



Access Center for Human Rights Report

On Arbitrary Deportation of Syrian Refugees in Lebanon

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1.Executive Summary

Starting mid- 2017, the official discriminatory speech in Lebanon escalated against the presence of Syrian refugees, coinciding with Syrian authorities' allegations that these refugees' areas have become "safe" for them to return and settle without any fears¹. Lebanese authorities did not hesitate to translate the speech into systematic policy pressuring refugees in their safety, livelihood and shelter to push them into "leaving voluntarily" back to their neighboring country. Opposing its obligations under international and local laws not to deport asylum seekers to a country where they could face death, torture or oppression, Lebanese authorities have persisted in its policy to deport several Syrian Refugees, entering through Beirut international airport, even deporting refugees who have been living in Lebanon for years. This policy has been mainly executed by the Lebanese general security services, after a decision issued by the Higher Defense Council on the 15th of April 2019², this policy threatens a wide category of Syrian refugees who have illegally entered Lebanon before said date (24/04/2019) with nothing to prove so, this has been highlighted by 8 Lebanese humanitarian organizations in a position paper³ officially submitted to the Lebanese authorities currently informed of the legality of "deportation". **Access Center for Human Rights** (ACHR) was able to document 16 deportation cases in April 2019, 7 others during January of 2019, in addition to 6 informal deportation (abduction) cases of Syrian refugees unlawfully delivered to Syrian security services during May and June of 2019.

Local and international human rights non-governmental organizations have expressed serious concerns over the arbitrary measures Lebanon is taking to deport Syrian refugees back to Syria. **ACHR** and its partner organizations, led by Human Rights Watch, issued a joint statement⁴ on the 24th of May 2019 documenting some of these deportations, and expressing deep concerns of putting these refugees at risk of death, torture and oppression in Syria due to the emergency policy of forced deportation in Lebanon.

ACHR continues to give its utmost efforts along with international and local partner human rights organizations to provide alternatives that stop these violations against Syrian refugees in host countries. The center also urges the international community and the rapporteurs attached to its Secretary General for arbitrary arrest, forced disappearance, modern forms of racism, torture and all kinds of human rights violations. ACHR also urges the United Nations High Commissioner for Refugees (UNHCR) to halt these violations against refugees who are deprived of their basic

¹ The Syrian Ministry of Foreign Affairs and expatriates' website, "Syria calls on its citizens who were forced to flee the country because of terrorist attacks, to return to their motherland", 03/07/2018. <https://tinyurl.com/y2w4jpl>

² The higher Defense Council entangles Lebanon in deporting Syrian refugees: judicial and legal irregularities. <https://tinyurl.com/y6mu6hrd>

³ Humanitarian organization to Lebanese authorities: Where's the refugees' right of plea against arbitrary deportation? Why the refrain of implementing the state Consultative Council's decision? <https://tinyurl.com/ykzn4bc>

⁴ Human Rights Watch report, "Lebanon: Syrians deported from airport in brief procedures", 24/05/2019. <https://tinyurl.com/y4zgt8yd>

rights safeguarded by the United Nations' charters, covenants and decrees. The basic right of not being deported to a country where they are at risk of being killed, tortured, oppressed or deprived of a safe and dignified life.

2. Methodology

While preparing this report, **ACHR** team adopted internationally accepted standards of accuracy, objectivity, neutrality and at-risk source protection. Field investigations and direct contacts, required for the report in all Lebanese and some Syrian territories, were carried out through safe encrypted open sourced programs, all over Lebanese territories (Beirut, north Lebanon and Beqaa) and Syrian territories such as Damascus and its countryside, Tartous and Homs. The team exclusively and separately interviewed 31 victims and eyewitnesses of the Syrian nationality who were deported or handed to Syrian authorities; all interviews included the same set of questions in their original spoken language to ascertain the authenticity of information given with no implicit questions or material inducement, to ensure their independent statements and guarantee discretion of at-risk individuals' identities. **ACHR** team conferred on the gathered information with partners working and residing in Lebanon or working in Syria and residing abroad.

The team also analyzed data collected from public resources such as informational reports and official statements to confirm its validation and accuracy. Despite the team's direct and indirect attempts to contact relevant official authorities on the content of the report, specifically the General Directorate of Lebanese General Security (GDGS) and the United Nations High Commissioner for Refugees (UNHCR), and minister of refugees' affairs Mr. Saleh Al Gharib to include their official statements in this report, the before mentioned references referred **ACHR** team and its partners to official statements they have previously issued on voluntary return and forced deportation. At the same time, it was not possible to contact the Syrian embassy in Lebanon via the provided numbers on its official website.

This is the first official report submitted by Access Center for Human Rights (**ACHR**) to the United Nations, the Special Rapporteur of torture, and the Human Rights Council before its forty second round next September, and is the only report discussing solely the file of arbitrary deportation. **ACHR** team gave its utmost efforts to respect impartiality, objectivity, accuracy, and integrity of the information contained therein. While preparing this report, the team faced a number of serious challenges, the least being that participant researchers would be exposed to harassment and arbitrary pursuit by Lebanese security services. That is because the latter recently got used to pursue human rights activists residing in Lebanon, and those who publicly oppose continuous systematic violations against Syrian refugees in Lebanon regardless of the nationality of those activists or human rights defenders. These harassments range from arbitrary calls to inquiry centers without legal justification (that is, without such summonses being based on judicial decisions) where they are deprived of legal rights

guaranteed by article 47 of the Lebanese Code of Criminal Procedures (right to contact their relatives and access to a lawyer). Harassments also extend to being denied access to legal residence permit in Lebanon or its renewal (for Syrian and foreign activists). The General Directorate of the Lebanese general security has previously officially referred the policy of residency denial in a statement⁵ published on their official website on the 17th of June 2019 threatening associations condemning Syrian refugees' deportation that it "will take all legal measures and review the competent judiciary to stop the action and users of whichever organization".

3. General Summary on the Reality of Syrian Refugees in Lebanon

Since the outbreak of peaceful protests in Syria in 2011, that was confronted with violence provoking correspondent acts of violence that continues to this day, the crisis has been only getting worse. According to "The Syrian Human Rights Observatory"⁶, the cost of the Syrian uprising has doubled into 570 thousand deaths with more than fifth as civilians, and according to the UNHCR, the displacement of more than 13 million Syrians⁷ including 7 million Syrians seeking asylums in neighboring countries like Turkey, Lebanon and Jordan. Aside from the complete or nearly complete destruction of towns and cities, the number of Syrian refugees hosted in Lebanon in late 2018 reached more than 950 thousand refugees⁸, more than 80% are children, youths and women mostly living in informal settlement camps in Beqaa and north governorates run by local non-governmental organizations (NGO) because of the Lebanese authorities' refrain from establishing formal camps in coordination with the UNHCR, apart from 550 thousand refugees that are unregistered with the UNHCR according to the Lebanese government⁹.

Lebanon is considered the country hosting the biggest percentage of refugees to its population, where it is hosting around 20 thousand refugees of other origins, in addition to approximately 270 thousand Palestinian refugees¹⁰ under the mandate of the UNRWA. Despite the fact that the Lebanese government is significantly contributing to the response and policy of the UNHCR's work by providing refugees access to public schools, hospitals and social development centers, "the growing pressure on these services and infrastructure, competitive job market and other factors would potentially influence the hosting communities' "hospitality" as per UNHCR, which in its 2019 annual plan stressed on its priority being "to increase access

⁵ Statement issued by the public security on some associations and forums, 17/06/2019. <https://tinyurl.com/y4z38nmb>

⁶ The Syrian Human Rights Observatory

<https://tinyurl.com/y3e95eip>

⁷ The High Commissioner for Human Rights, Number on Syria

<https://tinyurl.com/y3cow99w>

⁸ United Nations report in partnership with Lebanese government, 2019

<https://tinyurl.com/yvb5wg9f>

⁹ Human Rights Watch international report, 2019

<https://tinyurl.com/y4bpgp53>

¹⁰ UNRWA report on "protection in Lebanon"

<https://tinyurl.com/yv3d8yo7>

to durable solutions for refugees, in the form of resettlement in a third country or safe dignified and voluntary return”¹¹.

Ever since the beginning of Syrian overland influx in 2011, Lebanon has received more than 6.7 billion dollars to support its response to the Syrian refugees’ presence, according to UNHCR’s Lebanon crisis response plan 2017-2019¹². The total response strategy includes multilevel interventions: providing urgent and developmental aid in fields of protection, food security, livelihood, shelter, and education to both host and refugee communities. In addition to that, the intervention was improving infrastructure and launching a variety of initiatives that assisted Lebanese municipalities in implementing projects with high priority to local communities; As well as providing monetary assistance to wide number of underprivileged Lebanese, strengthening the local economy and supporting health centers and hospitals around Lebanon.

Between 2012 and 2019, 9.33 billion dollars were invested in the Lebanese economy to mainly support the refugee community. Moreover, refugees contributed to increasing demand, buying goods, leasing from local host communities, promoting commute usage and filling the gaps in sectors where local labor is declining. According to the VASyR yearly evaluation, 50% of Syrian refugees work in agriculture and construction while 14% of labor in these fields is Lebanese. Finally, the influx of Syrian refugees encouraged the implementation of several developmental projects in areas of their residence, especially through Lebanese ministries and municipalities, rehabilitation of schools, clinics and social centers which have provided thousands of job opportunities in various sectors that contributed to the economic development¹³.

In reality, this dual development plan of host country in parallel with the urgent response to the humanitarian needs of Syrian refugees is in line with the international community’s shared responsibility to manage large refugee movements, and with Lebanon’s pledges under the London 2016 conference and Brussels’s 2017 and 2018 conferences. Nevertheless, UNHCR asserts that a large number of registered Syrian refugees in Lebanon still need an emergency humanitarian response in terms of shelter, food and healthcare¹⁴.

¹¹ The Higher Commissioner for Refugees, 2019
<https://tinyurl.com/y5drj78a>

¹² Refer to the previous reference (9)

¹³ Statement issued by local civil society organizations, humanitarian activists and academics against discrimination in solidarity with Human Rights, July/2019. <https://tinyurl.com/y6ylawf4>

¹⁴ Kindly refer to reference (9).

4. Refugees Position of Repatriation To Syria

Until this date, no surveys or extensive field studies were carried among Syrian refugees in Lebanon to indicate their position on returning to Syria. A leaflet was issued by the “Common Space Initiative” in September 2018, based on UNHCR's and "Reach's" database, showed that around 80% of refugees in Lebanon come from areas that varied between listed as “Bad” and “Very Bad”. This was determined through several factors including security index, availability of public services, infrastructure, and opportunities, particularly in Homs, Idlib, Aleppo, Daraa', Southern Raqqa and Damascus' eastern and southern countryside.

Despite all adversities Syrian refugees face deciding to return to their stricken country, the vast majority of them intend to return. A survey done in summer 2016 concluded that 96% of the 1200 surveyed Syrian refugees have confirmed their intention to return to Syria “if the water runs back in track” i.e. according to the "safe" return conditions, which "UNHCR" has long referred to in its official position.

In fact, security, humanitarian and economic conditions of Syrian refugees in Lebanon form strong reasons of their instability and lack of willingness to stay. Passport holders and refugees registered with UNHCR have long attempted to acquire visas to other safer countries. These conditions have rapidly deteriorated with a steady decline in humanitarian aids (especially after the funding cuts on major local relief organizations), job opportunities (specifically after recent job labor policy pressure targeting Syrian labor), security restrictions on refugees who do not have valid residency (random General Security raids on camps) or those who participated in the Syrian armed conflict (referring them to military court in Beirut on terrorism charges in Syria without evidence), in addition to security harassment on Syrian activists in relief and protection.

All of these difficulties apparently are not sufficient for Syrian refugees to return immediately rather than wait for vital and security guarantees of return. A thorough documented study should be undertaken targeting the largest possible segment of Syrian refugees in Lebanon to define the conditions awaited to return to Syria.

In addition, such a study¹⁵ should address regular Syrian army recruitment that poses deep concerns on male refugees residing outside Syria who do not wish to participate in armed demonstrations in Syria (which represent a minority compared to women and children as previously mentioned).

¹⁵ Nasser Yassin, “101 of facts and numbers Syrian refugee crisis” Issam Fares institute of public policies and international affairs, American University of Beirut, 2018.

We refer here to a study¹⁶ by the Carnegie Middle East Studies Center on the return of refugees to Syria, which found that the main motives for the return of refugees to Syria were as follows:

- **Safety and security:** not only the cessation of hostilities but also non-prosecution of returnees is a key factor. Accordingly, the return to country of origin depends on establishing a fair judicial mechanism that will punish perpetrators of war crimes and protect returnees from arbitrary prosecutions.
- **Sustainable political transition:** As most refugees oppose the current Syrian regime.
- **Providing governmental services and job opportunities:** to guarantee a stable humane life.

Syria was ranked the least safe Arab country in the world according to NUMBEO index (the world's largest database) because of its 8 years of suffering of war. The last database update of NUMBEO showed a "high" rate as follows:

The safety index is about 32 % compared to 67 % in crime index, (increased up to 75 % in the last three years) while fears of assault has risen to 67 % and fears of verbal abuse by 64 %. Moreover, the index of fear of physical assault based on race or religion reached approximately 63%, up to violent crimes index such as torture and armed robbery that hit around 68% which indicates that Syria is not safe¹⁷.

As for, life conditions that are rapidly deteriorating in Syria, pollution index is about 71%¹⁸ and the poverty rate, one of the worst residues of war, is mounting to unprecedented levels which involve 85% of the population due to several factors that have afflicted life conditions in Syria such as the loss of living resources, low income rates, the depletion of the Syrian lira, the high inflation rates that reached more than 1000% and the unjust economic policies of the current government¹⁹.

In spite of the internal Lebanese pressure on Syrians to return, repatriation is currently impossible based on the fact that this existing group of Syrians is the most impoverished making their mobility or return challenging especially after losing their homes inside Syria. Furthermore, Hezbollah prevented many to return and the regime does not want them: "there is a large population from Al Qusair, that is only a few kilometers away, concentrated in Beqaa. Al Qusair, which was supposedly liberated from terrorists, is actually seized and its inhabitants are prevented from returning to it.

¹⁶ Maha Yahya with Jean Kassir and Khalil Al Hariri on the, marginalized voices: what Syrian refugees to return home, Carnegie Middle East Center, 2018

¹⁷ Study on crime and safety index in Syria

<https://tinyurl.com/y6yhbmgg>

¹⁸ Study on the quality of life index in Syria

<https://tinyurl.com/yyonbk73>

¹⁹ Study on the living standard in Syria

<https://tinyurl.com/y3y6m6e5>

Refugees are facing an actual dilemma as their reality is the following: No hopes of return nor employment inside Syria, doors abroad are shut and the Syrian regime along with Hezbollah are preventing people from returning. Thus, their existence becomes a self-fueling ticking bomb waiting to either explode or a pressure relieving alternative”²⁰.

Therefore, without a logical scientific condition, local and international official references refraining from directly asking these refugees about return, a serious conversation on voluntary repatriation is off the table. It cannot be argued that these refugees are staying in Lebanon for economic reasons when official information confirms the deteriorating living conditions, especially under the restricting systematic policies adopted by the Lebanese government to pressure them into choosing repatriation as “better than death”.

5. Lebanon’s Systematic Restricting Policy on Refugees to Return

Despite the Lebanese government receiving significant financial support from the international community, governments and organizations, to deal with the consequences of Syrian refugees’ influx avoiding serious national economic losses, the official discriminatory speech has escalated and is still escalating on a daily basis against Syrian refugees in Lebanon since mid- 2017.

This escalation mounted to arbitrary deportation procedures of Syrian refugees through Syrian land borders by Lebanese authorities, specifically in 2019. These official procedures varied from shutting bank accounts of hundreds of local relief organizations to restricting residency granting process imposed by the GDGS in 2015. The procedures also included arbitrary arrests of thousands of refugees (mostly directly from the camps) in Beqaa and north Lebanon and others on the pretext of seizing “terrorists”, which peaked in the death of over ten detained Syrian refugees under torture in July 2017 which was a painful breach of human rights that was monitored by most human rights international and national organizations led by the “Lebanese Center for Rights and Civil Freedom defense” and Human Rights Watch²¹.

ACHR team has documented hundreds of refugees’ testimonies who survived assault and confirmed being tortured and severely beaten by perpetrators in military uniforms. They were also screamed at to return back to Syria specifically to Jarabless and Idlib, knowing the targeted groups come from the Qalamoun border area. These raids later reoccurred, without leading to violence unlike 2017’s, using the same speech against Syrian refugees that they must return to their country.

²⁰ Fouad Fouad interview, Syrian university professor- research paper titled “The Syrian refuge in Lebanon between Apolotics and frustration policies

²¹ Human Rights Watch Report. 20/07/2017

Furthermore, the systematic policies to push refugees into leaving “voluntarily” amounted to the Minister of foreign affairs Gebran Bassil threatening²² the UNHCR in 2018 not to renew their employees’ residencies that are usually issued by his ministry giving that it’s a United Nations organization which was After the UNHCR broadcasted text messages to all registered Syrian refugees clarifying the “voluntary return” program launched by the GDGS to facilitate the procedure for those with invalid permits willing to return to Syria, Minister Bassil considered this an act of incitement by the UNHCR to keep Syrian refugees in Lebanon. While the goal was to respond to refugees’ inquiries and clarify that the UNHCR doesn’t cater to this “voluntary” return program, and its services are unavailable in all Syrian areas; UNHCR was obligated to modify its speech following these threats, according to one of its employees to ACHR who requested to keep his identity private.

In fact forced deportation procedures (from Beirut airport to Syria or from Lebanese territory to the land border of Syria) began lightly in 2017 without raising media’s attention according to ACHR’s sources, but in May 24th 2019 Human Rights Watch released an urgent statement²³ on these arbitrary deportation procedures, in partnership with Lebanese human rights non-governmental organizations (the Lebanese Center for Human Rights, Legal Agenda, Ruwwad ALhoukouk and Access Center for Human rights) warning that Lebanon has deported at least 16 Syrians, including registered refugees who arrived at Beirut airport on the 26th of April 2019, to which the Lebanese general security responded in a statement on their website²⁴ denying deporting any Syrian and clarifying that “Any Syrian arriving in Lebanon that doesn’t meet entry conditions, is voluntarily and willingly asked to return to Syrian expressing that he doesn’t wish to stay in their country as a resident for any reason, signs a responsibility pledge stating that he chose to voluntarily return with facilitation from the GDGS”.

ACHR team was able to contact these Syrian refugees of said deportation or their family members who have clarified that members of the Lebanese general security at the airport (responsible for entries, leaves, and residencies of foreigners in Lebanon) informed them that they don’t meet entry conditions and they either return where they came from or be granted a 24 hour only transit to move to Syria and sign a paper accordingly. When they agreed to enter Lebanon thinking they’ll have the chance to regularize their residency (or keep a low profile from authorities in case they didn’t meet their residency conditions), they were led in a General Security vehicle to the land borders of Syria after being detained for at least 12 hours.

²² Gebran Bassil’s statement in a report on his UNHCR accusations
<https://tinyurl.com/y3tmuojq>

²³ Kindly refer to reference 3.

²⁴ Lebanese General Security statement, “the general security denies accusations of forcibly deporting Syrians back to Syria through Beirut International Airport. 25/05/2019. <https://tinyurl.com/y533cfxi>

The president of the Lebanese republic, General Michel Aoun, had previously announced on 20/01/2019 during his opening speech of the Arab Economic Summit in Beirut that Syrian refugees must return to their country. General Aoun called on the international community to invest all efforts possible to return them back to Syria demanding that “that shouldn’t be linked to a political solution in Syria”²⁵. Several similar rhetoric followed from other officials of the president’s “Free Patriotic Movement” party, including the party’s political office member, Mr. Wadih Akl, who called on taking gradual steps to return Syrian refugees starting from returning refugees who violated local Lebanese laws and regulations, and stressed that “Lebanon can no longer bare any more”²⁶.

On June 6th 2019, the minister of foreign affairs Gebran Bassil tweeted on his official twitter account what was called a “racist” tweet that caused deep controversy and serious backlash from the Lebanese public. That provoked a statement²⁷ refusing and condemning that speech signed by Lebanese intellectuals, journalists, academics and jurists: “ We have enshrined our Lebanese identity above any other affiliation, saying its genetic, which is the only explanation of our resemblance and difference together, of our endurance and coping together, our resilience and robustness together, of our ability to merge and blend together on one hand, and on the other condemning migration and asylum seekers together”²⁸.

In recent measures of the systematic restricting policy on Syrians, the Lebanese minister of labor Mr. Kamil Abou Sulaiman, announced in June/2019 the government’s plan of “fighting illegal foreign labor on the Lebanese territory”²⁹. The plan included launching a series of security raids on all establishments employing Syrians to seize terms of employment violators, notifying them of the need to regularize (if it’s owned by Syrians) or threatening to close it and fine them with almost 3,333 US dollars. It is apparent that the minister did not consider all the difficulties and restrictions applied on Syrians to legalize their work. For example, the ministry restricts Syrians in working labors such as janitors, concierge and porters (third category work permits), and it also conditions Syrian business owners to deposit 70 thousand dollars for a share in a Lebanese trading company (first category work permit). Jurists have condemned³⁰ the

²⁵ AL Jazeera, outro... Lebanese Minister thanks Qatar for “breaking the siege” on the Economic Summit. 20/01/2019.

<https://tinyurl.com/yvzfywbb>

²⁶ Al Jazeera, “Activists warn of the escalating campaigns against Syrian refugees in Lebanon”, 20/06/2019.

<https://tinyurl.com/y5x2n362>

²⁷ AlNahar, “statement on the discrimination in our country”, 25/06/2019. <https://tinyurl.com/yxh4vhlv>

²⁸ Gebran Bassil Twitter account

<https://tinyurl.com/yxjxsx82>

²⁹ National Media Agency, Abou Soleiman launches a campaign against illegal foreign labor, 03/06/2019.

<https://tinyurl.com/y37houcs>

³⁰ Kassem AL Basri, “Mediocrity as a governmental act in Lebanon”, AL Jumhuriyya newspaper, 04/07/2019.

<https://tinyurl.com/y2d6s8ww>

double standards campaign from depriving refugees the minimum wage of relief and aid due to UNHCR budget issues and restrictions on local relief organizations to being denied minor jobs to provide for their families who forcibly reside in Lebanon. Furthermore, on April 15th 2019, the Lebanese “Higher Defense Council” took a number of discrete resolutions concerning Syrian citizens³¹, with two of them emerging: the first resolution was an order of demolition of concrete roofed camps of refugees in different areas in the Beqaa and north governorates with a deadline. If the deadline was not met, the Lebanese army would be taking on the demolitions, where it had previously tore down several tents in the Jasmine camp in Bar Elias (Beqaa’) on April 24th 2019 without prior notice. The second resolution was that the General Security will deport Syrians who have entered Lebanon illegally before the 24th of April 2019, after declining all proof of their real entry dates including Lebanese patrons and neighbors’ willingness to testify on it in front of the before mentioned service.

6. The role of Lebanese media in supporting official policies and shaping the Lebanese public opinion

Calls of officials and politicians on “deporting” Syrian refugees back to Syria, led by the head of state General Michel Aoun, have echoed and were well received by the majority of private Lebanese media outlets (the latter mostly owned by parties reflecting their agendas). These calls fueled the Lebanese public’s hostility against Syrian refugees residing in Lebanon. Media outlets, also adopted the same harmonious stance on Syrian refugees where the refugee crisis, for the public opinion, became the principal agent of insecurity, economic, environmental, health and security regression even in the Lebanese fostering communities³².

Media coverage plays a key role in inciting repulsion, fear and insecurity towards refugees, socially marginalizing them and promoting discrimination based on nationality as a form of oppression. This happens even though most of these media organizations have signed the “International Code of Honor to Promote Civil Peace in Lebanon”³³ in 2013 under the United Nations’ developmental “peace building in

³¹ The Legal Agenda, “The higher Defense Council entangles Lebanon in deporting Syrian refugees: measures against the law and jurisdiction”, 29/05/2019.

<https://tinyurl.com/y6mu6hrd>

³² International Code of Honor to Promote Civil Peace in Lebanon, 07/03/2013. <https://tinyurl.com/yxpf8teu>

³³ Observing discrimination in Lebanese media: “Syrian” and “Palestinian” acts in news coverage.

Lebanon” program. The code involves 18 articles asserting the media’s commitment to promote civil peace, including article three of the code that stresses on “rejecting racism and discrimination and refraining from directly or indirectly target or offend people’s dignity”.

A study was made by “Maharat” association in partnership with UN’s “peace building in Lebanon” developmental program³⁴, addressing the influence of Lebanese media outlets on the public opinion towards Syrian refugees. This study concluded that the Lebanese media outlets hardly ever give Syrian refugees the chance to express their opinions on issues that concerns them. The study also showed that the media discourse negatively and wrongfully implicates that refugees are a national and cultural threat, are the cause of high crime rate and a burden to an impotent state, benefitting off its generosity, as well as being generally the cause of a deteriorating environmental and health status³⁵ which increase the hate towards the refugees community.

In addition, the Lebanese media refrained from inquisitive actions to right the common misconception of the Syrian influence on the Lebanese economy, and from highlighting the financial support Lebanon has received to host these refugees since 2011 besides other positive economic indications previously mentioned which reflects the official misguiding discourse.

<https://tinyurl.com/y373mqj9>

³⁴ Kindly refer to previous reference

³⁵ Access Center for Human Rights, statement on deportation, 15/01/2019

<https://tinyurl.com/y5pzpblg>

7. Deportation cases documented by Access Center for Human Rights

Ever since its launch in 2018, **ACHR** has been working on documenting violations against Syrian refugees living in Lebanon, primarily cases of arbitrary deportation. The following is a list of cases documented by **ACHR** in 2019.

January 2019 – Beirut International Airport³⁶

On Saturday noon January 12th 2019, the Lebanese authorities detained 8 Syrian refugees, including a young woman, at the Beirut international airport prohibiting them from entering Lebanon because of communiques of “Deny Entry” issued against them before several days/hours of leaving the country. These detainees had paid monetary fines to the public security office at the airport to permit them to leave because they didn’t have a legal residency, they went to Sudan through Sharja (transit/boarding) that refused to conduct their flight to Khartoum (their primary destination), after a sudden order from Sudanese authorities that Syrian refugees must acquire entry visas to Sudan, except those coming straight from Syria where the Sharja’s airport security returned them back to Beirut.

Lebanese General Security forces deported these refugees to Masnaa border point with Syria in rounds, it first deported 3 of them, where **ACHR** was informed that the GS pushed them to sign papers that indicate their agreement to leave the Lebanese territories willingly (voluntary repatriation to Syria). Using its vehicles, the Lebanese GS took these refugees to the Lebanese-Syrian border land point (AL Masnaa’). On the 15th of January 2019, **ACHR** was informed of 4 other Syrian refugees deported after being detained and denied entry.

April 2019 – Beirut International Airport³⁷

On Thursday April 4th 2019, around 18 Syrian, women and men, refugees were detained by the Lebanese authorities at the Beirut international airport. Few days after leaving it on the 21st of April 2019, these refugees arrived to Turkish Cyprus Arkan airport with the intention to cross to the Greek Cyprus through United Nations’ organizations in the region, according to them, but they were denied entry to Cyprus for not holding an entry visa and were returned back to the Lebanese airport through Istanbul “Ataturk” airport. At the Beirut airport, the Lebanese security forced them to sign an agreement paper stating that they have agreed to board Lebanon for 24 hours only on the way to Syria, claiming this to be the only way to enter Lebanon. Shortly after, in Lebanese security vehicles they were transported to the Syrian borders.

Although UNHCR knew of this case and a delegation was present at the borders to negotiate Lebanese authorities to retract their decision of deportation the latter did not cooperate and they were deported.

³⁶ ACHR, Deportation Statement, 15/01/2019
<https://tinyurl.com/y22pc6gq>

³⁷ ACHR, Syrian refugees deported from the Lebanese airport at the Masnaa border point”, 26/04/2019.
<https://tinyurl.com/y3orcba2>

According to the National News Agency (Lebanese official news agency), under the Higher Defense Council's decision, 301 Syrian refugees were deported back to Syria, handed over through the Masnaa border point to Syrian immigration and passport department in Yabous county³⁸.

Live testimonies of victims and their families

After the Higher Defense Council's decision to deport any and all refugees illegally who illegally entered Lebanon after the 24th of April 2019, with the General Directorate of General Security asserting its compliance with this decision, **ACHR** documented no less than 7 Syrian refugees, who have entered before the aforementioned date, forcibly deported and handed over to Syrian authorities by the Lebanese general security including refugees who've been registered with the UNHCR since 2013. Most of them were subject to moral and physical mistreatment with at least 2 of them tortured in detention as soon as they were handed over to Syrian security services. They were also investigated on their activities in Lebanon, political affiliations, previous activism in Syria and the reason they were residing abroad.

The center's team collected data through interviews with families of 4 deported Syrian refugees who were handed over to Syrian authorities during May and June of 2019:

- 1- **First testimony:** on May 8th 2019, A.Z a Syrian refugee was arrested with two other refugees during a raid by the Lebanese army at 5 am in the morning on Syrian refugee camp in Bar Elias in central Beqaa where he lives with his family who is now left without a provider. A.Z was detained for 35 days at a security facility for the Lebanese army where he was subjected to physical and verbal abuse leading to torture, he was forced to pay his residency penalties before being forced to sign a paper stating he willingly wished to return voluntarily to Syria. By June 12th of 2019, the GS delivered him to the Syrian authorities where he was again arrested and investigated with, morally and physically tortured. After 48 hours he was released and A.Z was able to contact his family to report what happened, but since the Syrian war has taken its toll on his town, he was prohibited by the Syrian authorities to return to his town of origin in the Damascus countryside and is now living with a friend instead with no shelter nor mobile. Even though he submitted proof his presence in Lebanon since 2009, with a UNHCR registration paper from 2012.
- 2- **Second testimony:** on June 5th 2019, A.M, a Syrian refugee was arrested by the Lebanese General Security at Der Ammar checkpoint in north Lebanon. He was detained for a week before the General Security handed him to the Syrian authorities. A.M was not registered with the UNHCR but his family (wife and

³⁸ The National News Agency, report on the number of deported Syrian refugees to Syria, Friday May 24th 2019.

children) were registered, and even though he illegally entered Lebanon before 2016, the General Security applied the order of deporting refugees who entered illegally after the 24th of April 2019. Although his record proves he was arrested by the GS in 2017 till 2018 after his trial in the permanent military tribunal accused of belonging to the Syrian opposing army in Syria (AL Jaish Al horr).

ACHR team met the victim's family who confirmed their inability to contact him until this day, they were informed that the Lebanese security handed him to the Syrian authorities who in turn transferred him to one of its security centers in Damascus according to a Syrian source.

- 3- **Third testimony:** on 10/06/2019, Ms. H.N, a Syrian refugee, was arrested from her neighbor's house in Majdal Anjar, Beqaa, during a raid on the house to arrest said neighbor's husband for drugs. Everyone present at the house at the time was arrested and tested for drug abuse. Even though the investigating judge cleared the subject with no precluded persecutions for proving not to be involved in drug abuse or trade, she was transferred to the Masnaa police station where she stayed for a week subjected to verbal and physical sexual harassment by one of the detectives. Forced to sign papers she has no clue of their content for being overstressed and unconscious of what she is signing, she was then deported even though she entered the country illegally before said 24th of April 2019. H.N was handed over to the Syrian authorities through the Syrian trust at the Masnaa border point (Lebanese – Syrian borders), even after notifying the Lebanese detectives that she's subject to pursuit and oppression in Syria because of her opposing political views of the Assad regime. She was arrested for 10 days in Syria where she was cruelly physically and morally tortured.
- 4- **Fourth testimony:** A.A, a Syrian refugee was arrested on June 27th 2019 by the Lebanese general security from in front of his work place at a bakery in Sidon, Lebanese south governorate. The victim's brother met with **ACHR** team who confirmed his brother's arrest by the Lebanese General Security from the front of his workplace. Despite A.A being registered with UNHCR and has been living in Lebanon for over 6 years, the General Security illegally detained him for six days confiscating his mobile phone, personal papers and forced him to sign a voluntary return paper before they handed him over to the Syrian border authorities that returned him to Daraa' in Syria.
- 5- **Fifth Testimony:** Syrian refugee S.M was detained on the 4th of June 2019 by the Lebanese military for three weeks, in Tripoli, Lebanese north governorate which he entered illegally after leaving his city of origin Homs in Syria due to the reconciliation between the Syrian regime and opposing armed factions who ruled the area mid last year. During his detention in Lebanon, he was subject to

cruel moral and physical treatment to the point of torture. Although S.M was not registered with UNHCR, he has proof on his phone of his presence in Lebanon before said date by the Lebanese defense council order.

8. Lebanon's non deportation commitment under international and local laws

Although Lebanon is not part of the international convention of refugees (1951) and its protocol issued in 1967, it is obliged not to deport Syrian refugees on the basis of the following legal references:

- 1- **The Lebanese Constitution**: the Lebanese constitution, in its introduction (Para. B), stipulates that Lebanon is Arab in its identity and in its affiliation. It is a founding and active member of the League of Arab States and abides by its pacts and covenants. Lebanon is also a founding an active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception. Lebanon was among the four states that drafted the international declaration of human rights in 1948. The preamble of the Lebanese constitution is an integral part of the constitution as it is the case of all official legal text and knowing that article 14 of the International Declaration of Human Rights stipulates that "every individual has the right to seek and enjoy asylum in other countries.
- 2- **Law on foreigners**: the law of " Entry , residency and leave regulations" stipulates (commonly known as law on foreigners) implemented as of 1962, article 26 any foreigner who is the subject of prosecution or sentenced to a political offense by a non-Lebanese authority, or whose life or freedom is threatened for political reasons may be granted political asylum"; article 31 of this Law stipulates that "If a political refugee was to be deported [from Lebanon] he shouldn't be deported where his life or freedom are at risk".
- 3- **Convention Against Torture**: Lebanon has been a part, since 25/10/2000, of the "international covenant against torture and other forms of mistreatment or cruel, inhuman or degrading punishment" issued by the United Nations' General Assembly in 10/12/1984 put into action in 26/06/1987. Article three of this convention confirms that "1. No State Party shall expel, return ("refoul") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture. 2. For the

purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights”.

- 4- **The International Convention on Civil and Political Rights**: a multilateral treaty adopted by the United Nations General Assembly. Resolution 2200A (XXI) of 16 December 1966, and in force from 23 March 1976, endorsed by Lebanon in 03/11/1972. Article 13 of the covenant stipulates that “An [foreigner] lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.
- 5- **The International Convention on the Elimination of All Forms of Racial Discrimination**: Adopted by the United Nations’ General Assembly in 21/12/1965 and endorsed by Lebanon in 12/11/1971 before being put in action in 4/01/1969. Even though this convention did not clearly state not to deport foreigners oppressed in their country of origin, but the Committee on the Elimination of Racial Discrimination issued a “general recommendation” on all state parties in 01/10/2004 that special national legislations and decisions may not expel or deport based on nationality, race, ethnicity or color, and they must give equal judicial rights to appeal decisions of deportation.
- 6- **The International Convention for the Protection of all Persons from Enforced Disappearance**: A convention adopted by the General Assembly of the United Nations in 20/12/2006, in force in 22/12/2010, signed by Lebanon in 06/02/2007, in article 16, stipulated that “No State Party shall expel, return ("refouler"), surrender or extradite a person to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to enforced disappearance.
- 7- **National judiciary diligence**: in the beginning of the year 2000, the Lebanese judiciary started to improve and develop its diligence on discarding penalty of deportation especially asylum seekers registered with UNHCR. Indeed, we have not witnessed judgments against refugees from countries that have witnessed armed conflicts or flagrant human rights violations by ordinary criminal justice (single sanction and criminal courts) or exceptional (permanent military court/judicial council) concerning foreigners coming from such countries and which include a decision to deport them, as Lebanese courts have

traditionally imposed on foreigners from African, Asian or Western countries when convicted of heinous or serious criminal offenses, including terrorism, murder and drugs.

Furthermore, states' commitment not to deport foreigners residing on their territory to countries where they are at risk of being tortured, killed or subjected to any form of oppression has become a basic principle of fundamental legal human rights devoted by the international conventional law.

9. Compendium and Recommendations

There are refugees who were obliged to enter Lebanon illegally, particularly after the General Directorate of Public Security posed extreme conditions on the entrance and residency of refugees in Lebanon early 2015. Although the case filed in 2015 by one of the Syrian refugees, along with "Ruwwad ALHoukoug" and the "Legal Agenda" associations, succeeded in making the State Shura Council review the case, and issue a decision in which it confirms that the General Directorate of General Security has no right to modify the conditions of entry and residency of Syrians in Lebanon, on the legal basis that it is in the authority of the Higher Defense Cabinet only³⁹.

Access Center for Human Rights recommends the Lebanese government of the following:

- It is crucial to stress on Lebanon's obligations under international covenants it has signed and/or endorsed
- Rehabilitate Lebanese authorities' strategies towards Syrian refugees to guarantee the respect of their wishes on returning to Syria or staying in Lebanon.
- Abolition of the Higher Defense Council's decision, especially that this decision was executed arbitrarily, and the GDGS and two other judges' decisions of deporting Syrian refugees who entered Lebanon through illegal border points.
- Allow victims who are threatened of being deported to appeal, based on local regulations, deportation decisions against them by competent judicial authorities.
- Allocate international support to fund awareness raising and training projects for objective, humane press coverage of the Syrian refugees' case in the Lebanese media outlets.

– End –

³⁹State consultative abolishes the general security's reforms in the conditions of entry and residency of Syrians in Lebanon: a lesson in legitimacy.

<https://tinyurl.com/y3tv52ns>



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On Arbitrary Deportation of Syrian Refugees in Lebanon

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