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Refugees Can Be Part of the Solution:
The Challenges of Lebanon

Refugees are those without a state, without a government, without a home. They are some of the world's most vulnerable people. Governments in today's liberal, global order have pledged to protect refugees, just as they have pledged to protect their citizens. These duties, while sometimes viewed as contradictory, can most aptly be upheld if viewed holistically, as one duty. Government can best fulfill these obligations by creating policies which use refugees and citizens to solve issues facing both groups. This is particularly true for Lebanon, a place where there are a million Syrian refugees and millions of Lebanese in poverty. If the Lebanese government integrates the needs of both groups into one solution, it can foster growth for the fragile Lebanese economy and lead to greater prosperity across all demographics. Refugees can become empowered to be not just part of the problem, but also part of the solution.

In 1951, the nations of the world assembled the Convention Regarding the Status of Refugees to mitigate the refugee crisis caused by World War II. In its revised state, the 1951 Refugee Convention set forth an international standard that forbade any country from refusing asylum to a refugee. As Alexander Betts and Paul Collier, two Oxford professors, write, the Refugee Convention created a system so “when the traditional relationship between a state and its citizens breaks down, either an alternative state or the international community is expected to act as a temporary surrogate.”¹ This commitment was renewed at the 2016 Summit to Address Large Movement of Refugees and Migrants in the New York Declaration, which reads, “We reaffirm and will fully protect the human rights of refugees and migrants.”² This statement was expanded upon by Special Adviser to the Secretary General on Large Movements of Refugees and Migrants Karen Koning Abuzayd, who stated, “The approach [of all governments] to both refugees and migrants

¹ Alexander Betts and Paul Collier, "Help Refugees Help Themselves," *Foreign Affairs*, October 20, 2014, 84.

² *New York Declaration for Refugees and Migrants* (New York, NY: United Nations, 2016), accessed April 20, 2017, http://www.un.org/ga/search/view_doc.asp?symbol=A/71/L.1.

will be comprehensive, sensitive, and people-centered.”³ Every signatory nation has a clear legal duty to protect the inalienable rights of refugees.

Governments also have moral and legal commitments to their citizens and their citizens’ interests, however; the basis of a democracy is that it is a government by the people, *for* the people. Bound by commitments to its citizens and refugees, governments are forced to balance both obligations; the common perception is that by helping refugees, resources must be diverted from citizens, or vice versa. Viewing this issue in such a binary manner breeds xenophobia and leads to suboptimal treatment of refugees. Governments must move away from the polarized idea that helping refugees and citizens are mutually exclusive, and instead see them as one interconnected obligation. When approached this way, helping refugees with their immediate needs can be used to help the long-term future of the populace. As Betts and Collier write, “An effective refugee policy should improve the lives of the refugees in the short term and the prospects of the region in the long term.”⁴

This is a lesson from which Lebanon could learn well. Currently, the Lebanese government is failing at its duty to protect refugees through its policies of strict regulations, prohibitive fees, and restrictions on their ability to work. By revising its refugee policies to include a right for refugees to work and the creation of Special Economic Zones, Lebanon could not only uphold the 2016 New York Declaration, but also modernize its failing economy, which in turn would result in long term growth and industrialization. By approaching Lebanon’s obligation to its citizens and to the Syrian refugees holistically, the Lebanese government can protect the rights of the Syrian refugees and promote modern economic growth.

Currently, Lebanon is in a dire situation. As of December 2016, over one million Syrian refugees have sought legal refugee status in Lebanon, in addition to approximately 300,000-500,000

³ Karen Koing Abuzayd, "Comparing Responses to Refugees and Migrants: Governments, the UN and Civil Society" (lecture, Camden Conference, Camden Opera House, Camden, ME, February 18, 2018).

⁴ Betts and Collier, "Help Refugees," 90.

Syrians who have settled in Lebanon illegally.⁵ For a country with little more than six million inhabitants, and a GDP per capita of only 18,500 USD, this has put incredible strain on an already fragile nation.⁶ According to the CIA World Factbook, the influx of Syrian refugees has “slowed economic growth to the 1-2% range in 2011-15, after four years of averaging 8% growth.”⁷ Unsurprisingly, the intake of over a million people who are legally restricted from fully contributing to society damages the potential for economic growth. Lebanon's budget deficits have increased their already mounting debt, resulting in the fourth highest debt-to-GDP ratio globally and severely restricting the government's ability to invest in infrastructure and economic development.⁸ Blame for this economic stagnation has fallen predominantly on the Syrian refugees, which has increased internal conflict and legal restrictions placed on Syrians.

In addition to the economic fragility, Lebanon is plagued by political instability and deadlock. No presidential candidate won the required votes in the 2014 elections; it was not until October of 2016 that a quorum of electors showed up for further rounds of voting, thus leaving the nation without leadership for over two years.⁹ As Mario Abou Zeid of the Carnegie Middle East Center wrote, the boycott by many of the parliamentarians was “driven by the desire to avoid exposing Hezbollah [a Lebanon-based paramilitary group] to accountability demands: It is better for Hezbollah and its allies to have a vacant presidency than to have an active opposing president.”¹⁰ While Michel Aoun has finally assumed the presidency, fractional gridlock and Hezbollah influence in the government have not gone away.¹¹ Refugee policy remains one of the many highly contested

⁵ United Nations High Commission for Refugees, *Lebanon* (Syria Regional Refugee Response, 2016), accessed March 27, 2017, <http://data.unhcr.org/syrianrefugees/country.php?id=122>.

⁶ "Lebanon," in *The CIA World Factbook* (Skyhorse Publishing, 2017), <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ Mario Abou Zeid, "Lebanese Presidential Elections," Carnegie Middle East Center, last modified February 4, 2015, accessed March 28, 2017, <http://carnegie-mec.org/2015/02/04/lebanese-presidential-elections-pub-58965>.

¹⁰ *Ibid.*

¹¹ "Lebanon," in *The CIA World Factbook*.

issues, which has led to a decentralized and ambiguous approach to the Syrian refugee crisis, an approach which helps neither Lebanon nor the refugees.

Lebanon has never had a clear policy regarding the status of refugees, and even its adherence to international refugee laws remains complicated. Lebanon did not sign the 1951 Refugee Convention, but has affirmed its commitment to the Universal Declaration of Human Rights and has signed the 2016 New York Convention.¹² In 2003, the United Nations High Commission for Refugees (UNHCR) and Lebanon signed a Memorandum of Understanding (MoU), which specified that Lebanon was not an asylum country and that those seeking refuge in Lebanon would be resettled to another nation by the UNHCR within a six month period.¹³ Obviously, this is a commitment which has been impossible to achieve, with the result that the one million Syrian refugees in Lebanon are in a place of legal limbo. As Maja Janmyr, a professor at the University of Bergen, writes, “The Lebanese Government does not generally give legal effect to the UNHCR’s recognition of refugee status and treats most Syrian refugees as illegal immigrants liable to arrest.”¹⁴ Syrian refugees in Lebanon are neither offered legal protection as asylum seekers awaiting resettlement by the UNHCR nor treated as refugees to be resettled in Lebanon, which means that their exact status under international law is unclear.

Beyond the complexities of Lebanon’s adherence to the 1951 Refugee Convention, there is no definitive national legislation concerning refugee resettlement. Syrian refugees are not provided special treatment and undergo the same immigration process as any other Syrian immigrant. Prior to 2015, Syrian nationals could legally enter the country if they had the required paperwork; every six months they had to renew their visa for a fee of about 200 USD, after an initial grace period of

¹² Maja Janmyr, "Precarity in Exile: The Legal Status of Syrian Refugees in Lebanon," *Refugee Survey Quarterly* 35 (2016): 60, accessed March 28, 2017, <https://doi-org.ursus-proxy-7.ursus.maine.edu/10.1093/rsq/hdw016>.

¹³ Ibid 63.

¹⁴ Ibid 77.

twelve months.¹⁵ While most refugees could not afford this price and, as Janmyr writes, “Renewals could be denied despite the refugees having all of the required documentation and funds,” at least Lebanon provided some legal option to Syrian refugees.¹⁶ However, in 2014, the leaderless Lebanese government issued the “Policy Paper on Syrian Displacement,” which outlined a new set of priorities for dealing with the Syrians, mainly decreasing the number of accepted Syrian immigrants and regulating those already present.¹⁷ Since the implementation of the “Policy Paper on Syrian Displacement” in 2015, entry requirements have made it almost impossible to seek refuge in Lebanon.¹⁸ Under the current laws, every six months, those already in Lebanon must renew their residency permits, which requires a payment of 200 USD, a passport, a housing commitment, a proof of financial means, and a letter from the village leader.¹⁹ In addition, if the refugee is registered with UNHCR, he or she must provide a written promise not to work.²⁰ By legally limiting such a large number of refugees from working, Lebanon does not benefit from the greatest asset of refugees: the labor they provide. In addition, this policy perpetuates the idea that refugees are a problem, not a part of a solution. Even if a refugee is allowed to work, if it is not registered with the UNHCR, he or she must provide a letter from a Lebanese sponsor, who is willing to take responsibility for the refugee, most often by employing him or her.²¹ This creates a dependence on employers which has led to widespread exploitation, no job security, and effectively no labor laws.²² Even more concerning, the strict regulations and high fee required to renew residency are impossible for most refugees to achieve, which has resulted in many refugees losing their legal

¹⁵ Nizar Saghieh, "Manufacturing Vulnerability in Lebanon: Legal Policies as Efficient Tools of Discrimination," *The Legal Agenda*, entry posted March 19, 2015, accessed March 28, 2017, <http://legal-agenda.com/en/article.php?id=690&folder=articles&lang=en>.

¹⁶ Janmyr, "Precarity in Exile," 66.

¹⁷ Ghida Frangieh, "Lebanon Places Discriminatory Entry Restrictions on Syrians," *The Legal Agenda*, entry posted January 22, 2015, accessed March 28, 2017, <http://legal-agenda.com/en/article.php?id=679&folder=articles&lang=en>

¹⁸ *Ibid*

¹⁹ Janmyr, "Precarity in Exile," 68-69.

²⁰ *Ibid*

²¹ Frangieh, "Lebanon Places," *The Legal Agenda*.

²² Saghieh, "Manufacturing Vulnerability," *The Legal Agenda*.

status. The new regulations remove the last vestige of legal protections for refugees and as Nizar Saghieh, a human rights lawyer, writes, “manufacturing vulnerability.”²³ Prior to the regulations, only 9% of Syrians were in Lebanon without proper certification, but this number rose to over 70% by the end of 2015.²⁴ While studying the refugee situation in Beirut, Prof. Maja Janmyr was informed by an anonymous Lebanese lawyer, “The Syrian situation is not governed by law, but by security policy.”²⁵ Since 2015, Lebanon has abandoned its obligation to offer legal protection as a surrogate government to the Syrian refugees and, in doing so, has failed to incorporate them in a solution which better the lives of both refugees and citizens.

Of the many commitments made at the 2016 New York Convention, beyond the obvious pledge to uphold human rights, Lebanon should take particular note of the commitments to foster “multi-stakeholder alliances to support efforts [to solve the refugee crisis]”²⁶ and “strengthen positive contributions made by migrants.”²⁷ By creating policies which have positive ramifications for both Lebanese citizens and Syrian refugees, the Lebanese government could uphold its responsibilities to both parties, as well as create a better country. The most significant problem facing Lebanon is its fragile economy, and this is where such an alliance can have the most positive impact. The Lebanese government should attempt to incorporate Syrian refugees into improving its economy in a number of ways, but primarily by removing restrictive work permit laws and creating Special Economic Zones.

First and foremost, before any other measures can be taken to incorporate Syrian refugees into the economy, the punitive and discriminatory 2015 immigration restrictions must be reversed. These policies have done nothing except push hundreds of thousands of Syrians outside the protection of the law, resulting in what the Lebanese Institute for Democracy and Human Rights

²³ Ibid.

²⁴ Janmyr, "Precarity in Exile," 71.

²⁵ Ibid.

²⁶ United Nations, "New York Declaration," Addressing Large Movements of Refugees and Migrants, last modified 2017, accessed March 28, 2017, <http://refugeesmigrants.un.org/declaration>.

²⁷ Ibid.

calls “a dramatic and fast deterioration of Syrian human rights.”²⁸ Lebanon should create new immigration procedures specifically for refugees, as normal expectations of immigrants cannot be expected of refugees who are fleeing for their lives. The 200 USD fee of residency should be waived for refugees. Most importantly, the legal restrictions on Syrian refugees’ ability to work should be redacted, in order to improve the economy through an increased workforce and avoid what Janmyr describes as “government facilitated exploitation.”²⁹

Lebanon should allow UNHCR refugees to work and should open all fields for Syrians to work in. Currently, Syrians are allowed to get work permits only for agriculture, construction, and environmental jobs.³⁰ A United Nations Development Program (UNDP) report entitled *Mind the Gap* outlines the significant gap in Lebanon between skilled and unskilled laborers, and the increasing need for trained labor across most industries.³¹ While many Syrian refugees in Lebanon are unskilled, there are some, around 10%, with college, graduate, or technical training; opening all industries to Syrian workers would allow Lebanon to take advantage of this influx of skilled labor, a badly needed commodity.³² The most prevalent concern with allowing industries to employ Syrians is that it will impede Lebanese citizens from work opportunities. Turkey has offered more freedom to work for its Syrian refugees, and a report by Wolter Hassink, professor at the University Utrecht, found that the inclusion of Syrian laborers into the economy had almost no effect on the ability of Turkish citizens to find work.³³ He writes that “employment rates of natives are largely

²⁸ Lebanese Institute for Democracy and Human Rights, *Unprotected Refugees*, June 2015, accessed March 28, 2017, <http://lifeinstitute.me/uploads/The%20legal%20report%20on%20the%20situation%20of%20Syrian%20refugees%20in%20Lebanon%20-%20eng.pdf>.

²⁹ Janmyr, "Precarity in Exile," 76.

³⁰ *Ibid* 64.

³¹ *Mind the Gap: A Labour Needs Assessment for Lebanon* (United Nations Development Program, 2016), accessed March 28, 2017, <https://data2.unhcr.org/en/documents/details/54818>.

³² Alex Nowrateh, "Who Are the Syrian Refugees?," Foundation for Economic Education, last modified November 19, 2015, accessed April 20, 2017, <https://fee.org/articles/who-are-the-syrian-refugees/>.

³³ Yusuf Emre Akgunduz, Marcel Ven Der Berg, and Wolter Hassink, "The Impact of Refugees on the Host Labour Market: The Case of the Syrian Crisis in Turkey" (PhD diss., Utrecht University, 2015), accessed March 28, 2017, <http://ftp.iza.org/dp8841.pdf>.

unaffected.”³⁴ These laws in Turkey stand as an example of how countries can employ refugees as part of the solution, not as a problem; the same can hold true in Lebanon. By removing the restrictions on employment from Syrian refugees, the Lebanese government can offer legal protection to Syrians, incorporate the refugees into Lebanese society, and provide much needed skilled labor to Lebanese industries.

In addition to simply allowing employment of Syrians, however, Lebanon should implement a system of Special Economic Zones (SEZs) to promote industrial growth. A SEZ is an area with separate economic policies from the rest of the nation, created to stimulate economic development. Professors Betts and Collier describe how these zones can be used in Jordan to industrialize Jordan’s economy, an argument which could be equally true for Lebanon.³⁵ According to Betts and Collier, to modernize an economy, a significant number of unskilled laborers and a boom of new industries are required.³⁶ There are few refugee camps in Lebanon, but most refugees are still grouped in highly populous areas. By creating SEZs near these refugee hotspots, Lebanon can take advantage of this influx in labor, thus converting a problem into a solution.³⁷ By providing incentives for international companies to develop in SEZs through government policies, Lebanon can attract new businesses and industries, thereby fulfilling both of Betts and Collier’s requirements to industrialize the Lebanese economy.³⁸ In addition, Lebanon should allow Syrian companies which can no longer operate in Syria due to the war to do business in the SEZs. By doing so, Lebanon would become part of a post-conflict resolution which, in addition to helping stabilize the region, opens up an entirely new set of international aid to Lebanon.³⁹ There is approximately ten times more development aid than humanitarian aid in the world and, by creating SEZs to offer

³⁴ Ibid 2.

³⁵ Betts and Collier, "Help Refugees."

³⁶ Ibid 86.

³⁷ United Nations High Commission for Refugees, *Lebanon*.

³⁸ Betts and Collier, "Help Refugees," 87.

³⁹ Organization for Economic Cooperation and Development, "Development Aid Rises Again in 2015, Spending on Refugees Doubles," OECD: Better Development For Better Lives, last modified 2016, accessed March 28, 2017, <http://www.oecd.org/dac/development-aid-rises-again-in-2015-spending-on-refugees-doubles.htm>.

Syrian refugees employment, Lebanon can receive greater international assistance, which then can be reinvested into the economy.⁴⁰ Government projects funded with this development money would then create infrastructure for the SEZs and create even more jobs. Currently, Syrian refugee unemployment is as high as 67 percent in some areas and, if this drain on society is removed by putting these individuals to work in SEZs, Lebanon's economy can recover from its current decline.⁴¹ While Special Economic Zones have often gone hand in hand with labor exploitation, as Betts and Collier write, "There is no reason why the development of such zones cannot be consistent with ethical labor practices."⁴² Refugees would not be forced to work in SEZs, but would be drawn there naturally by the economic opportunities and resulting autonomy. Lebanon must let Syrian refugees be part of the solution, both in solving their own impoverishment and in solving Lebanon's economic issues. By giving more freedom and work opportunities to the Syrian refugees through Special Economic Zones, Lebanon's government can fulfill its duty to its citizens and the refugees.

It is not the job of the United States or any other great power to "solve" Lebanon's problems or the problems of the Syrian refugees in Lebanon: that job is for the Lebanese and the refugees themselves. The United States has no business solving the domestic economic issues of Lebanon. However, the United States does have a duty to refugees and to its own citizens, both of which are helped by facilitating a swift end to the refugee crisis. To these ends, the United States government should create policies which encourage economic development in Lebanon, both by continuing to finance organizations like the World Bank and International Monetary Fund and by decreasing trade barriers between the United States and Lebanon. By doing so, the United States can help the Lebanese and Syrian refugees help themselves. The United States, just like the Lebanese, should

⁴⁰ Ibid.

⁴¹ Janmyr, "Precarity in Exile," 73.

⁴² Betts and Collier, "Help Refugees," 88.

use enlightened self-interest to transition the refugees from being part of the problem to part of the solution.

In the modern democratic world, citizens have come to expect their government to serve or, at the very least, protect them. When the government fails to do so, the system breaks down. To remedy this, the 1951 Convention Regarding the Status of Refugees and the 2016 New York Summit outline another duty of government: to protect those who lack a government of their own. While sometimes viewed as contradictory, these duties are fulfilled best when fulfilled in tandem. Governments should not treat refugees as humanitarian burdens thrust upon a community, but instead as assets to enhance the government's ability to serve its people. In today's global economy, there are numerous ways that helping refugees in the short term can benefit a country in the long term.

This is certainly the case for Syrian refugees in Lebanon. The Lebanese government and people have thus far treated the Syrian refugees as intruders and burdens, which has negatively affected Lebanon's economy and abridged the inalienable rights of the Syrians. In perpetuating the legal disenfranchisement of the Syrian refugees, the Lebanese government is failing in its duty to both its citizens and the refugees. It is paramount, therefore, for the Lebanese government to redact its legal restrictions on refugees and to set up Special Economic Zones to incorporate the Syrians into the Lebanese economy. By doing so, the Lebanese government can modernize its failing economy, and ensure that it fulfills its moral and legal responsibilities both to refugees and citizens alike. As Betts and Collier write, "When it comes to refugee policy, compassion and enlightened self-interest are not mutually exclusive."⁴³ Thus, compassion solves the refugee crisis while enlightened self-interest provides the solution for the Lebanese economy.

⁴³ Betts and Collier, "Help Refugees," 89.

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