



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Country : Lebanon

Planning Year : 2007

2007 Lebanon Country Operations Plan

Part 1: OVERVIEW

1. Protection and socio-economic operational environment

The UNHCR 2005 statistics confirmed some of the trends already noticed during the previous years. In 2002, the number of recognized refugees was at a new high of 2820 and the number of registered asylum seekers was at its lowest with a mere 162. Since then, the number of recognized refugees remaining in Lebanon has been in constant and steady decline while the number of asylum seekers has witnessed a sharp and significant increase. On 31 December 2005, there were 1078 recognized refugees and 1450 asylum seekers in Lebanon. More than 70 % of the refugees and more than 95 % of the asylum seekers were of Iraqi origin. The second population of concern to UNHCR was the Sudanese. While their number (both refugees and asylum seekers) witnessed a steady decline between 2002 and 2005 mainly due to successful peace negotiations between the Sudanese Government and the South-Sudanese armed opposition, new arrivals have been registered in late 2005 and during the first months of 2006. The new arrivals are mainly from the Darfur region, which is plagued by armed conflict, serious violations of human rights and grave breaches of international humanitarian law.

It is likely that the same trends, in particular a continuous and relatively important increase in the number of asylum seekers, will be observed in 2007. This can be attributed to a pattern of violence which continues to prevail in many parts of Iraq, the existence of groups or individuals at particular risk and the presence of an important Iraqi community in Lebanon (estimated at 20,000 – 25,000 persons), which may approach UNHCR in larger numbers, in particular if UNHCR is successful in its protection interventions with the authorities. Being a multi-cultural and multi-confessional society, Lebanon will continue to be a “natural” refuge for Iraqis of different creeds who can count on the spontaneous support of their sister Lebanese communities. Since Lebanon has traditionally been a destination for persecuted Sudanese, new arrivals will continue to be registered as long as Darfur civilians are victims of atrocities.

This report does not include UNHCR’s involvement with displaced Lebanese as a result of the summer 2006 conflict which is the subject of other reports.

High level meetings between UNHCR and senior government officials made it clear that Lebanon was not yet ready to “become an asylum country”, but also confirmed that the Lebanese authorities were committed to improving the protection climate in the country. During follow-up meetings at the working level with Lebanese officials, it became evident that the Lebanese authorities were willing to discuss pragmatic ways of putting an end to – or at least minimizing - the arrest, detention and deportation of refugees and asylum seekers. At the end of 2005, there were more than 300 persons of concern to UNHCR in detention in Lebanon, penalized for their illegal entry or presence in the territory. The declared - but still unimplemented - openness of the Lebanese authorities remains based on the long standing stance and premise that Lebanon will offer neither local integration nor even residence permits to refugees, who can be tolerated for a limited period of time in the country, pending a durable solution to be found by UNHCR outside Lebanon.

Lebanon's reluctance to "become an asylum country" is deeply rooted in the country's recent and often traumatic history. For the last 58 years, Lebanon has been hosting a large population of Palestinian refugees, who have been accommodated in camps assisted by UNRWA. The insistence by the Lebanese authorities that the stay of non-Palestinian refugees should be as short as possible should be read in light of the Palestinian refugee question which was "sold" to the Lebanese people as a short duration problem, but which remains unresolved more than two generations later. In addition to the Palestinian question, the delicate confessional as well as political balance in the country is often seen as an obstacle to the integration of large numbers of foreigners, who will almost inevitably be perceived as strengthening one community at the expense of the others. Security concerns, justifiably exacerbated by the assassination of several political and media personalities in 2005, as well as an uncertain economic future have also been mentioned as impediments to a more generous refugee policy.

From a domestic legal viewpoint, refugees and asylum seekers in Lebanon continue to be treated as illegal immigrants, subject to arrest, detention, the payment of a fine and deportation (Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country of 1962 (Law of 1962)). A breakthrough was achieved in 2003 with the signing of a Memorandum of Understanding (MOU) between UNHCR and the GSO which for the first time acknowledged that asylum seekers could temporarily remain in Lebanon. But the circulation permits granted to refugees and asylum seekers by the GSO are of limited significance, since they cannot be extended beyond one year and cannot be issued to persons who sought asylum either before 2003 or more than two months after their entry into Lebanon. These severe restrictions have led to the arrest and detention of many persons who fall under UNHCR's mandate. Discussions and negotiations have started between UNHCR and GSO to amend the MOU in order not only to improve refugee protection but also to redraft provisions which are incompatible with international protection standards. A revision to this MOU is presently underway with the aim to introduce more flexible provisions.

The special situation of Iraqi nationals in Lebanon has also been raised with the authorities, since UNHCR believes that it should be handled in a different manner but these discussions have not yet yielded tangible results. With the exception of cases with extreme vulnerability or special protection problems, Iraqis in Lebanon should be granted a temporary form of protection and should not be individually interviewed for refugee status determination, given the conditions prevailing in Iraq which prevent UNHCR from promoting return at this stage. Experience has shown that Iraqis can adapt well in another Arabic country and can make a positive temporary contribution to the economy of the country if allowed to do so. Given the numbers involved and the increasing difficulty to find resettlement countries willing to accept Iraqis (close to two third of the Iraqis submitted by the UNHCR office in Beirut in 2004-2005 were rejected by at least one resettlement country), the individual processing of the cases is resources and labor intensive as well as deeply frustrating for the individuals concerned since it does not necessarily lead to any durable solution. UNHCR will continue to advocate in 2007 for the granting of some form of temporary protection for Iraqis in Lebanon.

There are some 500 refugees of different nationalities who have been in Lebanon for more than 5 years and whose resettlement prospects are not very promising (most of them have been rejected by several resettlement countries). Since they are no longer covered by the MOU between UNHCR and GSO, their stay in Lebanon is not considered as legal. They can be arrested or be victims of various forms of harassment, and those who can find black market jobs are often exploited. It is not

acceptable that refugees who fall under UNHCR's mandate live in such degrading conditions and are potentially at risk of *refoulement*. UNHCR has discussed the future of these cases with the Lebanese authorities in an open and transparent manner and various options have been explored to ensure they can live a dignified life, free from fear and want. But the authorities continue to have profound fears of legalizing refugees in Lebanon, which runs counter to their long-established policy. 2007 will be a crucial year during which UNHCR may be able to significantly improve the protection climate in the country by both capitalizing on the government's reform agenda supported by the international community and seriously enhancing its protection intervention capacity to challenge detention, deportation and the illegal status of persons of concern.

2. Operational goals and potential for durable solutions

In a context where not only the Lebanese authorities do not assume responsibility for non-Palestinian refugees but also the legal system has created obstacles to the stay and well-being of refugees and asylum seekers, UNHCR will continue to be the only body to offer essential protection services to refugees and asylum seekers. In such a context, UNHCR will have two main objectives: Firstly, to contribute - through a constructive and critical dialogue with the authorities and the Lebanese society - to a significant improvement of the protection climate in the country. Secondly, every single asylum seeker and refugee in Lebanon will require the full attention and dedication of UNHCR as far as her/his protection and assistance needs are concerned.

As far as the first objective is concerned, the following activities will, in particular, take place:

- a) UNHCR will continue renegotiating the MOU with the GSO, with the aim to amend the provisions which are incompatible with the fundamental rights of refugees and asylum seekers, in particular the time limit imposed on individuals to apply for asylum and the one year maximum stay in Lebanon.
- b) UNHCR will promote both an interpretation of the Law of 1962 which is compatible with international standards (as an interim measure) and an amendment to this law with a view to de-penalize the "illegal entry or presence" of refugees and asylum seekers.
- c) UNHCR will sensitize the Lebanese government to the particular protection needs of Iraqis and seek some form of temporary protection for them in Lebanon, pending an improvement of the situation in their country of origin.
- d) In consultation with the Lebanese authorities, UNHCR will address the problem of recognized refugees who have been in Lebanon for more than five years without legal residence and who have very little prospect of being resettled to a third country.
- e) Partly because they have no legal status in the country, refugees are often victims of discrimination. When they do work (most of the time illegally), they are often exploited. It is UNHCR's responsibility to sensitize the Lebanese Society to these various forms of discrimination and exploitation, and to both design a strategy and identify mechanisms to prevent and combat them.

In parallel and as a support to Lebanon's efforts to improve the protection climate in the country, UNHCR will have to continue to systematically and proactively seek resettlement for recognized refugees outside Lebanon. This resettlement function will be one of the priorities of the office since UNHCR Beirut not only processes refugees from Lebanon but also has become the Regional Resettlement Hub, covering the Middle East, North Africa, South-West and Central Asia. The Hub was officially established in December 2005 and has become fully functional in 2006 when a few posts of resettlement staff - both international and national – were created. The establishment of the Hub has been welcomed by both traditional resettlement countries and countries of first asylum. Quality control, consistency of submissions, responsible and professional decentralization of policy making through a creative dialogue between UNHCR and Resettlement Country practitioners at the field level, as well as flexibility are some of the pluses that the Regional Resettlement Hub has started to offer.

As regards the second objective, i.e. the handling of individual cases, the protection gaps which have been identified in Lebanon require UNHCR to depart from an exclusively traditional approach focusing on a “triptych”, composed of refugee status determination, assistance for vulnerable refugees and resettlement. While these three functions will continue to be essential, UNHCR needs to broaden its scope of intervention in order not only to be relevant but also to offer basic services to persons of concern. The following activities will be considered as priorities:

- a) Every single asylum seeker or refugee in detention should systematically be offered legal aid. Both her / his detention and possible deportation must be challenged in court. Given the number of persons of concern in detention, this task will be time and resources consuming, but there must be no compromise in this respect, since both detention and deportation (amounting to *refoulement* when the person is sent back to her / his country of origin) have very severe consequences for the individuals concerned. Given the conditions prevailing in most places of detention, which are chronically overcrowded, there is a need to speed up the processing of the cases and to establish a team which can focus on “detention interventions”, conduct refugee status determination in places of detention (both first instance and appeal) and make urgent resettlement submissions.
- b) While a number of vulnerable individuals are in need of assistance, systematic assistance of recognized refugees is neither viable nor desirable. Too often, financial assistance acts as a cover up for lack of proper counseling and individually tailored support towards self-reliance. There are at present some 500 recognized refugees who have stayed in Lebanon for more than 5 years in total limbo, without legal status and with little prospect of resettlement to a third country. Each of these cases will be individually reviewed by UNHCR and a “plan of action” will be designed through a participatory approach involving the refugees themselves, the Lebanese authorities and NGO partners. In this respect, all possible durable solutions, including voluntary repatriation, will be proactively explored.
- c) In a country where many immigrants find jobs, the obtainment of work permits for refugees and other persons of concern could be a way of breaking the logic of illegality, which leads to various forms of exploitation and a life made of abuses and deprivations. There are at present several bureaucratic obstacles to integrating refugees into the legal foreign work force.

Discussing these obstacles with the authorities is important but not sufficient. Providing legal and financial support to refugees to overcome these obstacles is a necessary complement and can create precedents on which a change of practice can be built. During the first three months of 2006, UNHCR, with the help of its implementing partner Caritas Lebanon, has managed to obtain work permit for some 8 Iraqis, which, in the Lebanese context, is not a small breakthrough. The latter followed a meeting between UNHCR and the Minister of Labor, during which the Minister expressed his openness to consider the granting of work permit to “illegal” Iraqis under relatively strict conditions.

- d) Iraqis under temporary protection are not a group of unidentifiable individuals with standardized problems but persons with concrete protection needs and various degrees of vulnerabilities. UNHCR has a duty to offer them individualized counseling and support in order to improve their living conditions in Lebanon and help them take an informed decision about their future.

The objectives of the UNHCR office in Lebanon take into account the fact that it is premature for UNHCR to build its strategy on the assumption that Lebanon will soon accede to the 1951 Convention / 1967 Protocol relating to the Status of Refugees. There are still many obstacles - both political and legal – to Lebanon’s accession to the refugee instruments. The latter remains a long term objective but it is essential, in the meantime, to build an environment in which persons of concern do feel protected. To actively promote accession before identifying concrete remedies to the existing gaps would be inappropriate. The years to come will be crucial and should be used to build solid foundations on which an asylum system can at a later stage be established.

Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP

1. Outcomes of joint planning and management of identified gaps

a) Participatory assessment at UNHCR Beirut and joint planning with NGOs

UNHCR Beirut adopted the participatory assessment approach in 2004 as part of the AGDM pilot phase. In preparation for the 2007 COP, a series of eleven participatory assessment sessions were held, mainly through focus group discussions with a total of 124 refugees. The persons met do represent refugees of different age, sex and country of origin including asylum seekers (Iraqis). The refugees were divided into the following groups: Iraqis (men & women), Iraqis under temporary protection (men & women), Sudanese (men & women), other nationalities (mixed), female-headed households, children, adolescents and elderly. The assessment was done jointly with two key implementing partners, namely the Middle East Council of Churches (MECC) and Caritas. The dialogue with the refugees improved significantly in 2005 through regular meetings, counselling and awareness sessions organized throughout the year, whether at the Community Centre, the MECC office or UNHCR premises. The main purpose of these meetings was to identify protection gaps and the available resources within the refugee community, as well as explore options for solutions jointly with UNHCR partners.

As recommended, the results of the above participatory assessment exercises were presented and discussed during an interagency planning meeting held at UNHCR office in Beirut on 15 February. UNHCR staff and key operational and implementing partners namely MECC, Caritas, Danish Refugee Council (DRC), Chaldean Charity Association (CCA) and Frontiers Centre attended this consultation. The Lebanese Human Right Association and Médecins Du Monde (MDM) were also invited but for administrative reasons could not make it. During this meeting the results of the participatory assessments were presented, discussed and analyzed jointly with the concerned partners. The assessment reflected the protection concerns of the abovementioned various refugee sub-groups.

b) Overall situation of persons of concern in Lebanon

It was interesting to note how persons of concern were affected differently, according to their age, sex and nationality. The priority issues raised by refugees during the meetings centred mainly on the gloomy protection environment in Lebanon where they live in fear and are subject to detention and imprisonment due to illegal entry. This of course, limits the movement of refugees, especially the men, while the women and children become – by necessity - the breadwinners of their families. They often work under exploitative conditions and are subject to abuse and harassment, especially because as refugees they are not allowed to work. This has a clear negative impact on the standard of living and has made some refugees dependant on the limited financial assistance provided by UNHCR. Moreover, many refugees have taken shelter in old buildings or live in basements, usually in very poor conditions. They also often share apartments to reduce rental costs. Unfortunately, children are the most affected, with respiratory infections and other health problems which are attributed to high humidity level and lack of ventilation in those houses. The challenge remains how these factors can be featured in the planning and implementation of the refugee operation in the context of Lebanon, which may need re-orientation in many ways in order to adequately respond to the compelling concerns raised by the refugees.

c) Discrimination

Discrimination against refugees, especially amongst school children, was reported by many groups. UNHCR in collaboration with NGOs is paying particular attention to this problem through initiation of some activities aiming to alleviate its negative impact on refugee children. Non-recognition of UNHCR's documents (refugee certificates) by the authorities and the inability of refugees to access the national legal system were issues that came across strongly as major protection problems. Refugees also sense exploitation in the workplace, discrimination by locals and even in detention, especially against refugees of African origin.

UNHCR Beirut has recently started making concrete efforts, on several fronts, to address those issues. Discussions with the government at the highest level have already been initiated, in addition to seeking the involvement of both foreign and/or donor country diplomatic missions in Lebanon. Expanding on UNHCR's partnerships with NGOS and relevant national institutions is another approach adopted by the office. However, lack of prospects for durable solutions for some groups, particularly those who have been rejected by many resettlement countries and are

unable to return to their home country, place them in an extremely stressful and unbearable situation as they continue to live in an inhospitable environment.

d) Psychological problems

At the same time, the office continues to struggle in dealing with frustrated refugees some of whom have developed psychological problems including a few cases suffering from severe forms of depression. Options for addressing the consequences and the root causes of this problem are being explored in collaboration with NGO partners. This includes improving the capacity for detection, psychosocial counselling as well as setting up mechanisms for referral and treatment. Support from HQs, namely CDGECS, will be required in terms of technical guidance and training. Although some of the cost may be covered under the health budget, additional resources will be required.

e) Self-reliance initiatives

For a long time, UNHCR was providing regular financial assistance (subsistence allowance) to almost all recognized refugees. During the last three years, this was limited to those who were recognized from the year 2000 onwards. In view of limited resources and competing priorities, and in line with the newly developed policy on refugees living in urban areas, UNHCR Beirut is intending to gradually shift from automatic and open ended financial assistance to a more targeted one, based on individual needs assessment, using a solution oriented approach. This would be accompanied by more support to livelihood activities that aim at empowering refugees and building their capacities pending and in preparation for durable solutions.

A Community Centre was established in 2004 (run by MECC and funded by UNHCR). The Centre's activities are guided by refugee needs and include *inter alia* language and computer training, beadwork, painting on glass, ceramics, floral confections and sewing for the various refugee groups. In addition to capacity building, these activities help build confidence and self-esteem, especially amongst youth, and it may contribute to the improvement of their economic situation. More attention will be paid to support vocational and skill training, with enhanced individual follow-up and support to ensure initiation of sustainable and cost effective interventions that decrease dependency on humanitarian assistance.

f) Increased partnerships for better protection of persons of concern

During 2005, UNHCR Beirut broadened its partnership with NGOs, alongside MECC which had been almost the only implementing partner for the last three decades. As a result, both national and international NGOs were recently involved in the refugee operation. Médecins du Monde (MDM) was involved in rehabilitation and improvement of health and sanitary conditions in "Roumieh" prison where most of the refugees are detained for illegal entry. The Danish Refugee Council (DRC) was commissioned by UNHCR to carry out a comprehensive assessment of the situation of Iraqis in Lebanon. A sub-agreement with Caritas was signed for the first time in 2005, with focus on legal aid and limited material support, in addition to health and education assistance to targeted persons with specific needs, mainly benefiting Iraqis under temporary protection. UNHCR wishes to continue and expand its partnership with NGOs not only for assistance programs, but also for advocacy purposes with the aim to improve the refugee

protection environment in the country. The celebration of World Refugee Day will be expanded to cover a wider audience of the Lebanese society through engagement of national NGOs, universities, schools and artists. The Community Centre will continue to play an important role in creating opportunities for interaction between refugees and local population, through joint activities, expansion of art and music, participation of refugee children in national events, such as the International Marathon, Children's Parliament, etc. This will go along with exploring other options for better exposure and marketing of the positive contributions made by refugees who should be seen as contributing to development and peace rather than being a threat or burden.

g) Status of Iraqis under temporary protection

Besides the above, the main challenge remains the unresolved situation of Iraqis who are considered as being under Temporary Protection since 2003. Only a small minority of them (based on protection and vulnerability criteria) undergo RSD and are eligible for limited assistance. At the same time, the security situation in Iraq continues to deteriorate without any positive prospect for the future while the official UNHCR policy, so far, does not support or encourage return to Iraq. Moreover, the host government till now has been reluctant to offer any flexibility in waving its strict immigration policy towards Iraqis who arrived in Lebanon after 2003. Hence it continues to consider all Iraqis in this situation as illegal in the country and arrest and imprisonment for illegal entry occurs routinely. At the same time, most of them are excluded from the little support that UNHCR provides to recognized refugees in terms of subsistence allowance, education and health.

Although UNHCR's initial plan was to focus on institutional support for countries hosting Iraqis, in reality this was of no concrete help for the deprived Iraqis. In 2005, UNHCR Beirut provided limited funds to some local NGOs who were already providing assistance to Iraqis. However, these agencies tend to apply restricted criteria and focus only on the very destitute persons due to limited resources. As reported in the DRC survey commissioned by UNHCR in 2005, the number of Iraqis in Lebanon is estimated to be around 20,000 persons, out of which only a small minority is registered with UNHCR. This may explain their dissatisfaction towards UNHCR's response which is limited to issuing a letter indicating that such persons are of concern to UNHCR, but this does not provide Iraqis with the required protection or the most needed assistance.

It is evident that this situation has caused major difficulties for Iraqis, whose children are reportedly out of school working to provide for their families in order to spare their fathers from being arrested. Moreover girls and women, against their culture, are also trying to support their families by working as housekeepers which makes them easy target for gender and sexual based violence. According to the 2005 DRC study, 15% of Iraqi boys and 6% of Iraqi girls below 15 were working.

In parallel, the men are often idle and confined at home. Coupled with a change in power relations, family violence, separation and breaks in marriages have become more apparent with all their negative impacts on the well-being of children and the family as a whole. UNHCR Beirut will continue to seek various options to improve this situation through full engagement of the authorities, donors, NGOs and refugees themselves.

2. Comprehensive needs and contributions

a) Contributions by the host government, refugees and/or local communities

The host government's contribution has been limited to the registration arrangements under the UNHCR-GSO MOU, including facilitation of refugee departure whether for resettlement or return to country of origin (Iraq), whereas UNHCR continues to pay for travel documents (*Laissez Passer* - LP). More importantly, UNHCR has recently accepted a generous contribution of 68,000 USD from the Lebanese Government, earmarked to cover the annual rent of UNHCR premises in Beirut (7 floor building). This comes in addition to the sum of 5,000 USD paid for the first time as a contribution to UNHCR's budget. In addition, the indirect contribution made by the Lebanese society should also be given due mention in this context. Throughout the years, Lebanese employers have provided work opportunities for refugees (mostly informal or unregulated work). Despite serious reservations about this form of work, we are forced to acknowledge that such a contribution forms an important source of income for refugees and other persons of concern which is much needed in an expensive country like Lebanon, especially when UNHCR barely meets a small portion of refugees' basic needs.

b) Financial contributions of partners

- MECC, as a core implementing partner, continues to contribute to the refugee operation by absorbing part of the administrative costs, including the rent of their office premises which is not charged to UNHCR, as well as other financial and management costs which are covered under the global MECC program.
- Caritas has been one of the key operational partners whose program provides substantial support to both migrants and Iraqis under temporary protection. In addition to the legal aid provided with UNHCR's funds, Caritas has its own source of funding which also benefits persons of concern.
- MDM was engaged under the special project (RP333) for the improvement of health and sanitary conditions in Roumieh Prison. UNHCR covered only 105,485 USD of the total project cost while MDM will continue to implement major renovations under a multi-year ECHO funds which is expected to continue until 2008. UNHCR will continue its coordination with MDM and other relevant actors since addressing detention issues is one of the key priorities identified for the 2006 and 2007 program.
- Despite the often difficult relationship over the past few years with Frontiers Centre, a Lebanese advocacy NGO, a more constructive atmosphere has been recently created. Frontiers Centre's staff has participated in a number of workshop/trainings and meetings which will hopefully yield better results towards enhanced protection and advocacy for refugees.
- For the first time, UNHCR established a new partnership in 2005 with the Chaldean Charity Association in Beirut which has been providing assistance to Iraqis under TP. A

total of USD 15,000 were provided as a contribution to top up the donations gathered by the church which covers health, education, distribution of food and non food items and financial assistance to the most destitute (mainly Chaldean Iraqis). Although the majority of refugees in Lebanon are Muslims, all IP's involved so far are Christian or international NGOs. The office is exploring options for establishing arrangement with a Muslim NGO to create some balance and with which a sub-agreement will hopefully be signed in 2007.