



COUNTRY OPERATIONS PLAN

Country: Lebanon

Planning Year: 2004

Country Operations Plan
UNHCR Regional Office in Lebanon
1 January – 31 December 2004

Executive Summary

Context and Beneficiary Population

- **Political Context**

UNHCR's primary responsibility in Lebanon is to support the Lebanese Government (GoL) in providing protection and assistance to individual asylum seekers and refugees. Despite the Government's long-term humanitarian commitment to Palestinian refugees, Lebanon has not acceded to the international refugee instruments. A major step forward in terms of effective protection of asylum seekers and refugees in Lebanon took place in September 2003 with the signing of a Memorandum of Understanding (MOU) between UNHCR and the Lebanese relevant authorities. The MOU provides for the issuing of temporary residence permits to asylum seekers, normally limited to a period of three months, during which the asylum claim is reviewed by UNHCR. Upon recognition, the residency permit is extended for a further 6-9 months allowing UNHCR to find a durable solution for the refugee (generally resettlement in a third country).

A number of recent developments, both inside Lebanon and in the region as a whole, will have a significant impact on the political landscape and on UNHCR operations in 2004. Heightened international interest and confidence in the country found an expression in the organisation of two major international conferences in Beirut in 2002 (the Summit of the Francophonie and the Arab League Summit) and growing levels of foreign investment, especially from the Gulf States. The latter have been injecting some much-needed liquidity into Lebanon's battered economy and offering some relief in light of the country's burgeoning external debt.

At the same time, there is no doubt that political stability and economic recovery in Lebanon continue to be heavily dependent on external factors beyond its control, and that an escalation of conflict in the region could easily delay the political and economical development. Given the diverse make-up of Lebanese society and the presence of some 400000 Palestinian refugees for the last five decades, the mandate of UNHCR to advocate the right of non Palestinian refugees in the country has become rather complicated and a highly sensitive issue.

In the absence of a national refugee law, the MOU signed between UNHCR and GOL in September 2003 offers unprecedented legal assurances to refugees and clearly spells out the respective obligations of UNHCR and its government counterparts.

- **Security Situation**

The overall security situation in Lebanon has significantly improved following the Israeli withdrawal from the South in May 2000; a withdrawal that had ended a 25 years of occupation. It is to be noted nevertheless that the Israeli troop withdrawal from the South has not brought a total halt to the hostilities in the region as clashes between Israel and Lebanese resistance continued on a regular basis. It is generally believed that, in the long run, security and stability in southern Lebanon remain contingent upon a peaceful and comprehensive resolution of the Arab-Israeli conflict.

- **Protection Issues**

Lebanon is not party to the 1951 Convention or the 1967 Protocol. The notion and possibility of seeking asylum in Lebanon does exist in domestic legislation. However, the law does not include a definition of a refugee. A committee, composed of the Directors of the Ministries of Interior, Foreign Affairs and Justice in addition to the Director of the General Security, has the capacity to adjudicate asylum applications and grant refugee status. In practice, however, UNHCR conducts refugee status determination for non-Palestinian asylum seekers and recognises refugees pursuant to the mandate of the High Commissioner. During 2002, the RO took specific steady steps towards improving the individual asylum procedures as stipulated in the Agenda for Protection.

UNHCR has acknowledged the fact that Lebanon's accession to the 1951 Convention and the 1967 Protocol is not an immediate option due to a variety of constraints faced by the GOL. Nevertheless, the Office arduously worked with its government counterparts to reach an understanding that helps UNHCR implement its mandate, and at the same time helps the government to put in place the necessary protection infrastructure without having to formally accede to the Convention and Protocol. In September 2003, a Memorandum of Understanding (MOU) was signed between UNHCR and its counterpart, the Lebanese General Security Office (GS) defining the role of the Lebanese authorities with respect to the rights of asylum seekers and UNHCR's responsibility for Refugee Status Determination and durable solutions.

UNHCR will continue to adjudicate the claims, but will share asylum applications with the GS. This will allow for the government to legalize the status of asylum seekers in Lebanon. The individual applicant will be registered by the government and issued a temporary residence permit (normally for 3 months). Generally, the adjudication of most claims will be completed within 3 months. Upon recognition, the government will extend the permit to a 6-9 month period allowing UNHCR to find a durable solution for the refugee.

As expected, UNHCR's much-improved relationship with the government has already reflected positively on the overall situation of the refugees in Lebanon, especially in comparison with the previous two years when refugees were subject to arrest and detention as illegal entrants. As the overwhelming majority of asylum seekers enter Lebanon illegally through Syria, the authorities consider them to a large extent as illegal aliens who should have submitted their claim to

UNHCR in Syria. Some of them are arrested and, along with the payment of a fine, sentenced to an average of one-month in detention on charges of clandestine entry and illegal residency.

- **UNHCR's Role**

Much of RO Beirut's protection activities are in line with the goals and objectives set by the Agenda for Protection. In his foreword, the High Commissioner reaffirmed that protection in exile is insufficient, and as such UNHCR should pursue solutions. RO Beirut fully subscribes to this notion of protection and durable solution. The work with the Lebanese authorities will focus on legalizing the status of refugees in Lebanon and prevention of their deportation/refoulement. Concurrently, RO will continue to exert all efforts with HQ, resettlement countries and field offices in countries of origin to find the most appropriate solution for the refugees.

The MOU signed in September 2003 will provide both asylum seekers and refugees with legal residency status. This is unprecedented in Lebanon. Yet, this positive development notwithstanding, the MOU also burdens the procedures with time restrictions both at the determination and durable solutions level. Additionally, it requires the application to be lodged within a period of two months. RO Beirut will therefore have to complete the applications at both first and appeal instances within a period of three months. As mentioned earlier, the office must find durable solutions to recognized refugees within 6-9 months. Whenever requested and justified by UNHCR, this period can be exceptionally extended.

The GS also requires that UNHCR provide refugees with assistance during their stay in the country, where they are denied access to work. The limited material assistance delivered by UNHCR through its implementing partner is therefore of vital importance, not only for the refugees social and economic survival but for their physical and legal protection. Considering the above-described time limits, pressure from the GOL and the refugees is expected to mount in 2004. UNHCR will still be required to help refugees meet their financial, medical and education needs during their stay in Lebanon. The Office's protection strategy will therefore be designed to achieve the following three goals: to provide effective protection, enhance durable solutions capacity (including exploring possibilities of other durable solution such as repatriation and sustain assistance to persons of concern, taking into account the guidelines and policy on assisting urban refugees.

The constraints outlined earlier will require substantial efforts from the office in terms of human and financial resources. This will further complicate work in an already difficult operating environment. To be able to process refugee claims within 3 months at both levels, the eligibility team will have to strictly adhere to operational procedures and will need to be strengthened with additional staff. In addition, UNHCR's obligation to offer material support to refugees will compel the Office to devote more resources to assistance activities.

In terms of durable solutions, UNHCR Beirut pursued its efforts to assist refugees willing to repatriate to their country of origin in 2002-2003 . In spite of the ongoing crisis in Iraq, it is hoped that repatriation on a larger scale will become possible during 2004. RO Beirut will also exert efforts to explore repatriation possibilities for refugees originating from the Sudan and

Somalia. Meanwhile, third country resettlement will remain the only durable solution for those who are unable or unwilling to return home. In addition to the US, Canada and Australia, UNHCR is already working to identify alternative resettlement countries. It is hoped that, in 2004, these efforts will bear fruit and result in a larger number of persons being resettled in Europe, Latin America and elsewhere. In addition, the Office is continuously striving to streamline procedures and improve the quality of submissions, so as to increase acceptance rates and minimise delays. As in the past, particularly vulnerable cases such as women at risk, victims of torture, detention cases or persons with pressing security or medical problems, will be submitted through UNHCR headquarters. Given the newly introduced time limits, specified in the MOU, it should be expected that the number of such "emergency" submissions will rise in 2004.

With a view to strengthening its role in Lebanon and the entire region, RO Beirut intends to step up training and outreach activities and to conduct roundtables on protection issues. The Office will organize workshops for various local counterparts (human rights NGOs, journalists, government officials, lawyers, judges and prosecutors, etc.), covering the spectrum of UNHCR's mandate, refugee and asylum law and related activities. The RO will furthermore continue the series of lectures that have been given in various universities and schools over the past years, and in close consultation with Headquarters and other offices in the region, will commence a number of promotional activities - benefiting from the strong and influential presence of local and international media in Lebanon. Finally, UNHCR will lobby MPs, in order to clarify the Office's work and mandate and to share with them the content of the MOU.

- **Overview of Beneficiary Population**

The majority of UNHCR-Lebanon's caseload of 2820 persons consists of Iraqi and Sudanese refugees. Most of them passed through other countries before seeking asylum in Lebanon. The refugees who currently benefit from UNHCR's assistance are recognized pursuant to the mandate of the organization. In 2002, 1186 new asylum seekers approached our office seeking to be recognized. During the same period, UNHCR recognized 186 persons as refugees.

The largest single group of refugees in Lebanon are the Palestinians numbering an estimated 350,000 persons. These refugees fall under the mandate of the United Nations Relief and Works Agency (UNRWA) and are therefore not of concern to UNHCR. In addition, an estimated 600,000 Lebanese are internally displaced. So far, the Lebanese government's efforts to mobilize the necessary resources and secure their return have not yet yielded results. The GOL's last initiative in this context was the attempt to rally donors at the Paris II Conference in 2002. UNHCR is not involved in their protection or assistance.

- **Policy Issues**

In addition to the above-described strategy on protection and the ongoing dialogue with the government, RO Beirut will be pursuing a number of other policy objectives. Most importantly, plans for 2003 and 2004 foresee a comprehensive review of the office's approach to durable solutions. Taking into account progress made in the respective peace processes for Somalia and Sudan, as well as anticipated positive developments in Iraq, the Office intends to explore

opportunities for voluntary repatriation. This shift away from the previous over-reliance on resettlement as the only durable solution for refugees in Lebanon was not only made possible by improved conditions in the refugees' countries of origin; it was also made necessary by delays and overall reductions in resettlement quotas on the part of traditional resettlement countries. The future success of RO Lebanon's repatriation programme, will, of course, depend on continued progress made in countries of origin. It is hoped, therefore, that UNHCR's close co-operation with its partners within the framework of the High Commissioner's 4R approach will go a long way in terms of creating conducive conditions of return in a growing number of countries.

- **Capacity and Presence of Implementing Partners**

Although the Middle East Council of Churches (MECC) is presently UNHCR's sole implementing partner, the Office also works in consultation with CARITAS, the Amel Association and others. In addition, the International Catholic Migration Commission (ICMC) plays a pivotal role with regard to facilitating resettlement of refugees to the United States, and travel arrangements for all departing resettlement cases are made through IOM.

- **Presence and Role of Other UN Agencies and International Organisations**

While UNHCR has been actively participating in general UN co-ordination activities, more needed to be done to strengthen co-operation with our sister agencies. Several inter-agency meetings were held to harmonise policies and assistance, focusing on issues like IDPs, women, children etc. It is hoped that the exercise will improve overall co-ordination and lead to intensified co-operation in the future.