

Irregular migration..

Refugees' last resort for a decent life



February 2023

Contents

03 Who we are

04 Executive Summary

06 Introduction

07 Refugees' conditions and motives for migration

08 Testimonies on dangerous routes

11 Violations after deportation

12 Related agreements and laws

13 Conclusion and recommendations



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.

Executive summary

Irregular migration is one of the solutions available to Syrian refugees in neighboring countries to get better livelihoods and find a way to lead a decent life guaranteeing their families' futures. Facing the persistence of Syria's neighbouring countries' governments - including Lebanon's - to impose arbitrary decisions against Syrian refugees, such as spreading **hate speech, arbitrary arrests, deportation, and the constant threats of sending them back to Syria**, Syrian refugees constantly opt for irregular travel to find a better exile, towards a new country or even a new continent, which exposes them to inhumane conditions, and sometimes leads to their death. Access Center for Human Rights (ACHR) monitored the death of one old woman and a four-year-old child during their irregular trip through the Mediterranean towards Greek Cyprus.

In a previous report, Access Center for Human Rights documented the dire humanitarian conditions of migrants from Lebanon to other countries, most prominently Cyprus, followed by Italy, Germany, and Greece. These conditions partly result from the sharp decline of the Lebanese Pound and the deterioration of living and security conditions in Lebanon.

[4:27 PM] Sarah TALEB

The inhumane and humiliating treatment of Syrian refugees in the neighboring countries led some of them to irregular travel, trying to reach Europe through the Mediterranean, given the impossibility of them returning to their country because of the dangerous risks they would face perilous security risks, according to the report of the Independent International Commission of Inquiry on the Syrian Arab Republic, issued on the 12th of September 2022.¹ Despite the refugees' attempts to leave neighbouring countries, some refugees were not immune to suffering during their illegal migration. During the past two years, Access Centre for Human Rights (ACHR) monitored the situation of migrants trying to leave Lebanon for European countries across land, sea, and air borders. The center documented many human rights violations against travelers during their trips.

The unwelcome policies for refugees and the pressure exerted on them to return to their countries, adopted by several host countries, violate the principles of international law on the status of refugees and the 1951 Convention, the cornerstone of international protection for refugees², that prohibits returning refugees and asylum seekers to the risk of persecution following the principle of "non-refoulement"³, and guarantees the non-discriminatory conditions for treating all refugees, and includes the inadmissibility of expelling refugees and returning them to countries or territories where their lives or freedom would be threatened because of their race, religion, nationality, their belonging to a particular social group, or their political opinion.

Access Centre for Human Rights (ACHR) recommends that civil society organizations spread awareness and legal education on the concepts of irregular migration and voluntary return and that these awareness campaigns, with the participation of international actors, target Syrian refugees, explaining to them the current situation inside Syria, encouraging them to take individual decisions that will improve their situation and push for the improvement of the host country's situation, which contributes to the decrease in tension and hate speech towards refugees, provides a better future for refugees within the current context, and equips them to make relevant decisions.

Access Centre for Human Rights (ACHR) calls on governments that are parties to the 1951 Refugee convention and international laws and conventions that provide for the protection of individuals who have a solid reason not wanting to return to their country of origin or any other country inadequate for them, to respect their obligations to international and European conventions concerning the right to seek asylum, humanitarian protection, and to the principle of non-refoulement.

¹ تقرير لجنة التحقيق الدولية المستقلة المعنية بالجمهورية العربية السورية، مجلس الأمن، 12 أيلول / سبتمبر 2022، <https://cutt.us/5wftM>.
² أورد قانون اللاجئين الدولي المبادئ الرئيسة التي تستند إليها الحماية الدولية للاجئين، والوثائق الأساسية هي اتفاقية اللاجئين، <https://cutt.us/iYM84>.
³ التقرير الثالث عن طرد الأجانب، الجمعية العامة للأمم المتحدة، 19 نيسان / أبريل 2023، <https://cutt.us/PdtBQ>.

Research Methodology

ACHR's documentation phase begins when team members present their data to gain victims' trust, introduce the mediator relationships that contributed to achieving communication, and introduce ACHR and its mechanism of action. The team is also keen to confirm its commitment to principles stipulated in work policies, including information confidentiality, data keeping, and prior approval to obtaining information.

Communication is either in person or through end-to-end encrypted, secure, and open-source means of communication, according to the extent to which team members, victims, or their families are likely to face security dangers and whether the information can be transmitted via voice communication. In most cases, ACHR's team contacts the person through secure communication to get preliminary information, prepare for interviews, and build direct relationships with victims or their families.

In all interviews, the team commits to using safe communication methods to guarantee victims' safety and privacy. The team also commits not to publish personal data without direct authorization and vows to maintain the information list's confidentiality, protect the source's confidentiality (people and evidence), and adhere to security standards related to information archiving.

Interviews are based on a consolidated list of questions set forth on a pre-prepared questionnaire by the team, based on international documentation mechanisms, and the United Nations form used for recording and reporting violations, in the original language used to interview people, without any material compensation. Occasionally, ACHR consults a forensic doctor to document victims subjected to grave psychological and/or physical violations.

In all monitoring, documentation, and review operations, the team takes specific precautions for evaluating and using the monitored and archived information and arranging them in terms of credibility and information accuracy by checking: the sources of primary and secondary information, the level of detail, the presence of inconsistencies, the lack and/or the presence of elements supporting or refuting the violation and the date of its occurrence and/or recording, and the party responsible for the violation.

Within its priorities of documentation, research papers, and reports, ACHR relies in its documentation on the definition of violations approved by the United Nations High Commissioner for Human Rights and standards of "accuracy," "objectivity," and "impartiality."

The monitoring and documentation operation faces multiple challenges in the Lebanese context. Therefore, all our efforts in monitoring and documenting violations reflect the statistical values of what we found. Hence, ACHR remains incapable of evaluating all occurred violations through scientifically represented samples. Still, it helps clarify general patterns and draw attention to the scale of systematic violations against refugees in the light of pressuring security and economic restrictions.



Introduction

Refugees and asylum-seekers are increasingly moving from one country/ continent to another country/continent. These travels are often irregular, as they happen without the provision of the required documents and often involve people smugglers or traffickers. During these trips, refugees are subjected to tragic accidents that claim the lives of some, as they are forced to travel in inhumane conditions and might be subjected to exploitation and ill-treatment. At the same time, countries see that such movements constitute a threat to their security and sovereignty.

Irregular migration is one of the solutions Syrian refugees opt for in neighbouring countries because of the persistence of these countries' governments, especially Lebanon, to impose arbitrary decisions against Syrian refugees. These decisions include the **complicated procedures in issuing legal residency papers or the inability of refugees to get work permits** because of the impossible conditions imposed by Lebanese organizations and the measures that do not consider the economic situation of refugees or, more generally, the reality of asylum. Other factors include the lack of serious intention to tackle discriminatory behavior and hate speech, arbitrary arrests, forced deportations, or constant threats to return refugees to Syria, even though Syria is so far unsafe.

Today, Syrian refugees live in a miserable legal, economic, and social reality caused by their inability to get valid legal residencies, in addition to the absence of clear and binding parameters for registering births and personal status events in Lebanon that help limit their lack of identity documents. In 2017, the Lebanese General Directorate of personal status issued several positive decisions and circulars to simplify procedures for obtaining marriage, divorce, and birth certificates for Syrian refugees residing on Lebanese territory. Although these procedures will significantly contribute to the registration of births and marriage contracts, linking them to obtaining a valid residency permit for marriage, or linking birth registrations to the presentation of duly certified documents from Syria or the Syrian embassy in Lebanon, has greatly impeded the implementation of these procedures. Many Syrian refugees in Lebanon do not have residency permits or duly-certified family data. There is great difficulty in obtaining these documents from Syria or the Syrian embassy in Lebanon, where huge amounts of money must be paid to obtain them, in addition to extortion, fraud, and forgery operations that Syrian refugees do to get these documents.

The Mediterranean Sea has witnessed multiple tragic incidents: the sinking of boats carrying Syrian refugees who had tried to reach countries bordering the European Union or the forced returns of these boats to Lebanon. During the past two years, ACHR monitored multiple irregular migration trips through the Mediterranean Sea toward Greek Cyprus and Italian shores. These trips were subjected to deliberate pushbacks, forced return from Cypriot authorities, and attempts to stop irregular migration by Lebanese authorities.

Syrians recognized as refugees or needing international protection need a protection-based response that includes a durable solution. Any of the three UN-supervised solutions that will be adopted, whether voluntary return or humanely staying in host countries, or resettlement, should rely on tackling obstacles linked to these solutions and maximizing the chances of its success. Apart from these solutions, irregular migration is the fourth temporary solution refugees found to guarantee themselves a decent life. This solution requires international protection and the support of the receiving countries' ability to host them and provide them with a decent life, ensuring they are not deported back to the countries they ran away from, whether Syria or its neighbouring countries.

Refugees' conditions and motives for migration

In October 2022, the Lebanese government started implementing its return plan within the so-called “voluntary return,” aiming to send 15,000 Syrian refugees back per month to Syria. This step was paved by applying strict measures restricting refugees' access to jobs, housing, education, and aid and reducing their livelihood opportunities.

Many factors prevent Syrian refugees from leading a decent life in Lebanon and hinder their access to suitable jobs, secure housing, safe movement, and education. One of them is the fear of forced deportation, especially after **the decisions issued by the Supreme Defence Council in 2019 to deport all who entered Lebanon stealthily** without investigating the possible threats to their lives and freedoms in case of their return to Syria.

Also, **discriminatory behaviors and hate speech** create an insecure environment of social tensions between Lebanese citizens and Syrian refugees, enhancing the feeling of certified danger and insecurity and the possibility of Syrian refugees being subjected to physical violence, especially since several incidents reinforce this feeling: from burning refugee camps to banning refugees' movement and raiding their places of residence.

Lebanese government's
return plan of
15,000
syrian refugees per
month to Syria

Cases of arbitrary detention



2020

25

2021

139

2022

281

Syrian refugees in Lebanon will not be able to live humanely as long as **relief aid is constantly decreasing**, in conjunction with the deterioration of the economic situation in the country, in addition to the inability of Syrian refugees to access jobs to be able to secure their livelihoods. **The restrictions imposed by the Lebanese government on Syrian refugees' access to jobs prevent them from their right to work to secure their livelihood.** According to the decision issued by the Lebanese Ministry of Labor in 2016, it is forbidden for Syrian refugees to work in all professions and crafts restricted to Lebanese citizens, except for three: agriculture, construction, and the environment, which shows that the Lebanese government is not benefitting from Syrian potential on its lands.

In 2018, pressure on Syrian labor in Lebanon started increasing as the Lebanese authorities launched extensive campaigns in all Lebanese regions to close shops owned by Syrians, detain Syrian workers, and impose financial fines on employers.

As for the situation of healthcare in Lebanon, the country has witnessed since 2022, and because of the economic crisis, **a decrease in health services, the monopoly of medical materials by importers and distributors, and the increase in their prices** between five and nine times, which impacted refugees' needs for a noticeable decrease in the demand for healthcare was spotted because of their inability to access it. Apart from the high cost of medical services and consultations, other factors, including the high cost of transportation and the refugees' lack of identification papers, hinder the refugee's access to required healthcare. Even though UNHCR supports healthcare for refugees through the support of some medical consultations and healthcare analysis in 125 centers in Lebanon, the successive crises are reflected in the health sector all around Lebanon.

In addition to economic and health factors, refugees face serious security dangers, as ACHR monitored 25 cases of arbitrary arrest in 2020, 19 individual cases and 6 collective cases, 139 cases of arbitrary arrest in 2021, and 281 cases in 2022.

Testimonies on dangerous routes

Since its launching in 2018, Access Center for Human Rights (ACHR) has worked on documenting violations against Syrian refugees in Lebanon and those they are subjected to during irregular migration. The center has monitored multiple trips where refugees were subject to grave violations during their irregular migration through the Mediterranean.

ACHR also monitored the main routes of irregular migrations through the sea from Lebanon to Greek Cyprus and documented multiple migration cases by boats carrying dozens of Syrians and sometimes Lebanese and Palestinians. Since refugees on the same boat do not know each other, it is hard for the Center's team to determine the exact number of passengers on these boats, which is often higher than 50 people, in addition to the number of refugees deported to Syria or arrested when their trip is intercepted and forced to return to Lebanon. ACHR has faced multiple challenges and obstacles in getting in touch with Syrian victims of irregular migration after they attempted to leave Lebanon towards Greek Cyprus and Italian shores. These difficulties lie in communicating with the victims, as some were deported or arrested by the Lebanese authorities, and some fear revealing any information related to irregular migration.





First trip



The trip departed from Aramoun in North Lebanon Batroun, on August 20th, 2022, with 150 passengers on board. It arrived in Cyprus on the 25th of the same month, and on the 26th of August, the passengers were sent back to Lebanon. The trip departed on Saturday at 13:30. The Lebanese Coast guard intercepted the boat at sea before it had reached international waters. However, the boat avoided army patrols despite the security risks, and, according to testimonies, passengers were at risk of drowning. The boat carried on its journey at sea until it got lost for 5 days. **The boat suffered a technical malfunction** which led to it stopping its course near Cyprus. Passengers contacted the Rescue Unit of the Cypriot army and asked for help. The forces came and inspected the boat and its passengers and placed naval escorts to watch them until the morning of 25th September, when a small boat carrying a translator and two members of the Cypriot army arrived and gathered the essential data on the number of passengers and drew the boat to the Cypriot shores. Cypriot Security forces received the passengers, transferred them to a military barge, **confiscated their official documents and phones**, and offered them drinkable water, after which all passengers slept with no exception; some of them mentioned that the water contained a sleeping substance. The next day, at 5 AM, the passengers awoke in a barge headed towards sunrise; they knew then that they were returned to Lebanon. An hour later, they arrived at Beirut's port.

Forces belonging to the Lebanese General Security Directorate received the passengers from the Cypriots. A group from the United Nations Children's Fund (UNICEF) and a medical group from the International Committee of the Red Cross (ICRC) were waiting for them at the port; they checked the passengers' health and provided them with first aid. The interrogation started in the General Security Investigation Bureau. Afterward, everyone was moved to the General Security Directorate in Beirut; some were released after confirming their residence, others were detained, and a number were forcibly deported to Syria. Some remained detained at the General Security Directorate; the number remains unknown.

Second trip



At dawn, a boat sailed from the Lebanese shores on Saturday, the 18th of September, 2022. There were around 207 passengers on board, among which 10 were Lebanese, 10 were Palestinians, and 187 Syrian refugees residing in Lebanon, including 25 women and 30 children. Their goal was to reach the Italian shores and enter Europe. Shortly after departure, the boat headed north near the Syrian coast. **It was chased and shot at by the Syrian coast guard.** Afterward, the boat headed towards international waters and suffered a minor technical malfunction due to bullets fired. Despite that, it kept going and headed toward Greek Cyprus. It reached its territorial waters on the evening of Monday, the 19th of September 2022, and the passengers handed themselves over to the Cypriot authorities, who moved them to a military barge, **confiscated their official documents and phones, and offered them some food and water. At night, the barge headed toward Lebanon amidst tight security by the Cypriot security forces.** It arrived at Beirut Port the next day at 6 AM, on Wednesday, the 21st of September 2022. The passengers were handed over to the General Security Bureau at Beirut port. None of the organizations were present to receive them, and they were transferred for investigation to the General Security Directorate's prison at Aadliye in Beirut. Some were released after the investigation because they had legal residency papers. Others were detained to verify their residency, the date, and the way of their entry to Lebanon. Some remained detained for months, some were released, and some were forcibly deported to Syria; their number remains unknown.



Third trip



On the 20th of September 2022, the boat departed from Al Arida in Northern Akkar toward Italy, carrying 67 passengers, including 10 children and 10 women, according to what ACHR monitored. Four hours later, **the boat got lost in the sea due to bad weather**, and the engine suffered a technical malfunction. The passengers decided to return to Lebanon, so the boat set off, and the captain called the Lebanese Army for rescue. **The army reached them and drew the boat back to shore.** According to what ACHR monitored, at 11 PM, all passengers were moved to the military police department in Al Meniah – Tripoli, where they were interrogated and had **their official documents and personal belongings confiscated** until the next morning, when the Syrian detainees without official papers were transferred in military cars to Shadra checkpoint in Wadi Khaled area, at the Syrian-Lebanese borders. Afterward, they were transported outside the Lebanese borders and left in the open near a Syrian security checkpoint, among human smugglers who exploited their needs and started negotiating with them in return for high sums of money.

Fourth trip



A boat of Syrian refugees sailed at sea on the 31st of December 2022 at 6 AM. It departed from the shore of Selaata in Northern Lebanon, carrying 234 passengers, their numbers divided as such: 220 Syrians, 6 Iraqis, 6 Lebanese, and 6 Palestinians, among which are 70 men, and the rest are women and children. The boat headed towards Greek Cyprus and Italy. Six hours after departure, **the boat broke down due to overloading.** All the passengers decided to return to Lebanon and ask for help from the Lebanese army, in conjunction with the arrival of the UNIFIL naval unit that helped save the boat, during which the “emergency boat” sank due to high waves. Everyone was saved except a woman in her sixties and a child of four, whose bodies were immediately recovered. Everyone was moved to Al-Mina in Tripoli and handed over to the Lebanese Army in the presence of a Lebanese Red Cross team who provided first aid for refugees. On the 1st of January 2023 at 10 Am, after they were interrogated by the Army Intelligence and the military Police in Tripoli, **their official documents, phones, and personal belonging were confiscated.** Most of the boat’s passengers, estimated at 200 people, including women and children, were transported in military vehicles belonging to the Lebanese army. Dozens of people told the army that their lives would be in danger in case they were deported to Syria because they defected from the army; other people stated having legal residencies in Lebanon, including courtesy residencies, including those who entered Lebanon stealthily, most are registered as refugees at the UNHCR. Their pleas and fears didn’t reap any results. At 2:30 PM that day, the military cars moved towards Shadra in Wadi Khaled, near the Lebanese-Syrian borders. They reached the checkpoint at 4 PM, **were transported, and deported to Syria, to a point beyond the Lebanese borders in Wadi Khaled, on the Syrian side, near a military checkpoint belonging to the Syrian fourth division.** They were held at that checkpoint for hours, during which multiple human traffickers dealing openly in agreement with the Syrian army arrived. Within hours, most passengers were illegally transported back to the Lebanese side in exchange for sums varying between 200 and 600 USD. They are still asking the UNHCR to retrieve their official papers. There is no information on the passengers of other nationalities except that the Iraqis were transported to the General Security Directorate in Beirut.



Violations after deportation

Irregular migration risky journeys start when the migrant refugees gather at a point determined by the smugglers to begin their journey towards Europe in the late night hours or early dawn hours. Boats often depart from the northern shores of Lebanon with great caution, carrying large numbers of passengers; few of these boats successfully avoid the eyes and radars of the Lebanese army, unlike dozens of them which are caught by the Lebanese Army or the Military Police before reaching international waters, which exposes the Syrians who make up the majority of illegal migrants to being arrested, detained and deported, especially those who do not have identification papers and/or do not hold legal residency documents in Lebanon. As for the boats that successfully reach Greek Cyprus, the Cypriot authorities return them to Lebanon, as part of a former agreement between the two countries⁴, the Cypriot authorities detain refugees and hand them over to the Lebanese General Security, where a new phase of investigation procedures and verification of people's identities and documents begins, preceding the deportation of those who entered Lebanon after the decision of the Supreme Defense Council in 2019, seizing their official papers, demanding renewal of their residency, and securing a guarantor.

As for the Syrian refugees who are deported from Lebanon to their country after their failed attempt to reach Europe through irregular ways, they are exposed to severe violations that put them in tragic situations; **in most cases documented by ACHR, the refugees who were deported to Syria were left to their unknown fate, without any identity papers, mobile devices, or even food and drinks to prevent them from starving.**

In most cases of deportation, the Lebanese army personnel transfer all detained Syrian passengers in military vehicles to the Shadra checkpoint on the Syrian-Lebanese border, depriving the detainees of having their identification papers or personal belongings. They are released on the Syrian-Lebanese border and informed that they have to go to the Al-Arida checkpoint under the Syrian Security forces control two days after their release to retrieve their seized identification papers and personal belongings, which most of the deportees refuse to do since most of them are wanted by the Syrian Security forces for compulsory military service or other charges, and going through any Syrian military checkpoint may lead to their arrest, torture and taking them to unknown destinations.

Refugees who have been deported from Lebanon are often dropped near the Syrian army checkpoints, which exposes them to the risk of arbitrary arrest and torture, and threatens their physical and mental health unless they find a way back to Lebanon through the irregular routes by the smugglers who are always present at the borders, the smugglers receive information in advance about the cases of deportation by the Lebanese authorities, and start negotiating with the deported persons to take them back to Lebanon through smuggling routes in return for high sums of money. Some refugees agree with smugglers and re-enter Lebanon, while others remain on the Syrian side with no confirmed information about their fate.

The ACHR team was unable to verify the number of refugees who returned to Lebanon, or the ones who decided of their own free will to return to Syria, as well as the number of deported refugees who were arrested by the Syrian authorities, which places the Lebanese authorities responsible for the fate of the refugees who were deported under harsh humanitarian conditions, and may often be subjected to arrest, torture, ill-treatment, and enforced disappearance, especially when most of the refugees who are returned to Syria are young men, wanted for compulsory military service in the Syrian army.

⁴Report "Cyprus Delegation to Lebanon to Stop Boats of Illegal Migrants," Asharq Al-Awsat, September 8, 2020. <https://cutt.us/Bj73P>



Related agreements and laws

The economic and living crises, among other pressuring factors in Lebanon, contribute to urging refugees to think about solutions that may help them reach a dignified and safe life. However, illegal migrants are exposed to several violations, most notably forced return, and deportation.

While Lebanon has signed and ratified the most important international agreements protecting individuals' rights from refoulement and deportation, it is still, to this day, a country that has not signed the 1951 Refugee Convention. However, Lebanon has many obligations that protect refugees and asylum seekers on Lebanese soil at the international and national levels.

At the international level

Article 14 of the Universal Declaration of Human Rights states that “everyone has the right to seek and enjoy in other countries asylum from persecution.”

The 1951 Refugee Convention relating to the Status of Refugees, The European Union laws, and the European Convention on Human Rights stipulate the principle of non-refoulement, the protection of persons seeking asylum and the consideration of their applications individually, giving them the right to appeal the decision issued on the application for asylum or protection.

Accordingly, the countries bordering the European Union violate the principle of non-refoulement and their obligations according to the agreements above and laws by preventing arrivals from submitting asylum applications, failing to provide individual processing of cases and applications, and returning boats, which in turn leads to the forced return of asylum seekers to Syria.

Also, countries bordering the European Union violate Article 3 of the European Convention on Human Rights. In turn, the neighboring countries of Syria, including Lebanon, are violating their obligations under the conventions on human rights by returning migrants to Syria without regard to their legal status and the security risks to which they are exposed, such as arrest or torture.

Lebanon also violates Article 3 of The United Nations Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, which Lebanon ratified on October 5, 2000, by deporting people to Syria despite the existence of security risks for some, thus endangering the lives of the deported persons.

Where the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment stipulates that member states must refrain from practicing forms of torture that would cause severe physical or mental pain, accordingly, Lebanon and the countries bordering the European Union that prevent refugees from reaching their coasts violate the agreement within the framework of severe beatings often inflicted on migrants.

At the National level

The forefront of Lebanon's constitution is keen to adhere to the guarantee and protection of human rights; the state embodies these principles in all rights and fields without exception, as stipulated in its 8th Article: “personal freedom is safeguarded and within the protection of the law, and no one may be arrested, imprisoned or suspended, except in accordance with the provisions of the law, and no crime or penalty can be determined except in accordance with the law.”

The Foreigners Law, which entered into force in Lebanon in 1962, stipulated in its article 26 that “every foreigner who is the subject of prosecution or is convicted of a political crime by a non-Lebanese authority, or whose life or freedom is threatened for political reasons, can request to be granted political asylum.” Article 31 of this law stipulates that “if it is decided to deport a political refugee (from Lebanon), he may not be deported to the land of a country where there is fear for his life or his freedom.” And Article 32 of the law stipulates that the decision to deport foreigners who entered illegally is limited to the judiciary penal court after the foreigner has obtained a fair trial during which he can present an appropriate defense against the deportation penalty.



Conclusion and recommendations

The absence of the role of the international community in urging the neighboring countries of Syria and those located on the borders of the European Union to abide by the principle of non-refoulment allow the Lebanese government to carry out deportations and forced returns without giving people the right to appear before a judge, challenge the deportation decision and demand humanitarian protection. Accordingly, Access Center for Human Rights (ACHR) recommends that civil society organizations ensure the awareness of Syrian refugees about the concepts of irregular migration and voluntary return and discuss these issues from their legal aspects with the refugees.

ACHR calls on governments that are parties to the 1951 Refugee Convention and international conventions and laws that provide for the protection of individuals who have good reasons for not wanting to return to their country of origin or to any country that is not safe for them, to respect their obligations under international and European conventions with regard to the right to seek asylum and request humanitarian protection and the principle of non-refoulment.

ACHR also recommends that the international community take immediate and urgent action to open resettlement opportunities for Syrian refugees in Lebanon to determine their options and provide funding to improve the livelihoods and rights of refugees and host communities, especially by redesigning the aid structure to provide support, resources, and funding directly to organizations working closely with refugees and the groups most affected by the crisis that Lebanon is going through.



Irregular migration..

Refugees' last resort for a decent life



Attribution-NonCommercial-
NoDerivatives 4.0 International
(CC BY-NC-ND 4.0)