European Union and supporting countries to engage in advocacy processes, pressure Lebanon to abide by its duties following international law, and involve civil society organizations in the monitoring process. We also recommend strengthening the role of supporting countries in monitoring Lebanon's violations of international agreements and treaties and increasing effective communication with concerned civil society organizations.

¹ Lebanon: At least 45 local curfews imposed on Syrian refugees. Human Rights Watch. (2022, April 27). Retrieved from <https://www.hrw.org/news/2014/10/03/lebanon-least-45-local-curfews-imposed-syrian-refugees>

² "I just wanted to be treated like a Person", Human Rights Watch. (2022, May 27). Retrieved from <https://www.hrw.org/report/2016/01/12/i-just-wanted-be-treated-person/how-lebanons-residency-rules-facilitate-abuse>

³ وزير المهجرين اللبناني، عصام شرف الدين، الوكالة الوطنية للإعلام اللبنانية الرسمية، 4 تموز / يوليو 2022. <https://cutt.us/Pn8An>

⁴ Comprehensive protection and solutions strategy: Protection thresholds and parameters for refugee return to Syria, United Nations High Commissioner for Human Rights, February 2018, retrieved from <https://data.unhcr.org/en/documents/details/63223>

⁵ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic , 12 September 2022, <https://documents-ddsny.un.org/doc/UNDOC/GEN/G22/463/09/PD-F/G2246309.pdf?OpenElement>

⁶ Lebanon ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by Act No. 185 on 24/05/2000 (accession on 05/10/2000) and OPCAT by Act No. 12 of 05/09/2008 (accession on 22/12/2008), retrieved from https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=96&Lang=EN

⁷ IOM, International Migration Law, Glossary On Migration, Retrieved from <https://cutt.us/Ow7iX>



Introduction

Internally displaced persons in all Syrian regions

6.9 million

Syrians in need of humanitarian aid

14.6 million

of families in Syria unable to meet their basic needs

76%

In late October, the Lebanese authorities resumed the repatriation of Syrian refugees in batches, a process they had started in 2017 by sending back about five hundred refugees from the Shebaa region in south-eastern Lebanon in fifteen buses heading to Beit Jinn in southwest Damascus. Since then, leading politicians have heightened calls for the return of refugees⁸; the return was put on hold during the "Covid- 19 " outbreak in 2020. However, the security and economic reasons in Syria that prevent refugees from voluntarily returning to their areas of origin are still valid. After a long absence of meaningful political solutions in Syria, return seems less likely for most Syrian refugees in Lebanon.

The internal displacement movement continues on a large scale in Syria, where the United Nations High Commissioner for Refugees registered 6.9 million internally displaced persons in all Syrian regions, 14.6 million Syrians in need of humanitarian aid, a 9 % increase from 2021, and 76 % of families in Syria unable to meet their basic needs.⁹

Since 2019, and with every emerging crisis in Lebanon, there has been a renewed narrative adopted by political forces and part of the media, holding Syrian refugees responsible for all that happens in the country. Lebanon indeed suffers from a severe economic crisis. However, the presence of Syrian refugees is not considered a significant reason for the economic recession.

According to the World Bank's report on public finances in Lebanon for 2022, the economic policies adopted by Lebanon "has hollowed out" the state of the provision of basic services to its citizens"¹⁰. The current crisis has worsened severe long-standing funding shortfalls for these vital public services: water, electricity, transportation, health care, education, and social protection. "The crises revealed the fragility of Lebanon's service provision model, itself a product of elite capture of State's resources for private gains."¹¹

The process of weakening the provision of public services was "a conscious effort made to benefit the very few at the expense of the Lebanese people. Citizens end up double paying and receiving low-quality products or services. The impact is also highly regressive, affecting middle- and lower-income groups much more significantly."¹²

Blaming Syrian refugees for the economic crises in Lebanon creates tension between refugees and citizens who feel like they compete with refugees for jobs and housing, leaving refugees more at risk of deportation and forced return.

⁸ Refugee Rights in Lebanon Not Up For Debate, 4 July 2018, retrieved from <https://www.hrw.org/news/2018/07/04/refugee-rights-lebanon-not-debate>

⁹ Syrian Arab Republic: 2022 Strategy and Response Plan Overview, UNHCR, retrieved from <https://reliefweb.int/report/syrian-arab-republic/syrian-arab-republic-2022-strategy-and-response-plan-overview-march-2022>

¹⁰ Lebanon's Ponzi Finance Scheme Has Caused Unprecedented Social and Economic Pain to the Lebanese People, 3 August 2022, World Bank, retrieved from <https://www.worldbank.org/en/news/press-release/2022/08/02/lebanon-s-ponzi-finance-scheme-has-caused-unprecedented-social-and-economic-pain-to-the-lebanese-people>

¹¹ Ibid.

¹² Ibid.

What is the Lebanese government's plan to return the refugees?



483



253



around
100

Up until the publication date of this report, the Lebanese government has not issued any official statement that includes a specific policy for the government's handling of what it calls the "voluntary return" of Syrian refugees to their country. The Lebanese government issues no clear plan or transparent procedure policy.

The implementation of the refugee return plan was initiated in 2017. It was put on hold during the "Covid-19" pandemic in 2020. On October 12th, 2022, Lebanon announced its resumption amid fears and criticism from humanitarian organizations and political parties warning of violations that may affect returning Syrian refugees.

First batch

On the 26th of last October, the Lebanese Syrian border witnessed the return of the first of this year's batches of Syrian refugees from the Aarsal camp. This return was held in coordination between the Lebanese government and the Syrian government and under the supervision of the Lebanese General Security. It falls into the "Aman Project," which translates into "Safety Project," launched by the Lebanese Minister of Social Affairs, Hector Hajjar¹³, during his meeting with the Lebanese caretaker prime minister, Najib Mikati.

"The number of families who registered to return in the first convoy with the Lebanese Ministry of the Displaced reached 483, i.e., between 1,500 and 1,800 people, with 235 cars registered", according to what the Minister of Displaced in the caretaker government, Issam Sharfuddin said in one of the official statements.

Second batch

On November 5th, 2022, the second batch of the "voluntary return" plan was launched from the Aarsal region. "The convoy of the wanted" is a name attributed to it by Syrian refugees and activists in several Lebanese areas; the reasons for this attribution remain unknown.

According to what was monitored by ACHR, the number of returnees in the second batch reached about one hundred persons. The convoy reached the western Qalamoun area in the town of Ras al-Ain.

According to what ACHR documented, the Political Security Directorate arrested two refugees among the returnees of the second batch; one was released after paying a bribe, while the second is still detained.

Regarding the mechanism that the Lebanese government will adopt to resume the return convoys, General Director of the Lebanese General Security, Major General Abbas Ibrahim¹⁵, said: "The mechanism is the same one we have adopted since 2017, that has resulted in the return of approximately 485,000 people." He also stated, "We will not wait for a green light from any entity to resume the return batches, and no one has given us permission before. Suppose there is a change in the European position on the return issue. In that case, it is due to what the illegal immigration convoys left knocking on their doors. This matter may change the international approach to this file; we are at a favourable political moment to return them (Syrian refugees) to their country."¹⁶

According to the information Access Center for Human Rights (ACHR) is aware of, the registration of requests to return to Syria is held at registration centres in various parts of Lebanon under the supervision and coordination of the General Directorate of Lebanese General Security. However, the legal procedures for papers and official approvals for requests are unclear. Also, approvals are issued by the Syrian authorities through the Lebanese General Security, who, in turn, hands the registered refugees a photocopy of their approval license. When leaving Lebanon, at the General Security offices at the Lebanese border, a stamp prohibiting entry to Lebanon is placed on the refugee's passport without any indication of the period during which they cannot re-enter the country.

¹³ Grand Serail tweet, Twitter, 27 October 2022, retrieved from <https://twitter.com/grandserail/status/1585552934531743744?s=20&t=jP70hXhpSCaZ1-1IveEp3w>

¹⁴ Statement of the Minister of Displaced Persons of the Caretaker Government, Issam Sharafuddin, 13 October 2022, retrieved from <https://www.alhurra.com/syria/2022/10/13/>

¹⁵ إعادة اللاجئين السوريين في لبنان - الإشارة - تصل - وتحذيرات - عودة - قسرية

¹⁶ Ibid.

¹⁷ Ibid.



What pressures are being exerted on refugees in Lebanon?



>> Hate speech



>> Expulsion from camps



>> Not issuing residence permits



>> Arbitrary arrests

The Lebanese authorities exert many pressures on Syrian refugees. **Statements by politicians continue blaming refugees** for the economic crisis in the country, in addition to reinforcing **hate speech** between Lebanese citizens and Syrian refugees, which, in many areas, caused refugees to be **arbitrarily expelled from their temporary homes**, without any intervention from local authorities who sometimes are aware and witness expulsions and illegal evictions of camps, according to ACHR's record.

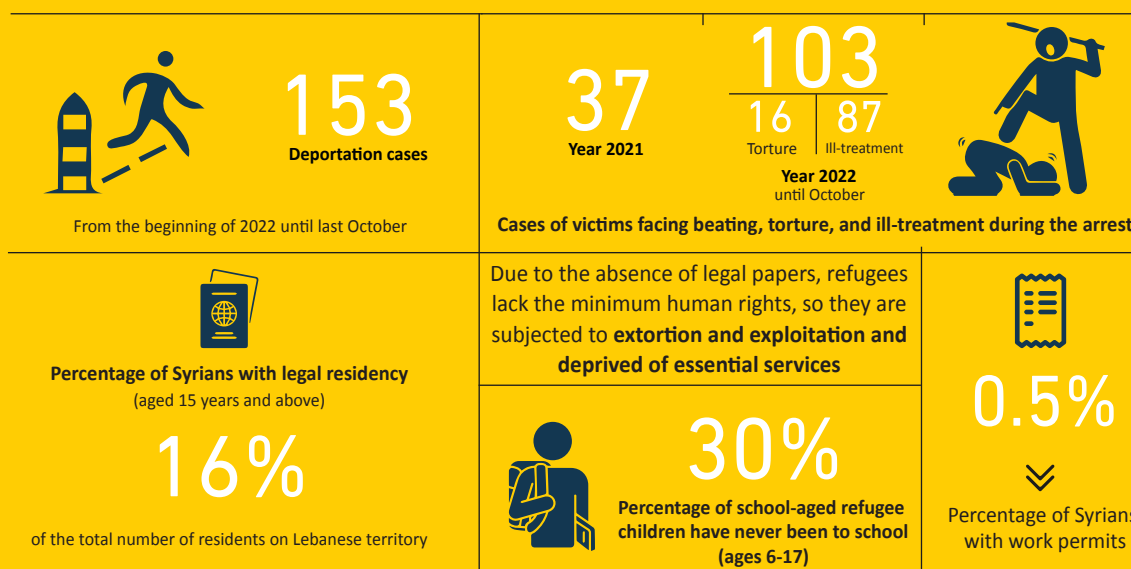
In addition to the fact that refugees are among the vulnerable groups in the country due to the subsequent decisions that establish a consensus on the unwillingness to regulate refugees' affairs in Lebanon by **not issuing residence permits** that limit their access to fundamental rights such as filing legal complaints or standing up to arbitrary decisions to claim rights through the judiciary system, they are also subject to human rights violations from security forces.

These several factors may influence, in one way or another, the decisions of the refugees, leading to them acknowledging a desire to return to their homes of origin. Still, it does not translate into a genuine desire to return since the principle of “voluntariness” is one of the pillars of return. Voluntariness is often interpreted as (non-arbitrary) approval of the refugee’s full consent without any direct reasons or causes leading to the decision-making, meaning that the declared decision should be made independently of humanitarian conditions experienced by the refugees in the host countries.

Security concerns are the main reason the Lebanese authorities impose more restrictions on Syrians in Lebanon. However, although some Syrians were involved in terrorist attacks during the battle of Sidon in June 2013 and the confrontations in Aarsal in August 2014, there is not enough evidence indicating the emergence of a large-scale rebellion by the Syrian refugees against the Lebanese state: most of them are preoccupied with securing their basic living needs, and 88 % of them live in extreme poverty¹⁷. Therefore, the Lebanese state has always found it difficult to distinguish between Syrians who pose a security threat to security and those who do not.

In addition, **arbitrary arrests** of Syrian refugees and **raids on camps and places of residence** are still being recorded on a large scale in several Lebanese regions. Evacuations, curfews, raids, and arbitrary arrests may, in most cases, be illegal and not based on legally compelling reasons. According to ACHR, **arbitrary arrest in Lebanon is one of the most occurred violations against Syrian refugees**, as ACHR recorded 139 cases in 2021. As for 2020, the center documented 25 cases of arbitrary arrests, of which 19 are individual cases and 6 are collective cases. The low number of arbitrary arrests in 2020 is due to the “Covid-19” pandemic spread and the subsequent closures and quarantine procedures. From the beginning of 2022, ACHR recorded 262 cases of arbitrary arrests until October 2022.

¹⁷ Lebanon – NEEDS AT A GLANCE, UNHCR, 2022, retrieved from <https://www.unhcr.org/lb/wp-content/uploads/sites/16/2022/04/At-a-glance-2022.pdf>



The raids on camps and refugee residences are still being recorded on a large and systematic scale. From the beginning of the year 2022 until last October, the number of cases of refugees' forced evictions from their places of residence reached 1871, according to what ACHR documented. Most forced evictions were done in the camps as part of collective cases, which explains the high number of cases recorded by ACHR.

From the beginning of 2022 until last October, ACHR also documented the deportation of 153 refugees from Lebanese regions to Syria, made through the Lebanese General Security, the Lebanese Army Intelligence, and the Lebanese Army. On the first of last March, one of the victims was arrested by the Lebanese General Security due to a group dispute which he had nothing to do with. The General Security transferred him to Baalbek's police station, where he remained for 20 days. They then moved him to Adliyah police station in Baalbek on March 20, where he stayed until the end of the investigation and was acquitted in the case.

On May 25th, the victim was transferred to the General Security in Baalbek to be released. Three days later, on May 28th, 2022, he was deported to Syria and handed over to the Syrian authorities at the Immigration Centre in Homs governorate, despite having informed Lebanese General Security of his illness and refusal to get deported to Syria. The victim suffers from kidney disease, as he lives with one kidney.

Once inside Syria, he disappeared for a month, with no information about his whereabouts, until he called his family to inform them that he was imprisoned in Homs for five days and then transferred to the registration center of compulsory military service. The victim is currently serving in the ranks of the Syrian army in Homs. He is sick and suffering from military service and inhumane treatment without getting any medical care.

Torture is systematically practiced on Syrian refugees during their arrest, detention, or interrogation, in addition to the inhumane conditions of detention in places of detention that do not respect the minimum rules for prisoners, arrested, or detainees' treatment. In 2021, ACHR recorded 44 cases of victims who were subjected, during arrest, to beating, torture, and ill-treatment. While in 2022, ACHR recorded a noticeable increase in the number of torture cases: the number of people subjected to torture and ill-treatment reached 103 cases from the beginning of the year until last October, of whom 16 victims were tortured, and 87 victims were subjected to ill-treatment.

According to the United Nations High Commissioner for Refugees estimates, the percentage of Syrians with legal residency (aged 15 years and above) is 16% of the total number of residents on Lebanese territory.¹⁸ This low percentage did not change much over the past years¹⁹, specifically since the beginning of 2015, when the General Security issued a memorandum imposing impossible conditions on Syrians entering the border and obtaining legal residency.

Due to the absence of legal papers, refugees lack the minimum human rights, so they are subjected to extortion and exploitation and deprived of essential services such as the right to legal work (the percentage of Syrians with work permits is estimated at 0.5%)²⁰, with difficulty in accessing educational and medical services. The United Nations estimates that 30% of school-aged refugee children (ages 6-17) have never been to school.²¹

These practices make a living in Lebanon as a host country unbearable for many refugees, forcing them to return to Syria, despite the ongoing security risks in various Syrian regions. Also, most government procedures related to civil status transactions, education, employment, medical care, and freedom of movement are linked to obtaining valid residence documents. Only 16% of refugees have legal residency in Lebanon²²; many do not have family papers or certified family data. There is difficulty in obtaining these documents from Syria or the Syrian embassy in Lebanon since, to get them, refugees must pay large sums of money. Hence, they sometimes resort to extortion, fraud, and forgery to obtain these documents. Therefore, all these procedural difficulties disrupt their daily lives and impede their access to a dignified and secure life.

¹⁸ Vasyr 2021 - vulnerability assessment of Syrian refugees in Lebanon - Lebanon. ReliefWeb. (2022, January 25). Retrieved from <https://reliefweb.int/report/lebanon/vasyr-2021-vulnerability-assessment-syrian-refugees-lebanon>

¹⁹ United Nations High Commissioner for Refugees. (n.d.). Survey finds Syrian refugees in Lebanon became poorer, more vulnerable in 2017. UNHCR. Retrieved from <https://www.unhcr.org/news/briefing/2018/1/5a548d174/survey-finds-syrian-refugees-lebanon-poorer-vulnerable-2017.html>

²⁰ "101 facts & Figures on the Syrian Refugee Crisis", Issam Fares Institute for Public Policy and International Affairs, https://www.unhcr.org/lb/wp-content/uploads/sites/16/2018/06/AUB-IFI-101-fact-Sheet-2018_-English.pdf

²¹ Vasyr 2021 - vulnerability assessment of Syrian refugees in Lebanon - Lebanon. ReliefWeb. (2022, January 25). Retrieved from <https://reliefweb.int/report/lebanon/vasyr-2021-vulnerability-assessment-syrian-refugees-lebanon>

²² Ibid.

Return cases that were documented by Access Center for Human Rights (ACHR)

Since its establishment in 2018, Access Center for Human Rights (ACHR) has documented violations against Syrian refugees residing in Lebanon. Some live testimonies documented by ACHR's team regarding the "voluntary return" to Syria have been included.



First Testimony

"Osama," a Syrian refugee in Lebanon, decided to return to Syria by registering his name at the regional General Security Office. "Osama" told Access Center for Human Rights (ACHR), "I registered to return in March 2022 because of poverty. I do not want to see my children get hungry and have my hands tied. My return was approved in July 2022."

Osama entered Lebanon in 2013 and found a place in the town of Arsal where he could live with his family in the designated camps established for that purpose by relief organizations. He suffers from a shortage of financial income since he works in seasonal agriculture for a daily allowance of no more than half a US dollar. The financial assistance of the United Nations High Commissioner for Refugees (UNHCR) is no longer sufficient for "the price of a bundle of bread for the family," according to "Osama," as the financial assistance is limited to 500,000 Lebanese pounds per person.

By restricting his movement, not accepting to renew his residency papers, nor allowing him to work as per his academic competence, the Lebanese General Security pressured Osama to decide to return to Syria, despite his knowledge of the continued security risks there.



Second Testimony

Six years ago, Fatima's husband suffered a stroke after the death of his children in Syria in one of the military battles in 2013, which caused him to spend his life in a wheelchair while "Fatima," with the help of the United Nations High Commissioner for Refugees (UNHCR) and its partner associations, helped secure his medication and food throughout those years. Fatima told ACHR: **"We no longer have the option to live here (Lebanon). We are dying here, and we are dying in Syria. But in Syria, we are at least buried for free."**

Since the beginning of 2020, the early stages of the economic crisis, and the lack of funding for some relief organizations, Fatima became increasingly burdened with daily living expenses and bills to be paid exclusively in dollars, unable to secure the necessities of food and medication required for her sick husband. Financial assistance was no longer the same as before; "many organizations refuse to provide aid under the pretext of lack of funding," "Fatima" hears from associations' employees. On the other hand, every three months, irregularly and intermittently, UNHCR provides shy assistance to "Fatima." No party addresses this suffering due to the decreased funding to provide aid to refugees. A large part of the funding goes through the Lebanese government without any monitoring committee supervising the flow of funding.



Third Testimony

Due to the hardships of the living crisis, and despite the expected security risks, "Jalal" decided to return to Syria with his family. He registered his name at the regional General security office at the beginning of March 2022. Jalal told ACHR: "All rents and bills now must be paid in Fresh Dollars only. My family cannot handle this cost of living." "Jalal" also suffers from societal violence accompanied by hate speech against refugees. "With this situation, we will not be able to live and will eventually have no choice but to return to the unsafe country."

Refugees face increasing obstacles in securing a decent life for themselves and their families, with limited access to assistance provided by the United Nations High Commissioner for Refugees (UNHCR) or access to essential services such as education, health care, and work, the minimum requirements for a decent life. Therefore, many doubts arise about the living conditions of refugees in Lebanon or the "voluntary" nature of refugees' return to Syria.

Legal Components of Voluntary Return

“ UNHCR defines refugees as "people who cannot return to their country of origin because of a well-founded fear of persecution, conflict, violence, or other circumstances that have seriously disturbed public order, and who, as a result, require international protection. The tendency to conflate refugees and migrants, or to refer to refugees as a subcategory of migrants, can have serious consequences for the lives and safety of people fleeing persecution or conflict.”²³



Thus, protection thresholds consist of twenty-two key points²⁴ set by the United Nations High Commissioner for Refugees (UNHCR). There should be no active efforts to return Syrian refugees to Syria without achieving all of these points, the most prominent of which are a significant and permanent reduction of hostilities and a conclusion of a formal agreement with the Syrian government, host countries, and other actors as needed, to receive returnees and provide them with genuine assurances that they will not face harassment, discrimination, arbitrary detention, physical threat or prosecution because of their political views or for having left Syria illegally or for having applied for asylum abroad. Also, each refugee's decision to return should be truly informed and voluntary, without coercion.

Syria has not reached a cessation of hostilities, as the absence of security continues in areas under the control of the Syrian government. In addition to the continuation of armed violence, Syrians are suffering from an economic deterioration that has reached its maximum²⁵, according to the report of the Independent International Commission of Inquiry on Syria issued on the 12th of last September²⁶, which does not guarantee that the voluntary and safe return of refugees, which would result in physical harm or violation of their fundamental human rights.

²³ United Nations High Commissioner for Refugees. (n.d.). Asylum and migration. UNHCR. Retrieved from <https://www.unhcr.org/asylum-and-migration.html>

²⁴ COMPREHENSIVE PROTECTION AND SOLUTIONS STRATEGY - A ROADMAP TO ADVANCE RESETTLEMENT AND COMPLEMENTARY PATHWAYS IN THE SYRIA CRISIS retrieved from <https://data.unhcr.org/en/documents/download/63759#:~:text=UNHCR's%20support%20to%20Syrian%20refugees,complementary%20pathways>

²⁵ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, September 2022, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/463/09/PDF/G2246309.pdf?OpenElement>

²⁶ Ibid.

The compatibility of the return plan in Lebanon with International Law



رويتز

The policies adopted by the Lebanese government to impose restrictions on Syrian refugees and condone hate speech targeting them and the recently announced return plan all fall within the legally prohibited forced return, which is not limited to direct expulsion or deportation but also includes indirect measures having the same effect.

The Lebanese government is violating its obligations in the context of refugee repatriation under the International Covenant on Economic, Social and Cultural Rights (ICESCR)²⁷, and the International Covenant on Civil and Political Rights (ICCPR)²⁸, Article 1 paragraph 1, related to the right of peoples to self-determination, and its obligations under the Fourth Geneva Convention²⁹ Article 45 paragraph 4, stipulating the prohibition of transferring or deporting foreigners who are within the territory of the belligerent country, to a country where they fear persecution because of their political opinions or religious beliefs, without specifying whether they are refugees or not.

Lebanon also violates Article 3 of the United Nations Convention against Torture³⁰, which it ratified on October 5th, 2000, by deporting refugees to Syria despite the security risks for some, thus exposing the lives of some deported refugees to danger.

²⁷ International Covenant on Economic, Social and Cultural Rights. OHCHR. (n.d.). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

²⁸ International Covenant on Civil and Political Rights. OHCHR. (n.d.). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

²⁹ The Geneva Conventions of 1949 and their additional Protocols. ICRC. (2010, October 29). Retrieved from <https://www.icrc.org/en/doc/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm>

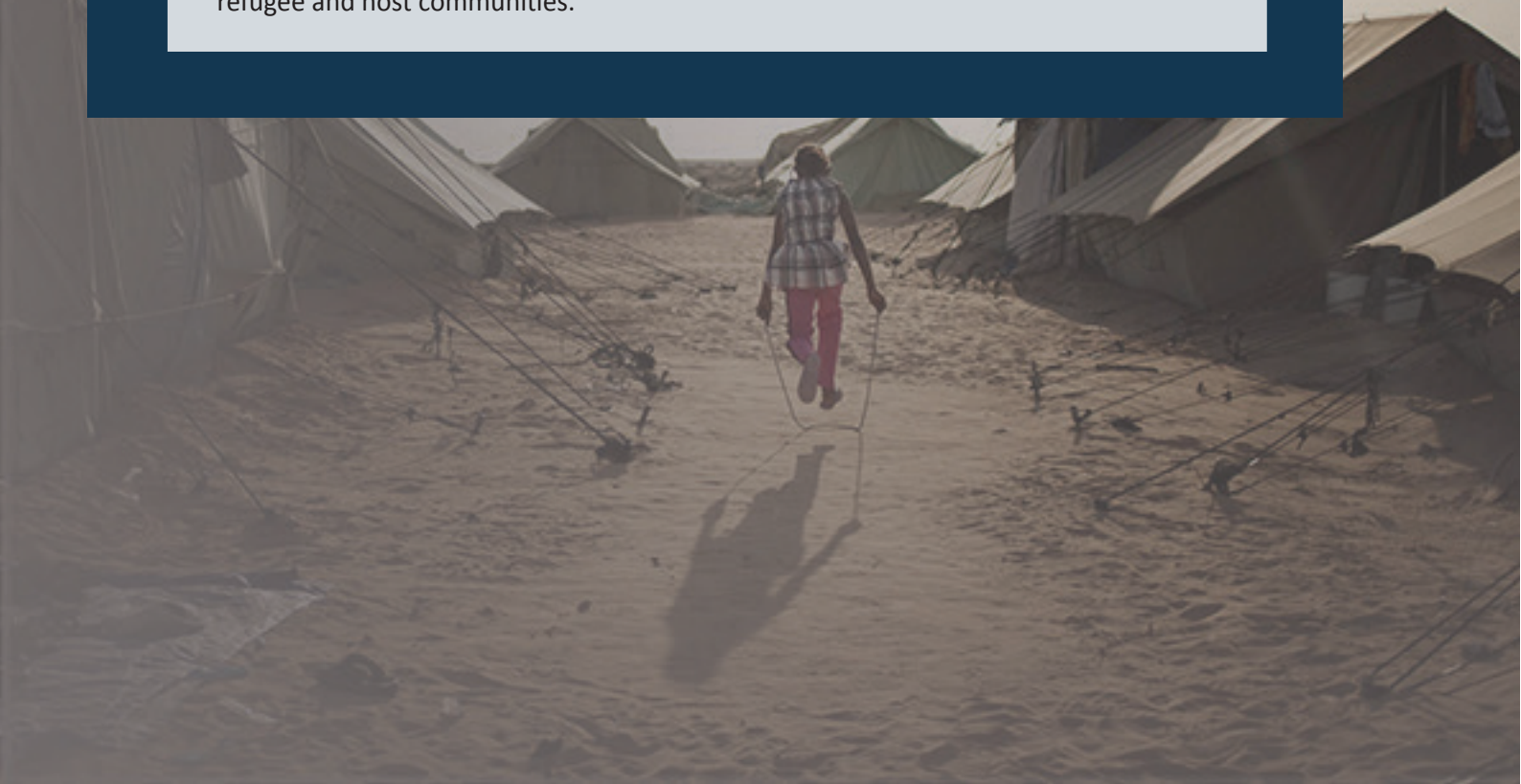
³⁰ UN Treaty Body Database, Ratification Status for Lebanon retrieved from https://tbineternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=96&Lang=EN

Conclusion and recommendations

The lack of application of the basic concepts of voluntary return by the Lebanese government, as well as the absence of the international community's role in urging it to adhere to the principle of non-refoulement, causes much confusion regarding the future of refugees. The Lebanese government carries out deportations and forced returns without giving refugees the right to a decent living or securing their basic needs. This prevents them from making a genuine decision as to whether or not to return to Syria at a time when Syria is still unsafe for them.

Based on this, Access Center for Human Rights offers a set of recommendations:

- The Lebanese government must fulfill its international obligations of the Convention against Torture provisions **by not forcibly returning Syrian refugees to Syria, as it is not yet a safe state.**
- The Lebanese government **must reverse the announced plan to return 15,000 Syrian refugees per month to Syria**, as it violates the absolute prohibition of forced return.
- **Cessation of all forms of arbitrary deportation procedures** under the name of "voluntary return."
- The international community must work to **enhance security in Syria** while confronting attempts of forced and illegal return of refugees.
- Donor governments should contribute to **bearing the refugees' burdens of refugees on Syria's neighbouring** countries and fund economic recovery programs that help both refugee and host communities.



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A summary report on the Lebanese government's "voluntary return" plan to return Syrian refugees to their country



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