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Easing Syrian Refugees' Plight in Lebanon

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Preventing War. Shaping Peace.

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Principal Findings

What's new? Pressure on Syrian refugees in Lebanon to return home is rising. Although Syria remains unsafe for most, refugees are trickling back, escaping increasingly harsh conditions in Lebanon and hoping that the situation will improve back home. Procedures that clarify refugees' legal status are making return more plausible for some.

Why does it matter? While even a small number of successful repatriations represents positive news, conditions are too dangerous for mass organised returns. Yet the Syrian government and some Lebanese political factions increasingly insist that it is time for large-scale returns to begin.

What should be done? Donors should plan for many refugees to stay for many years, and provide support to help Lebanon meet Syrians' needs, ease the burden on Lebanon's economy, and reduce friction between refugees and their Lebanese hosts. The Lebanese government can take additional administrative steps to ease voluntary returns.

Executive Summary

The debate over Syrian refugees' return is tied up with controversies about the political landscape in their home country. The staunchest sceptics of near-term mass return, including Western governments, argue that such returns can be responsibly pursued only when there is substantive political change in Damascus. Defenders of Bashar al-Assad's regime, however, argue that the constant trickle of voluntary returnees proves that Syria is already safe and that Western reluctance to support refugee returns is motivated by political, not humanitarian considerations. In reality, the vast majority of refugees have credible fears that prevent them from returning, despite increasing pressures in Lebanon. Even those who do go home engage in laborious deliberation over the security risks and poor living conditions that will await them. Looking ahead, Lebanon should support those for whom return seems the best option by facilitating visits that enable refugees to assess and prepare for the possibility of return, while donors should be prepared to help blunt the impact of refugee hosting on Lebanon with aid packages for years to come.

From the start of the Syrian war, Lebanon has been a generous host to Syrian refugees, whose numbers are now estimated at 1.5 million, more than a quarter of the overall population. Yet over time attitudes have grown less welcoming. As the Syrian regime, with substantial support from Iran and Russia, clawed its way back to controlling more and more territory, its political allies in Lebanon, as well as Christian parties hostile to refugees, have joined their calls for accelerated return. Populist rhetoric has increased public resentment against refugees, particularly as Lebanon has suffered a severe economic recession and fiscal crisis for the past two years. In October 2019, the country's economic woes gave rise to mass protests that were ongoing at the time of writing. Against this backdrop, tensions with host communities have been building – and with them the potential for violence.

Government policies are likewise increasing pressure on an already vulnerable community. Recent campaigns against Syrian labourers, in particular, could push an ever-growing number into utter destitution. The combination of hostility from parts of the public and restrictive government policies may soon create conditions for an increasing number of refugees in which survival in Lebanon becomes unsustainable or so difficult that return to Syria looks like the most viable option. Some humanitarian advocates have termed this phenomenon “constructive refoulement”, or involuntary repatriation by indirect means.

So far, increasing pressures and various facilitation efforts have persuaded only a small number to return to Syria. Refugees are aware that the decision to cross the border is irreversible for most and that consequences can be grave. They carefully weigh their difficult, often desperate situation in Lebanon against the hazards that may await them on the other side. Threats of detention and conscription weigh most heavily. After seven years of war, the Assad regime and its security agencies still rule violently and are even more arbitrary in their brutality than before the war. While actual fighting has mostly abated, conscription into the military and reserves still comes with the risk of ending up as cannon fodder in the next military operation.

Many refugees also have reason to fear that returning to Syria will make them even poorer. Significant parts of the country remain out of the government's reach; others are inhospitable for returnees, if only because they will find their homes destroyed or expropriated, and the economy in tatters. Upon their return many will end up trading their refugee status in Lebanon for that of an internally displaced person in Syria.

The regime and its allies say a change in the West's approach to Syria's reconstruction would create the conditions for large-scale refugee return and turn the trickle of returning refugees into a steady stream, but this claim obscures the real obstacles. All roads to return lead through – and depend on – Damascus. The main determinants of how many refugees dare to travel those roads are how many refugees the regime resolves to give a guarantee for safe return; how it treats those who make the gamble to return home; to what extent it allows humanitarian organisations to assist returnees in accordance with internationally applied standards in aid delivery; and whether it moves toward social and political reconciliation rather than forcibly reimposing control. As long as the Assad regime shows no sign of changing its ways, the vast majority of refugees are likely to stay put in exile, making do under ever harsher conditions, or to find ways to reach more prosperous third countries.

Lebanese authorities and international donors should develop approaches that acknowledge this reality. Building on Jordan's model, the Lebanese government should legalise and regulate the existing employment of refugees and open legal avenues for self-employment and small business formation. To reduce or prevent hostility between refugees and host communities that may be exploited politically, donors should support a combination of highly visible projects that benefit communities with large refugee concentrations and a results-based program of macro-economic support that includes debt refinancing, investment and trade preferences that are linked to verifiable indicators of refugee employment.

Beirut may also be able to smooth the path for refugees who wish to return, in particular by facilitating "go and see" visits to assess the viability of such a step. But such visits are unlikely to change dramatically the size of the refugee population in Lebanon over the next several years. That population in all probability will remain quite large until Damascus makes significant changes. Until then, Beirut and its partners should not let hopes for that brighter day obscure the challenge that lies immediately ahead in helping Syrian refugees to live in peace and security in the harsh haven that Lebanon has become.

Beirut/Brussels, 13 February 2020

Easing Syrian Refugees' Plight in Lebanon

I. Introduction

With an estimated Syrian refugee population of 1.5 million on top of its 4 million resident nationals, Lebanon claims the highest refugee-per-capita ratio in the world. The steady influx, which started in 2011, began generating strong apprehension among many Lebanese even before its full magnitude became clear.¹ Tensions are on the rise, particularly since 2017.² Today, all political parties in Lebanon agree that the refugees should eventually leave, though they disagree on the conditions that would need to prevail for them to return home.

Behind the disagreements stand deep-seated differences concerning the war in Syria and the nature of Lebanon's desired relations with Bashar Al-Assad's regime in Damascus. The Shiite parties Hizbollah and Amal say refugee return is safe and critical for rehabilitating a vital ally.³ The (Sunni) Future Movement of former Prime Minister Saad Hariri and other parties opposed to the Assad regime, such as the Progressive Socialist Party (PSP) of Druze leader Walid Jumblatt and the (Christian) Lebanese Forces of Samir Geagea, believe that significant political change in Syria is a key condition for refugee return.⁴ The (Christian) Free Patriotic Movement (FPM) of President Michel Aoun believes that linking refugee return to change in Syria means that most refugees could stay forever, a prospect they vehemently reject, while the (Christian) Kataib abhor the Syrian regime as much as do the Lebanese Forces, but reject the refugees just as much.⁵

As the regime retook territory in 2017 and 2018, calls in Lebanon for refugee return grew more frequent and intense.⁶ Against this backdrop, Russia launched a diplomatic offensive to promote refugee return in July 2018.⁷ It initially received support from

¹ Crisis Group Middle East Report N°141, *Too Close For Comfort: Syrians in Lebanon*, 13 May 2013.

² "President: Lebanon 'can no longer cope' with Syrian refugees", Associated Press, 16 October 2017; "Lebanon is sick and tired of Syrian refugees", *Foreign Policy*, 31 July 2019.

³ "Sayyed Nasrallah's full speech on Resistance and Liberation Day", Al-Ahed News, 25 May 2019. In this speech, the Hizbollah leader connects what he characterises as the West's obstruction of returns to the 2021 presidential election in Syria. Although he does not elaborate, he appears to be implying that the West is obstructing returns to discredit Assad politically. Conversely, he implies that moving forward with returns would help the regime.

⁴ "Lebanese leaders divided on how to handle Syrian refugees", Al-Shahid, 22 March 2019; "Assad prevents Syrians in Lebanon from returning home", Middle East Monitor, 18 March 2019.

⁵ "FPM: EU's latest financial support for Syrian refugees would encourage them to stay in Lebanon", *Al-Sharq al-Awsat*, 28 July 2019.

⁶ "Nasrallah calls for plan to repatriate Syrian refugees", *The Daily Star*, 13 February 2017; and "President: Lebanon 'can no longer cope' with Syrian refugees", op. cit.

⁷ On 19 July, Russia submitted a proposal to the U.S., supposedly as a follow-up to the summit. "Russia sends Syrian refugee proposal to U.S. after Trump summit", Reuters, 20 July 2018. The same day, the Russian defence and foreign affairs ministries projected the return of some 1.7 million Syrian refugees "in the near future", including 890,000 from Lebanon. "Joint Coordination Centre of Russian Defence Ministry and Russian Foreign Ministry for refugees returning to Syria holds planning meeting in Moscow", Ministry of Defence of the Russian Federation, 20 July 2018.

Lebanese leaders, who believed across party lines that the initiative was based on an understanding that the U.S. and Russian presidents had ostensibly achieved during their 16 July 2018 Helsinki summit.⁸ In late July, a Russian delegation headed by President Vladimir Putin's Syria envoy Alexander Lavrentiev met with Lebanese leaders in Beirut, whereupon the latter announced the formation of a Lebanese-Russian committee to carry out the initiative.⁹ But no international political or financial backing for the Russian plan materialised.¹⁰ As a result, the apparent Lebanese consensus quickly eroded, and the Russian initiative fizzled.¹¹ International organisations such as the UN High Commissioner for Refugees (UNHCR) maintain to this day that sufficient guarantees are not yet in place for the organisation or facilitation of large-scale voluntary, safe and dignified return.¹²

Thousands of refugees have nevertheless braved the risks and returned to Syria individually over the past year and a half, relying on informal networks back home that help them assess general conditions and possible security threats. In addition, the Lebanese General Security directorate has set up a formal clearance process that allows refugees to find out whether they are wanted for arrest by the Syrian authorities

In August, President Vladimir Putin urged Europe to support reconstruction in Syria, lest the refugees residing in the region become "a huge burden for Europe". "Putin urges Europe to help rebuild Syria so refugees can return", *The Guardian*, 18 August 2018. Russia's refugee return plan, of which Crisis Group obtained an unofficial copy, focused on material requirements such as building materials for shelters and transport capacity, omitting questions of protection and post-conflict reconciliation. A German think tank researcher said: "That plan convinced German officials that Moscow was not serious". Crisis Group interview, Berlin, November 2018. By contrast, a Syrian development consultant said: "Before, Assad would just ask for billions of dollars before any refugees could return. The Russian plan, instead, came up with concrete material requirements that would be needed for a certain amount of people to return. The Europeans should have seen this as the start of a conversation". Crisis Group interview, Beirut, May 2019.

⁸ Crisis Group interview, senior Lebanese official, Beirut, January 2019. See also "Lebanon welcomes Russian proposal on refugees", *The Daily Star*, 27 July 2018.

⁹ "Lebanon and Russia form committee on Syrian refugee repatriation", *The National*, 26 July 2018.

¹⁰ The U.S. and major EU member states roundly rejected the Russian proposition to link refugee return to reconstruction. Some European officials were dismayed about what they viewed as a Russian attempt to exploit European sensitivity to migration pressures. One said: "What Russia really wants is Europe's contribution to reconstruction in Syria. We have always made that conditional on the political process, so now Moscow is trying to couple it with refugee return instead. That's all the Russian plan is about". Crisis Group interview, October 2018.

¹¹ On 20 August 2018, Foreign Minister Jibril Bassil (Free Patriotic Movement) expressed Lebanon's commitment to the Russian initiative during a visit to Moscow, just as then-Minister of Displaced Peoples' Affairs Mouin Merhebi (Future Movement) was already pouring cold water on the plan. "Lebanon embraces Russia's refugee initiative for Syria", *Al Monitor*, 21 August 2018; "Merhebi: Russia's refugee proposal still needs work", *The Daily Star*, 20 August 2018.

¹² "The politics of return: Refugees, NGOs navigate increasingly fraught climate in host countries", *Syria Direct*, 10 April 2019; and "Germany confirms, Syria still unsafe for asylum seekers", *Deutsche Welle*, 15 May 2019. On the other hand, UNHCR considers that it is "each refugee's individual, free and informed decision to decide when it is possible for him/her to return in safety and dignity". "Regional Operational Framework for Refugee Return to Syria". Crisis Group interview, senior UNHCR representative, December 2019; Regional Durable Solutions Working Group for the Syria Situation, March 2019.

or not. Syrian community initiatives, some sponsored by the Syrian embassy, offer similar clearance mechanisms and logistical facilitation for an eventual return.¹³

This report investigates the ways in which refugees deliberate over the decision to stay or return and probes the extent to which voluntary individual returns can at least partly resolve the problem of Syrian displacement. It argues that these returns are not indicative of any shift in conditions that would make it safe for the majority of refugees to return anytime soon. Lebanon's external partners will therefore need to help the country support the refugees it is housing, including by sponsoring programs that will allow them a degree of self-sufficiency. The report is based on some 40 individual and group interviews with Syrian refugees in Lebanon between October 2018 and October 2019, in addition to numerous informal conversations with refugees, and nearly 50 interviews with Lebanese and international experts, humanitarian agency officers and Lebanese government officials from October 2018 through December 2019.

¹³ In July 2019, Lebanon's General Security directorate estimated the number of individual returnees since July 2018 at 300,000. Crisis Group interview, senior General Security official, Beirut. The Russian defence ministry counted 96,000 returnees during the same period. *Bulletin of the Centre for Reconciliation of Opposing Sides and Refugee Migration Monitoring*, 10 July 2019; the methodologies behind these diverging figures are unclear. UNHCR has verified the return of about 25,500 refugees in 2018 and 2019, and roughly 16,000 in 2015 and 2016, yet these figures do not include returnees who were not registered with the agency. "Syrian Regional Refugee Response", UNHCR, last updated 31 August 2019.

II. A Harsh Haven

A. *Growing Popular Hostility*

The influx of Syrian refugees into Lebanon started in 2011 and accelerated dramatically in 2012 and 2013.¹⁴ By 2014, it had reached one million.¹⁵ The UNHCR suspended registration in May 2015 at the request of the Lebanese government. Today, there are about 925,000 registered Syrian refugees in Lebanon, down from a peak of 1,185,000 in April 2015.¹⁶ Government sources and humanitarian workers often mention a number of 500,000 unregistered refugees, though some surmise that the number may also have declined significantly.¹⁷

The refugees' arrival changed the face of the country in ways that made many Lebanese uncomfortable.¹⁸ Not all refugees are poor, but it is the poor who most decisively shape the host society's perceptions. Wealthy Syrians blend effortlessly into privileged urban quarters.¹⁹ Their impoverished co-nationals, on the other hand, are conspicuous as beggars and menial workers in city streets and by their squalid encampments in the country's predominantly agricultural periphery, in particular the Beqaa valley and the north.²⁰ In these places, they share already inadequate public services and infrastructure with poor Lebanese and compete for jobs in the bottom bracket of the labour market.²¹

¹⁴ By May 2013, nearly half a million Syrians were registered or awaiting registration as refugees by UNHCR. "UN Interagency Response for Syrian Refugees", UNHCR, March 2013.

¹⁵ "Lebanon", UNHCR Global Focus, 2019.

¹⁶ "Syria Regional Refugee Response", UNHCR, 31 August 2019.

¹⁷ A senior international humanitarian agency official suggested that the number may be closer to 300,000. Crisis Group interview, Beirut, September 2019. The reduced numbers should not be equated with an increase in returns to Syria. A Syrian researcher working on refugees said: "The 2015 figure included people who soon after left for Europe, so some of the decrease happened already then. And people continue to leave to third countries in different ways, outside the official resettlement procedure, so the numbers keep going down. Very few of those who left went back to Syria". Crisis Group telephone interview, 10 December 2019.

¹⁸ See Crisis Group Report, *Too Close For Comfort: Syrians in Lebanon*, op. cit.; and Fafo, "Ambivalent Hospitality", October 2013.

¹⁹ Crisis Group field observations and conversations with Syrian refugees and Lebanese citizens, Beirut, 2018-2019.

²⁰ Crisis Group field observations, Beqaa and Tripoli, 2018-2019.

²¹ A 2013 World Bank study projected that with a Syrian refugee population of 1.7 million (a speculative number that may have been reached in 2015 if unregistered refugees are counted), an additional 220,000-320,000 Lebanese would become unemployed (compared with a no-refugee situation). "Lebanon: Economic and Social Impact Assessment of the Syrian Conflict", World Bank, 20 September 2013. The International Labour Organization (ILO) has questioned some of the assumptions underlying these projections, for instance concerning the size of the Lebanese labour market and the number of economically active refugees, and has argued that refugee spending from savings and the international aid response may have generated additional demand and thus employment, offsetting at least some of the negative trends. "Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis", ILO, 2015. A labour market expert pointed out that the economic impact of the refugee situation on the Lebanese population appears to be highly unequal: while negative effects (eg, competition over menial jobs and modest housing, strain on public infrastructure, downward pressure on salaries) disproportionately harm the poor, many of the benefits (income from rent, additional demand for consumer goods, employment by the aid response) tend

As jihadist groups such as Jabhat al-Nusra and the Islamic State (ISIS) increasingly dominated the Syrian revolt after 2012, host communities' apprehensions grew further, in particular when these groups started to clash with Lebanese security forces in border regions.²² Christian Lebanese reacted particularly strongly.²³ Many municipalities imposed extralegal restrictions on the movement of Syrians.²⁴

Additionally, some politicians have stoked resentment against refugees, raising alarms about alleged plans for permanent resettlement of Syrians in Lebanon, encouraging citizens to take action against illegal Syrian labour and blaming the refugees for Lebanon's economic crisis.²⁵ The latter accusation is difficult to substantiate: Lebanon received more than \$7 billion in external loans and grants between 2012 and 2018 to cope with the crisis, and pledges for another \$3 billion for the period 2018-2020.²⁶ This support likely offsets the direct cost of hosting the refugees, which Central Bank Governor Riad Salamé has estimated at around \$1 billion per year.²⁷ The damage that the Syrian crisis has caused to the Lebanese economy, for instance by cutting transit routes for exports and depressing the tourism sector, is arguably much larger than this.²⁸ While it appears unfair to blame the refugees for the fallout of a crisis of which they too are victims, many Lebanese may not care for such distinctions.

It is also difficult to disaggregate the consequences of the Syrian conflict and troubles that Lebanon has inflicted upon itself as a result of more than two decades of delayed reforms and unsustainable fiscal policies, which in turn tempts politicians to look for scapegoats.²⁹

While incidents of violence against Syrians are still limited, incitement and pent-up pressure may make for a combustible mix. Clashes between Syrians and host communi-

to go to the economically and socially advantaged. Crisis Group interview, Beirut, November 2019. The effect on perceptions, on the other hand, is clear: in a 2018 survey, roughly 60 per cent of both Lebanese and Syrian respondents identified competition over low-skilled employment as a major source of tension. "Regular Surveys on Social Tensions throughout Lebanon", ARK Group DMCC, September 2018.

²² "Lebanon suffers heavy losses in clashes with jihadists near Syria", Yahoo News, 3 August 2014; Crisis Group Middle East Briefing N°46, *Arsal in the Crosshairs: The Predicament of a Small Lebanese Border Town*, 23 February 2016.

²³ Christian Lebanese fear that the influx of mostly Muslim refugees from Syria will tilt the domestic environment toward Muslim dominance. They often invoke the influx of Palestinian refugees after 1948, some 250,000 of whom still live in the country today, and how it entangled Lebanon in regional conflict. Crisis Group interviews, senior officials of Lebanese Forces and Kataib parties, Beirut, November 2018.

²⁴ "Lebanon: At Least 45 Local Curfews Imposed on Syrian Refugees", Human Rights Watch, 3 October 2014; and "Curfews for foreigners and Syrian nationals without legal basis", Legal Agenda, 14 July 2016 (Arabic). In October 2017, the rape and murder of a young Christian woman by a Syrian janitor prompted a countrywide wave of arbitrary evictions of Syrians, mostly in majority-Christian towns. "In Lebanon, a rape and murder galvanize anti-Syrian fervor", *Los Angeles Times*, 13 October 2017; and "Our Homes Are Not for Strangers", Human Rights Watch, 20 April 2018.

²⁵ "Burn the witch", Moulahazat, 22 July 2019.

²⁶ Nasser Yassin, "101 Facts and Figures on the Syrian Refugee Crisis", vol. 2, Issam Fares Institute for Public Policy and International Affairs, Beirut, July 2019.

²⁷ "Lebanese are tired of hosting Syrian refugees", Fikra Forum, 16 July 2019.

²⁸ "Syrian war aggravates weaknesses in Lebanese economy", *Financial Times*, 22 October 2018.

²⁹ "Lebanon faces race against time to avoid financial collapse", Deutsche Welle, 1 October 2019.

ties in mid-2019 could be harbingers of worse to come.³⁰ A senior humanitarian official warned that “the level of inter-communal tensions is high, especially in the north and the Beqaa amidst austerity measures, dire economic conditions and the political campaign”, pressing refugees to go home.³¹ On the other hand, and despite repeated attempts by politicians to blame the social crisis on the refugee situation, no one has recorded an incident of violence or aggressive behaviour directed at refugees in the course of the protest movement that has engulfed Lebanon since 17 October.³² A close observer of events in Lebanon remarked: “The people in the streets know very well who is to blame for the meltdown: the politicians, not the Syrian refugees. But the refugees are lying low, just in case”.³³

B. *Restrictive Policies*

Growing popular hostility is matched by tighter administrative regulations. The first major shift away from a permissive posture came in October 2014, when the Lebanese government adopted a policy that called for a “reduction” of the number of Syrian “displaced” by preventing the entry of more refugees and “encouraging” those already present to “return to their country or other countries”.³⁴ To reach these objectives, the Lebanese authorities introduced visa requirements for arriving Syrians, demanded that UNHCR cease registering refugees and ended the practice of extending refugees’ visas free of charge.³⁵ While the entry restrictions reduced the influx, ending registration and stopping visa extensions only increased the number of unregistered refugees and refugees without valid residency status. Tougher enforcement of labour restrictions since late 2018 and waves of shelter demolitions since early 2019 have increased pressures on already vulnerable communities without a clear effect on return numbers.³⁶

³⁰ On 5 June 2019, a scuffle between refugees and the Civil Defence in the Beqaa town of Deir al-Ahmar escalated into clashes with the host population and prompted the expulsion of several hundred Syrians from the area. “The Deir al-Ahmar clashes”, Al-Modon, 7 June 2019 (Arabic).

³¹ Crisis Group interview, Beirut, July 2019.

³² See, for instance, the press conference by Foreign Minister Jibran Bassil, 18 October 2019.

³³ Crisis Group interview, Beirut-based NGO official, Brussels, December 2019.

³⁴ “Decisions of the cabinet meeting on 23 October 2014”, Presidency of the Council of Ministers. The Lebanese government appointed on 15 February 2014, after nearly a year of political stalemate, assigned priority to the refugee issue. See “Syrian Refugees in Lebanon: Government Policy and Protection Concerns”, UNHCR, March 2015. The restrictions came on the heels of clashes between the Lebanese army and jihadist rebels in the border areas in north-eastern Beqaa in August 2014. “ISIS militants behead Lebanese soldier and hold 18 more”, *The New York Times*, 30 August 2014. Lebanese officials and the media tend to use the term *nazihin* (“displaced”) to indicate that Lebanon is under no international obligation to host the Syrians, and to avoid invoking parallels to the experience with Palestinian refugees, who have had a de facto permanent status since 1948. “Gebran Bassil: Lebanon does not accept Syrians as ‘refugees’”, *The National*, 25 September 2018.

³⁵ In early 2013, when a growing number of refugees could not return after their visa-free one-year stay (technically, two consecutive six-month stays) had come to an end, General Security granted (free) extensions for another year (six months, renewable once). “Syrians line up at General Security centres”, LBC News, 7 March 2013 (Arabic).

³⁶ “Lebanon: Syrian Refugee Shelters Demolished”, Human Rights Watch, 11 July 2019.

While the message that their time in Lebanon may be up has become clear, most refugees are still deterred from returning to Syria. Instead, some take the high risk of illegally crossing the Mediterranean Sea to Cyprus.³⁷

1. Tightening residency regulations

Until 5 January 2015, Syrians were legally entitled to enter Lebanon without a visa and to stay for half a year, renewable for another six months, without having to pay a fee.³⁸ A yearly residency permit was theoretically available for the equivalent of \$200, yet few bothered to obtain one since those who fled the war rather than regime persecution and were not on any of the regime's "wanted" lists, could simply restart the clock with a short round trip to Syria.³⁹

According to new regulations issued in January 2015, Syrians now have to prove a legitimate purpose for entry (such as tourism, study, transit or business). Only in "exceptional circumstances", as determined by the Ministry of Social Affairs, can they enter Lebanon as refugees.⁴⁰ These changes formalised measures adopted by the General Security directorate after the border clashes in August 2014.⁴¹ Entries of Syrians dropped by some 45 per cent between 2014 and 2015, and the number of appointments requested for registration with UNHCR decreased by 56 per cent in late 2014 and by 78 per cent in January 2015, compared to the previous year.⁴²

Because of the new regulations, Syrian refugees can no longer perpetuate their legal stay in Lebanon by crossing the border and coming back. At the same time, the annual residency fee of \$200 per family member above fifteen years of age plus administrative costs proved prohibitive for many refugees, whose resources are already stretched to the limit. Furthermore, not everyone is eligible. To obtain a residency permit, Syrians must have a Lebanese guarantor or another reason to reside in the country that is deemed legitimate, such as being of Lebanese descent or having close relatives, being enrolled in formal education or owning property in Lebanon. Failing any of these conditions, they must be registered as refugees with UNHCR.⁴³ A residen-

³⁷ "A New Migrant Crisis for Europe?", Carnegie Middle East Centre, 23 November 2018.

³⁸ See the Syrian-Lebanese bilateral agreement on "Movement of People and Goods" of 1994 (Arabic).

³⁹ Crisis Group Skype interview, Syrian researcher, Beirut, 3 March 2019.

⁴⁰ "Organising the Entry and Residency of Syrians in Lebanon" (Arabic), Lebanese General Security. To pass as a tourist, a Syrian must present a hotel booking and \$2,000 in cash.

⁴¹ On 8 February 2018, the State Council (the High Administrative Court of Lebanon) ruled that General Security had overstepped its legal competence in imposing these regulations. But they are still being applied. "Position Paper: On the decision to summarily deport Syrian nationals who entered Lebanon irregularly", Legal Agenda, 26 June 2019, p. 2.

⁴² "Incomings to and Outgoings from Lebanon, 1996-2019", Central Administration of Statistics, May 2019; "Syrian Refugees in Lebanon", UNHCR, op. cit.

⁴³ Guarantors can be Lebanese individuals with sufficient means (regular income, savings of an equivalent of at least \$6,000 or property). Some reportedly charge significant amounts (several hundred dollars) for this kind of "service" from refugees who need it. "I Just Wanted to Be Treated Like a Person': How Lebanon's Residency Rules Facilitate Abuse of Syrian Refugees", Human Rights Watch, January 2016. Property owners who rent to Syrians sometimes also act as guarantors. Applying for residency on the basis of such an "individual guarantee" (*kafala fardiya*) requires the beneficiary to sign a pledge not to work, but refugees tend to violate these out of sheer need. To allow for legal work, employers must act as guarantor and apply for a work permit for their employee, which

cy permit obtained on the basis of UNHCR registration does not allow a refugee to cross into Syria and come back to Lebanon. When registered refugees cross the border into Syria, General Security informs UNHCR, which updates the records of the returnees in its register once it has verified that they returned to Syria with the intention to voluntarily repatriate. For the Lebanese authorities, crossing the border constitutes return and ends the right to stay in Lebanon as a refugee or displaced person.⁴⁴

An immediate effect of the 2015 policy change was a dramatic increase in the number of Syrian refugees without valid residency status. Surveys show that the ratio ballooned from 9 per cent of registered refugees in January 2015 to 73 per cent in April-May 2018.⁴⁵ The Lebanese government has since waived the \$200 fee it previously charged for the annual residency permit (although not fees and fines on refugees who either failed to obtain a permit or to renew a permit on time) and pledged to facilitate the process of applying for residency permits, but the ratio remains at around 70 per cent.⁴⁶

Lack of valid residency status does not by itself expose refugees to deportation, but it creates additional pressures, such as harassment at checkpoints and temporary detention. It also adds another layer of complication to existing difficulties with formal procedures (lack of information, opaque procedures, delays, fees), such as obtaining documentation (marriage and birth certificates) and school enrolment. While these do not always require a valid residency card, public and private Lebanese entities often refuse to serve refugees without it.⁴⁷

involves a laborious and expensive process that most prefer to avoid. In early 2019, fewer than 2,000 Syrians were registered as holders of valid work permits with the labour ministry. See fn 56.

⁴⁴ Crisis Group interviews, senior Lebanese security official and Syrian refugees, Beirut, August and December 2019; email communication, senior UNHCR representative, December 2019.

⁴⁵ "Vulnerability Assessment for Syrian Refugees in Lebanon", UNHCR, UNICEF and World Food Programme, 2018, p. 7.

⁴⁶ In February 2016, the Lebanese government pledged a "periodical waiver of residency fees and simplifying documentary requirements" (see: London Conference – Lebanon Statement of Intent); refugees registered with UNHCR before January 2015 were able to renew their residency for free as of March 2017. "Lebanon: New Refugee Policy a Step Forward", Human Rights Watch, 14 February 2017. In reality, long delays and reports of harsh treatment deter many from applying. Humanitarian workers also cite the need to cover significant distances and pass checkpoints to reach processing centres as a deterrent, in particular for refugees whose residency has already expired. There are also claims that individual officers pressure registered refugees, who should be entitled to a free residency card based on their UNHCR registration, to obtain a Lebanese guarantor (see above) and apply on this basis instead. "I Just Wanted to be Treated like a Person", op. cit. Refugees interviewed by Crisis Group claimed that applications based on a guarantor are processed much faster than those based on registration with UNHCR. Crisis Group interviews, advocacy officer, Syrian women's organisation, Beirut, November 2018; senior humanitarian agency officials, Beirut, November 2018 and September 2019; Syrian refugees, Beirut, August 2019.

⁴⁷ "Growing Up Without an Education", Human Rights Watch, July 2016. At the end of the 2018-2019 academic year in June 2019, Syrian refugee students without legal residency encountered difficulties collecting their diploma. "Syrian kids' diplomas held hostage", *The Daily Star*, 9 August 2019. While only around 20 per cent of the estimated 200,000 children born to Syrian refugees in Lebanon have received a fully valid birth certificate (ie, verified by the Lebanese interior ministry and legalised by the Syrian embassy), 82 per cent have received initial documentation, such as hospital notification and a birth certificate from the local district administration (*mukhtar*). Crisis

These measures make refugees' lives even more difficult, but they achieve little in terms of "encouraging return". The contrary can be the case. As their technically illegal stay persists, unpaid fees and fines pile up for every family member fifteen and older. For those returnees unable to pay the accumulated fees, General Security imposes a re-entry ban that amounts to another deterrent for many.⁴⁸

Lebanon has largely refrained from deportations and remains committed to the international humanitarian legal principle of non-refoulement, yet in the spring of 2019 it began engaging in actions that ran afoul of that commitment. Following a 15 April decision by the Higher Defence Council to deport all Syrians who entered the country illegally after 24 April, security bodies such as the Lebanese Armed Forces, the Internal Security Forces and General Security deported more than 2,500 people by the end of August.⁴⁹ How Lebanese authorities establish who entered after the cutoff date remains unclear, as does how Syrians can appeal deportation orders. Unlike previous practice, deportees are now handed over directly to the Syrian authorities, making it impossible to sneak back into Lebanese territory.⁵⁰ While the decision in theory should not directly threaten the large majority of refugees already present in Lebanon, the bulk of whom have been there since 2014, it adds to the general atmosphere of insecurity that convinces refugees that their time in Lebanon may be running out.⁵¹

Group interview, UNHCR protection officer, September 2019; "A Second Chance for Unregistered Children", Norwegian Refugee Council, 8 July 2019.

⁴⁸ "Settling the Affairs of Syrian and Palestinian Nationals" (Arabic), Lebanese General Security, op. cit. A Syrian refugee told UNHCR: "The re-entry ban is a big concern for us. You won't find a Syrian family that doesn't have a kinship with a Lebanese family. We need to [be able to] visit them". "Still Longing to Go Home in Safety and Dignity", UNHCR, May 2019.

⁴⁹ "Report On Arbitrary Deportation of Syrian Refugees in Lebanon", Access Center for Human Rights, August 2019. The new measures ostensibly affected only new illegal entries as of April 2019. But refugees who obtained their residency permits in Lebanon through UNHCR registration and cannot come back once they cross the border, or who have no valid residency permit, tend to use illegal border crossings as well. The troubling part is that the burden of proof appears to be entirely on the refugee, and that there seems to be no effective legal recourse. According to a position paper endorsed by eight Lebanese humanitarian and civil rights organisations, deportation orders are the prerogative of Lebanese courts and require proper legal procedures. The director-general of General Security can order deportations only in exceptional cases related to national security. "Forced Deportations to Syria: Rights Organizations Call on Lebanon to Respect the Rule of Law", Legal Agenda, 24 June 2019. "Lebanon: Authorities Must Immediately Halt Deportation of Syrian Refugees", Amnesty International, 27 August 2019.

⁵⁰ "Lebanon: Forcible Return of More Than 100 Refugees to Syria a Shocking Setback", Amnesty International, 8 January 2016. "Syrians Deported by Lebanon Arrested at Home", Amnesty International, 2 September 2019. A Beqaa-based Syrian researcher who observes return movements said: "Previously, Lebanese security would leave deportees in the no man's land, and after dark smugglers would come and guide them back". Crisis Group interview, Beqaa, January 2019.

⁵¹ Human Rights Watch reported that, in some cases, Lebanese authorities also deported refugees who were able to produce documentation establishing their presence before the cutoff date. "Syrians Deported by Lebanon Arrested at Home", op. cit. In July 2019, rumours circulated in different parts of Lebanon according to which Lebanese authorities were preparing to deport 1,800 Syrian detainees. Crisis Group interviews, Beirut, Beqaa, Baalbek, July 2019. A refugee in Tripoli with no valid residency card expressed fear that all Syrians without residency status would be deported eventually. Crisis Group interview, Tripoli, July 2019.

2. Tightening labour regulations

The new policy adopted in October 2014 also aimed at curbing competition between Syrian and Lebanese labour by tightening and enforcing existing regulations for foreign workers.⁵² Local resentment of Syrian competition increased with the influx, and Lebanese authorities responded by gradually strengthening regulations.⁵³ Ministry of Labour Decision No. 19 of 2 February 2013 authorised Syrians to work in construction and its derivative industries, in addition to about a dozen mostly manual and semi-skilled professions (eg, tailor, storage manager, sales representative).⁵⁴ After the policy change in late 2014, the Ministry of Labour tightened regulations once more, restricting Syrians to unskilled labour in construction, agriculture and cleaning.⁵⁵

Initially, enforcement of the new rules remained haphazard and without lasting effect. Lebanese employers continued to ignore the regulations and shun the laborious and expensive procedures to obtain work permits for their employees.⁵⁶ As public debate over refugee return increased, however, so did restrictions upon refugees' economic activity. Since November 2018, General Security has conducted several campaigns cracking down on informal Syrian-owned or -run businesses in different parts of Lebanon.⁵⁷ One Lebanese civilian official said: "General Security gives Syrians 48 hours to close their shops or find a Lebanese partner, legalise their business, pay taxes, etc. The pressure is on".⁵⁸

With the inauguration of a new government in January 2019, the campaign acquired additional momentum. On 3 June, Minister of Labour Camille Abu Suleiman launched an action plan to combat unauthorised work by foreigners.⁵⁹ Even refugees who previously thought themselves economically secure began to feel vulnerable.⁶⁰ "My brother had a men's hairdressing shop", a young Syrian said over lunch in a Lebanese-owned, Syrian-run modest restaurant in the Beqaa. "Security closed it down and sealed the door with no prior notice. Between advance rent, outfitting the place and

⁵² Wages for Lebanese tend to be more than twice as high as those for Syrians in comparable jobs. Lebanese employees also require registration with the Lebanese National Social Security Fund, adding another 23.5 per cent to the payroll. "The Impact of Syrian Refugees on the Lebanese Labour Market", BLOMINVEST Bank, 29 June 2019.

⁵³ "Regular Surveys on Social Tensions throughout Lebanon", op. cit.

⁵⁴ "Occupations Restricted to Lebanese", Lebanese Ministry of Labour, Decision No. 19, 2 February 2013 (Arabic).

⁵⁵ "Occupations Restricted to Lebanese", Lebanese Ministry of Labour, Decision No. 197, 17 December 2014 (Arabic).

⁵⁶ According to then-Minister of Labour Camille Abu Suleiman, only 1,700 Syrians were registered as holders of valid work permits at the time that he assumed office in January 2019. The ministry has 30 inspectors to enforce the labour law. "Abu Suleiman: 'The guarantor system [for foreign labour] is unacceptable and a form of modern slavery. I am working to change it'", Lebanon Files, 6 June 2019 (Arabic).

⁵⁷ "Lebanese security forces crackdown on Syrians as pressure builds on refugees to return", The New Arab, 21 November 2018; "Lebanese General Security closes Syrian shops in Bint Jbeil", Bint Jbeil, 12 December 2018 (Arabic); and "Closure of Syrian informal shops in Tripoli suburbs", Lebanon 24, 13 December 2018 (Arabic).

⁵⁸ Crisis Group interview, local Lebanese official, 14 January 2019.

⁵⁹ "Labor minister proposes plan to crack down on undocumented workers", *The Daily Star*, 3 June 2019.

⁶⁰ Crisis Group interviews, Beqaa, Baalbek, Tripoli, Beirut, July 2019.

buying equipment, he invested \$10,000. That's all gone now".⁶¹ Lebanese businesses that employ Syrians have likewise been fined.⁶²

Yet to what extent the rules can be enforced remains unclear.⁶³ A human rights researcher said: "In Saida, where there was a big campaign last year, Syrians are now opening in the afternoon, once the inspectors' day shift is over".⁶⁴ A Syrian owner of a (legitimate) business in the lower middle-class Beirut suburb of Burj Hammoud said: "When security comes, they all close their shops and disappear, and once security is gone, everyone reopens".⁶⁵ Official efforts are not only hampered by lack of capacity but also by the fact that Lebanese, as employers and consumers of services, depend on Syrian labour to perform demanding work for little pay. Any effective suppression of Syrian labour would affect Lebanese economic interests as well; whether the net effect would benefit Lebanese of limited income is difficult to say.⁶⁶

The presence of large numbers of Syrian migrant workers is neither new nor solely the result of the war next door. During the early 1990s, Syria and Lebanon signed agreements allowing the free movement of labour.⁶⁷ Syrians, unlike other foreigners, could acquire work and residency permits quickly and cheaply at the border. In reality, most worked informally and without any social protection.⁶⁸ "My father came to work here and stayed for fourteen years", a Syrian student in Lebanon said. "He was able to enter the country merely by showing his ID".⁶⁹ Cheap, unregulated foreign labour

⁶¹ Crisis Group interview, Syrian refugee from rural Damascus, Beqaa, July 2019.

⁶² Employers retort that there are not enough qualified Lebanese to replace their Syrian staff. "Al-Modon accompanies the inspectors of the Ministry of Labour: 20 non-compliant businesses closed", Al-Modon, 10 July 2019 (Arabic). The Free Patriotic Movement has mobilised its youth wing for protests and shaming of businesses that employ Syrians. "If you love Lebanon, employ Lebanese", said party leader Jibran Bassil, who is also foreign minister, on Twitter. Tweet by Jibran Bassil, @Gebran_Bassil, 9:27 am, 8 June 2019.

⁶³ A Lebanese economist said: "Some of the work that Syrians do, such as in construction and cleaning, is socially stigmatised. It is not clear that Lebanese would do it, even for better pay. Replacing Syrians with Lebanese would increase labour costs across the board, and prices would have to go up sharply at a moment when we are in a deep economic crisis and people are already cutting back on consumption. The most likely result would be that many businesses would simply have to close down". Crisis Group interview, Beirut, September 2019. A representative of the ILO's regional office in Beirut said: "We are involved in job creation projects in the agricultural and construction sectors that aim to reach a 50-50 balance between Syrian refugees and Lebanese, but the average is more like 70-30. The pay is significantly above the minimum wage and working conditions are excellent by comparison, yet the social pressure against accepting such work and individual attitudes still deter many Lebanese". Crisis Group messaging app interview, November 2019.

⁶⁴ Crisis Group interview, human rights researcher, Beirut, July 2019.

⁶⁵ Crisis Group interview, Syrian businessman, Beirut, July 2019.

⁶⁶ For instance, businesses in the main shopping street of Bar Elias, a medium-sized town in the Beqaa, are mostly run by Syrians, generating rental income for Lebanese property owners. Enforcing regulations would paralyse the local economy, at least initially. Crisis Group observations, Bar Elias, January, July 2019.

⁶⁷ According to the "Bilateral agreement in the field of labour between the Syrian Arab Republic and the Lebanese Republic" (Arabic) of 1995, Syrian seasonal workers could obtain temporary and long-time work permits, and would then be protected by Lebanese labour law.

⁶⁸ John Chalcraft, "Syrian workers in Lebanon and the role of the state: political economy and popular aspirations", in Francoise De Bel-Air (ed.), *Migration et Politique au Moyen-Orient*, Institut Français de Proche Orient (2014), pp. 81-104.

⁶⁹ Crisis Group interview, Syrian student in Lebanon, Beqaa, July 2019.

was an essential component of the Lebanese post-war economic model and allowed Syria, which wielded extensive political influence in Lebanon at the time, to export a part of its surplus labour force and receive remittances in return. Lebanese political leaders, for their part, were often large-scale investors themselves and endorsed the model out of political expediency and personal interest.⁷⁰

Thus, already before the Syrian crisis, a significant part of the lower tier of the Lebanese labour market, in particular in the building and agricultural sectors, was effectively ceded to migrant Syrian labour. While the mostly informal nature of this work makes obtaining precise figures difficult, estimates put the number at around 600,000 at its peak during the reconstruction boom of the mid-1990s, and around half that in the years preceding the ongoing war when the boom had come to an end.⁷¹ During these two decades, however, the open border and alternative employment options back in Syria allowed the volume of migrant labour to fluctuate according to the Lebanese economy's demands and created a bottom line below which wages could not fall.

With Syrian workers now trapped in the country by war, fear of the regime and visa regulations, these market mechanisms no longer work. Pressed by the high cost of living and insufficient aid, refugees have to settle for whatever work and handouts they can get, which rarely net them enough to make ends meet. For instance, one Syrian construction worker reported that the pay for laying one square meter of brick wall, which was between \$3 and \$4 before the war, had fallen to less than \$2 since then.⁷²

Rock-bottom wages are the norm for daily labourers who gather at specific spots in Lebanese towns and cities to be picked up for hire.⁷³ Small businesses like mini-markets, one-dollar shops and restaurants (including Syrian-owned ones) hire Syrians to work shifts of 10-12 hours for as little as \$150-200 per month, sometimes less.⁷⁴ Women, who mostly work in agriculture, earn on average about \$160 per month, whereas the average for men is around \$200.⁷⁵

Before the war, Syrian labourers were not paid generously either, with wages ranging from \$7 to \$12 per day, or \$200-300 per month, for unskilled or semi-skilled labour.⁷⁶ Yet most were men who came to Lebanon alone and used their income to support a family back in Syria, where the cost of living, in particular for basic necessities such

⁷⁰ John Chalcraft, *The Invisible Cage: Syrian Migrant Workers in Lebanon* (Stanford, 2009).

⁷¹ For the 1990s numbers, see Kamal Hamdan, quoted in John Chalcraft, "Of Specters and Disciplined Commodities: Syrian Migrant Workers in Lebanon", *Middle East Report* no. 236 (Fall 2005), p. 31. A senior Lebanese security official put the number at around 500,000. Crisis Group interview, Beirut, 21 November 2018. See Fabrice Balanche, "Les travailleurs syriens au Liban ou la complémentarité de deux systèmes d'oppression", *Le Monde diplomatique*, March 2007. For the post-boom numbers, see Salem Ajluni and Mary Kawar, "Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis", International Labour Organization, 2015, pp. 33-34.

⁷² Crisis Group Skype interview, Syrian construction worker, March 2019.

⁷³ Crisis Group observation, Beqaa, January 2019; Crisis Group Skype interview, Syrian researcher, Beirut, 3 March 2019.

⁷⁴ Crisis Group interviews, young Syrian woman working in a clothing shop, Tripoli, 19 December 2018; and young Syrian man working in a supermarket, Tripoli, 19 December. See also "Vulnerability Assessment of Syrian Refugees in Lebanon", op. cit., p. 71.

⁷⁵ The average man earned \$209 per month, and the average woman \$94. Ibid.

⁷⁶ "Of Specters and Disciplined Commodities", Chalcraft, op. cit., p. 31.

as food and shelter, was much lower and basic social services (schooling, health care) were available for free.⁷⁷ With dependents now trapped in Lebanon along with the breadwinners, reduced incomes have to cover a multiple of the cost, turning them into starvation wages even when supplemented by aid.

C. *Insufficient Refugee Aid*

UNHCR and the World Food Programme (WFP) provide cash and in-kind assistance to refugees, but few can survive on aid alone. In 2018, 69 per cent of registered Syrians lived below the poverty line (\$3.41 per person per day) while 51 per cent were considered severely economically vulnerable, living under the extreme poverty line (\$2.90 per person per day), also known as the Survival Minimum Expenditure Basket. Female-headed households have been especially affected, with 68 per cent living below that line in 2018, likely because women's employment rate and salaries are around half those of men.

One immediate effect of the financial pressures is low school attendance. In the 2018-2019 school year, more than half of 630,000 Syrian children were out of school; of the remainder about 210,000 attended donor-supported public schools and 60,000 private or semi-private schools.⁷⁸ Since 2016, cost has been the most frequently cited reason for not attending school.⁷⁹ Even though public schools are free, transportation, uniforms, school supplies and other related costs are not affordable for many families, and in many cases, school-age children have to work for the family to make ends meet. Lack of access to education for children is a common concern (especially for mothers), and prompts some to return to Syria, where education is free and locally made supplies and transportation are much cheaper. One Syrian refugee working in a women's organisation said: "Some of the women I worked with went back to al-Moadhamiya [in Syria], because there is no schooling here, [while] there are five functioning schools there".⁸⁰

Health care creates an even heavier burden for those who need but cannot afford it. In 2018, only 7 per cent of UN-surveyed refugees reported receiving free primary health care. Within this group, 49 per cent reported that they benefited from subsidies ("discounted cost-sharing primary health care", in UN terminology) and 19 per cent that they never requested primary health care – in some cases possibly for fear of being unable to pay for it.⁸¹ A senior humanitarian agency representative in Lebanon's north warned that even medical aid might not endure for ever, forcing those in urgent need of medical care to return to Syria:

⁷⁷ According to Elizabeth Picard, remittances from Lebanon contributed 8 per cent to Syria's GDP in 2000. Picard, *Liban-Syrie, intimes étrangers : un siècle d'interactions sociopolitiques* (Arles, 2016), ch. 5.

⁷⁸ "Lebanon: Stalled Effort to Get Syrian Children in School", Human Rights Watch, 13 December 2018.

⁷⁹ "Vulnerability Assessment of Syrian Refugees in Lebanon", op. cit. Lack of residency status, even if technically not required, can be another obstacle to enrolment.

⁸⁰ Crisis Group interviews, Beqaa, Tripoli, November 2018-January 2019; Syrian refugee working and living in Lebanon, Beqaa, 17 December 2018.

⁸¹ "Vulnerability Assessment of Syrian Refugees in Lebanon", op. cit., p. 70.

We support [refugees] with kidney problems. We have a \$2.3 million budget. Once money dries up, Syrians will have to go fund themselves. [In Lebanon], they have to make three doctor's visits at \$100 each before they can get any treatment. Those who cannot afford it would have to go back to Syria.⁸²

⁸² Crisis Group interview, senior humanitarian agency officer, Tripoli, 16 January 2019.

III. Considering Return

Most refugees mull the decision to return constantly but end up deferring it time and again. Rising pressures in Lebanon add urgency to their deliberations, but do not make reaching a decision any easier. Refugees have to weigh the hardships of their existence in Lebanon against questions about what awaits them back home. Would they be able to return safely, and could they survive there? A refugee explained:

First, there are debates in every house whether to return or not. The most important thing is to check whether the security services have something against you. You also need to see if you have enemies, or someone in your area who may want to get back at you for something. Then come housing and basic utilities and services. Ending up as internally displaced inside Syria, that's the biggest mistake you can make. And finally, you need to find a way to make money.⁸³

Obtaining reliable information can be extremely challenging for people already struggling for survival, and while desperation may prompt a few to return no matter what, cautionary tales from returnees that circulate among refugees deter many more.⁸⁴ The difficulty is compounded by the fact that return is a one-way street for most, as registered refugees cannot cross into Syria and then come back to Lebanon.

A. Weighing Threats to Security

For potential returnees, the threat to their own security or that of their loved ones is the primary concern. It acts as a deterrent that tends to offset even the strong pressure of deteriorating conditions in Lebanon. Active warfare, while receding in most parts of Syria since mid-2018, remains a worry, in particular for men who may have to perform military service upon return. While conscription follows written rules, the threats from the Syrian security state – detention, torture and death – can be unpredictable. Many refugees reported that refraining from anti-regime activities does not guarantee safe return.⁸⁵ Checking and clearing up one's security file is therefore an existential matter.

1. Detention and *taqrir*

Harrowing tales of arrest, torture and extrajudicial killings resonate strongly in the refugee community, since they are at once the most consequential and least predictable factors weighing on refugees' decision-making.⁸⁶ The one group for whom the

⁸³ Crisis Group interview, Syrian refugee living in Aarsal, Baalbek, July 2019.

⁸⁴ According to polls conducted by UNHCR, family links are the most important source of information for refugees concerning prospects for return. "Still Longing to Go Home in Safety and Dignity", UNHCR, op. cit.

⁸⁵ Crisis Group conversations, Syrian refugees, November 2018–July 2019.

⁸⁶ "Brutal torture in Syrian prison network detailed by *New York Times* investigation", CBC, 14 May 2019; and "End the Horror in Syria's Torture Prisons", Amnesty International, 17 February 2017. A senior humanitarian agency official said: "People need to know their status with the secret service. They need to know if they, their sons or their relatives are on the list. That's the biggest impediment to going back". Crisis Group Skype interview, Amman, 1 November 2018.

question of a “safe” return has a definite answer – in the negative – are opposition activists. As one put it, “Forget about us. We are burned”.⁸⁷ But since the regime’s concept of who is an opponent is not always clear or – more dangerously – can change over time, there is no certainty about who is safe from arrest.⁸⁸ While before the 2011 uprising the “red lines” of the politically permissible were knowable for most Syrians, eight years into the conflict very little can be taken for granted. A Syrian community leader in the Beqaa said:

Checking up on your security file is vital. When people are arrested in Lebanon, you can find out what happened to them. But a person who is arrested in Syria disappears. This is why everybody tries to figure out what is in his security file before deciding to return.⁸⁹

Administrative chaos and resulting confusion about a person’s identity in particular creates additional risk for people who would otherwise think themselves safe from retribution.

Regime informers are another source of uncertainty. Writing a *taqrir* (a “report”, meaning reporting people to the security agencies) has been a feature of life in Baathist Syria for decades, and it persists among refugees in Lebanon.⁹⁰ Many do it for personal gain or to settle scores. “My brother had no security issues, and they still detained him when he returned”, a divorcee from Homs explained. “It turned out that my ex-husband had reported on him”.⁹¹ Others write reports to avoid being targeted themselves. Even regime officials admit that detentions occur as a result of unfounded denunciations.⁹² A senior Syrian humanitarian agency official narrated the fate of a former employee in opposition-held eastern Ghouta:

He was evacuated to [rebel-held] Idlib but couldn’t live there, so he decided to return home, where he was arrested within a few days. It turned out that almost everyone in the neighbourhood had written a *taqrir* on him. By reporting, the neighbours wanted to lift doubts about their own loyalty.⁹³

⁸⁷ Crisis Group interview, Syrian activist and humanitarian worker, Lebanon, December 2018.

⁸⁸ For instance, in early 2019, a number of pro-regime journalists were exiled or jailed, apparently for criticising lawless behaviour by pro-regime militias. Crisis Group interviews, Syrian journalists, Beirut, Brussels, December 2018 and February 2019. See also “The regime punishes prominent Assad-supporting journalists”, *The Syrian Observer*, 7 March 2019.

⁸⁹ Crisis Group interview, Syrian, Baalbek, July 2019.

⁹⁰ Referring to a person widely suspected of being a regime informer stalking Syrian activists in Lebanon, a Syrian researcher said. “I don’t even think that someone in Damascus actually assigned him. He submits these reports to them with the expectation that it will provide him with benefits and protection”. Crisis Group Skype interview, Lebanon, 29 May 2019.

⁹¹ Crisis Group interview, Tripoli, July 2019. A Syrian journalist said: “Let’s say I returned, and someone wrote a *taqrir*. What do I do? This is what happened with my neighbour’s son, for example”. Crisis Group interview, Beqaa, July 2019.

⁹² “Government minister: Many Syrians are imprisoned due to trumped-up reports”, *Halab Today*, 11 December 2018 (Arabic).

⁹³ Crisis Group interview, senior humanitarian agency officer, Beirut, 15 December 2018. A Syrian refugee and community leader said people write reports “to protect themselves and have a good record with the intelligence services”. Crisis Group interview, Tripoli, July 2019.

2. Security clearances: All roads lead through Damascus

In order to avoid arrest upon return, Syrians engage in what is colloquially known as *tafyish* – the act of obtaining information about one's security file and clearing it, if possible.⁹⁴ Personal contacts and bribes are the most common channels and means to this end, yet due to their informality and the opaque nature of the Syrian security sector, such information and clearances are not always reliable, and not everyone can obtain them.⁹⁵ Two alternatives available to refugees in Lebanon are to sign up to return under a process established by the Lebanese General Security directorate in July 2018 and to rely on a number of Syrian community initiatives that include formal clearance procedures with the Syrian security authorities.

Even before Russia put forward its return initiative in July 2018, Lebanese General Security had organised voluntary refugee returns in cooperation with Syrian authorities on several occasions. Starting in mid-2017, a pattern emerged by which the gradual recapture of areas near the Lebanese border by pro-regime forces would lead to negotiations, often involving local leaders, to secure the safe return of the area's original inhabitants living as refugees in Lebanon.⁹⁶ By July 2018, these mechanisms had become available to any refugee in Lebanon considering return. Individuals can sign up in one of the seventeen designated General Security offices for repatriation and, once approved, are pooled into groups that are supposed to congregate at one of several departure points before crossing into Syria.⁹⁷

Several Lebanese political parties, including Hizbollah, the Free Patriotic Movement and the Lebanese Promise Party, also established return committees, which collect names of prospective returnees and forward them to General Security.⁹⁸ In

⁹⁴ Crisis Group interviews, Lebanon, 2018-2019. *Tafyish* is an expression in Syrian Arabic that is likely derived from the French word *fiche* ("sheet"), with the literal meaning of "doing one's sheet".

⁹⁵ "Assad urged Syrian refugees to come home. Many are being welcomed with arrest and interrogation", *Washington Post*, 2 June 2019. A Qalamoun area community leader said: "One group from Arsal went back to Qalamoun on assurances from a militia commander. Upon arrival, the army collected the men for conscription". Crisis Group interview, Lebanon, July 2019.

⁹⁶ The first such return occurred in June 2017 for the inhabitants of Assal al-Ward in the western Qalamoun area. "Return of Refugees from Arsal to Western Qalamoun", Enab Baladi, 11 June 2017 (Arabic). A second one followed in July 2017. "More than 300 refugees on their way to Syria ...", Euronews Arabic, 13 July 2017 (Arabic). The first group return under the auspices of General Security took place in April 2018, after the regime had reconquered Beit Jinn near Damascus in late 2017. "General Security organises the return of 472 displaced from Shebaa", *General Security Journal*, no. 56 (April 2018), p. 8 (Arabic). After the Beit Jinn return, the director-general of General Security, Abbas Ibrahim, negotiated permanent cooperation on refugee return with the Syrian side, and General Security started to collect names of prospective returnees in the Arsal area, who were then conveyed to Syria for approval. Crisis Group interview, General Security official, Beirut, July 2019. See also "Abbas Ibrahim: No objection to my mission", *Al-Akhbar*, 24 July 2018 (Arabic). The first convoy left on 28 June, followed by two more on 7 and 23 July. "Over 400 refugees return to Syria from Arsal", *The Daily Star*, 28 June 2018; "488 refugees leave Arsal to Syria", *Al-Modon*, 7 July 2018 (Arabic); and "850 refugees return to Syria", *Al-Modon*, 23 July 2018 (Arabic).

⁹⁷ "Lebanese General Security designates centres to receive applications of displaced Syrians who wants to return home", *Al-Manar*, 6 August 2018 (Arabic).

⁹⁸ "Basil launches the [Free Patriotic] Movement's return committee", *Al-Modon*, 12 July 2018 (Arabic); "Hizbollah starts receiving Syrian refugees' applications", *Al-Modon*, 4 July 2018 (Arabic); and "Lebanese Promise: seventh group of Syrians return from Kesraouan", *Lebanon Files*, 10 July 2019 (Arabic). The Lebanese Promise Party (Al-Hizb al-Lubnani al-Waed) was established in 2014

practice, these initiatives serve General Security's attempt to increase the number of returnees, which is in line with these parties' general position on the refugee issue.

The decisive added value of the General Security process for refugees is the formal clearance mechanism with the Syrian authorities. Those who sign up have their names forwarded to Damascus, where the National Security Bureau, the highest security authority in Syria, runs background checks and returns the lists to Beirut, indicating who will be able to return unimpeded and who may have "problems" or face investigation.⁹⁹

Lebanese General Security warns those flagged as ineligible by Damascus and summons those who have received clearance, often at short notice, to join the return convoys that it organises at regular intervals. A General Security spokesperson said:

We do not want NGOs or UNHCR to say that we hand over people to the Syrians and then terrible things happen. That's why we only take people whom the Syrian authorities have cleared. Once they have entered Syria safely, that's where our responsibility ends.¹⁰⁰

While UNHCR maintains that conditions are not right for organised mass returns, the agency provides support to refugees who are voluntarily returning, individually, or through the General Security process. The UN agency helps in particular with obtaining missing documentation, such as IDs and birth, death and school certificates, that might be in the Lebanese authorities' possession.¹⁰¹ As of December 2019, nearly 20,000 refugees had returned through the General Security directorate's facilitation.¹⁰²

Since the end of 2018, several Syrian community initiatives have established return mechanisms that work along similar lines. Among them is the Association of Syrian Arab Workers in Lebanon (Rabitat al-Ummal al-Arab as-Suriyin), which operates under the auspices of the Syrian embassy in Beirut. The association registers names in its headquarters in Beirut and through networks across the country, and organises group returns for those who have received clearance from Damascus.¹⁰³ Other initiatives facilitate returns to specific locales, such as Al-Zabadani and Moadhamiya, reaching out to refugees who came from these areas through social media and word of mouth.¹⁰⁴ Unlike the returns organised by Lebanese parties, these initia-

by Dubai-based Lebanese businessman Fares Fattouhi, and has refugee return as a main pillar of its platform. The party appears to have achieved only limited traction; it circulated a petition calling for the return of Syrian refugees that secured only 378 of the 200,000 signatures it aimed to collect. "Lebanese Promise Party protest calls for Syrians to leave Lebanon", *The Daily Star*, 4 October 2017. The most recent return convoy facilitated by the party left on 29 August 2019.

⁹⁹ Crisis Group interview, senior Lebanese security official, November 2018.

¹⁰⁰ Ibid.

¹⁰¹ UNHCR is usually informed about which refugees are returning in group movements only a couple of days before departure, which makes it difficult to respond to the needs identified, such as lack of birth registrations. Crisis Group email communication, senior UNHCR representative, Beirut, December 2019.

¹⁰² Crisis Group interview, senior Lebanese security official, Beirut, July 2019.

¹⁰³ Crisis Group interview, Syrian official, Beirut, January 2019. The association publicises these return journeys on its Facebook page. The most recent group return occurred on 26 December 2019.

¹⁰⁴ Return to Al-Zabadani is organised through the mediation of the People's Party (Hizb al-Shaab), a Syrian formation established in 2012 by regime loyalists of tribal background as part of the re-

tives do not go through Lebanese General Security. The Rabitat forwards the names it has collected to the security apparatus in Damascus through its own channels. A senior Rabitat official explained:

We send the names to the [Maktab al-] Amn al-Watani [National Security Bureau] to be cross-checked with all the security branches [*furu' al-amniya*]. We have not heard once that someone who was approved faced problems when they returned.¹⁰⁵

Once the association has consolidated the lists of those eligible to return, it coordinates with General Security to arrange their departure from Lebanon and sort out the paperwork of those whose residency permits have expired.¹⁰⁶

Regardless of the administrative route a refugee wishing to return takes, all roads to a safe crossing lead through the central intelligence apparatus in Damascus, whose security clearance (or refusal to issue one) represents the ultimate verdict on a refugee's ability to go home safely. While the clearance process does not protect would-be returnees from abusive militias or future persecution by a regime that rules violently and arbitrarily, it helps reduce the uncertainty that they face, thereby removing an element of deterrence.¹⁰⁷

Judging by the numbers who sign up, the various initiatives appear to reach a growing number of refugees, and trust in the process is increasing. While only 90 and 100 people, respectively, signed up for the first two rounds of return to Al-Zabadani in late 2018, the third cohort in January 2019 saw 1,000 people registering, out of whom 900 received a security clearance.¹⁰⁸ As for Moadhamiya, the first group that returned through the facilitation of the city's reconciliation committee in July 2018 numbered around 50 refugees.¹⁰⁹ A list submitted in December 2018 contained around 1,100 names, 800 of whom reportedly received clearance from the Syrian side.¹¹⁰

gime's attempt to broaden its popular base and outreach. Crisis Group interview, return committee member, Lebanon, January 2019; and Crisis Group interviews, refugees from Al-Zabadani in Lebanon, December 2018. See also "People's Party holds its first conference in Damascus", Russia Today Arabic, 12 November 2012. Another return initiative developed from the reconciliation committee of Moadhamiya. Crisis Group interviews, refugees from Moadhamiya in Lebanon, December 2018 and January 2019.

¹⁰⁵ Crisis Group interview, Syrian official, July 2019. The senior Lebanese security official likewise claimed that he knew of no cases in which returnees approved through the process were arrested while crossing the border. Crisis Group interview, July 2019. In late 2018, then-Minister of Affairs of the Displaced Mouin Merhebi claimed to have evidence of returnees who were killed, but the exact circumstances of these incidents are unclear. "Lebanese minister: Syrian regime is killing returnees", Al-Hurra, 2 November 2018.

¹⁰⁶ Crisis Group interview, Syrian official, July 2019.

¹⁰⁷ Crisis Group interview, Qalamoun community leader, Baalbek, July 2019.

¹⁰⁸ Crisis Group interview, committee president, Lebanon, January 2019; Crisis Group interview, committee member, Lebanon, January 2019; and Crisis Group interviews, Syrian refugees from Al-Zabadani in Lebanon, December 2018.

¹⁰⁹ "The first group of displaced Syrians from al-Moadhamiya returns from Lebanon", SANA, 1 July 2018 (Arabic).

¹¹⁰ "Return to al-Moadhamiya from Lebanon ... accompanied by the 'fourth division'", Al-Modon, 12 December 2018 (Arabic).

One point that remains difficult to ascertain is the percentage of applicants not approved for return. Some reports covering the early phase of the General Security process speak of an acceptance rate of less than 20 per cent.¹¹¹ Some observers and humanitarian workers claim that for applicants from areas identified as anti-regime hotbeds, the approval rate is nearly zero.¹¹² Representatives of the Syrian community initiatives and General Security interviewed in 2019, on the other hand, maintain that the average approval rate is around 80 per cent.¹¹³ These figures may be less contradictory than they appear: since news that particular identifiable groups are de facto ineligible spreads quickly through social media, it appears plausible that over time these people would simply stop applying.¹¹⁴

Even a low rejection rate may deter a much larger number of refugees from attempting return. Most refugees move as families, and with the visa and entry restrictions imposed by Lebanon, leaving behind family members who failed to obtain approval is likely to entail permanent family separation. The fact that most of those denied approval are men further militates against such returns.¹¹⁵ In practice it means sending women and children into a volatile situation without male protection (in a male-dominated society), with no option to reverse that decision. The General Security official said: "In some cases, you may have a family of twelve individuals who stay put because one of the men has a security problem".¹¹⁶

3. Conscription

Unlike arrest and detention, conscription into mandatory or reserve military service in Syria is predictable, yet its deterrent effect concerns many more refugees.¹¹⁷ Mandatory service is required for eligible men aged eighteen to 42 and supposed to last for eighteen months, but due to the war many serve much longer. Afterward, they may still be called up for reserve duty up to the age of anywhere from 48 to 62, depending on rank.¹¹⁸ In mid-October 2018, regime media announced the delisting of

¹¹¹ "Over 400 refugees return to Syria from Aarsal", op. cit.

¹¹² Crisis Group telephone interview, journalist and humanitarian agency researcher, August 2019. He was referring to the early phase of the return process in late 2018. See also "Kuyumjian: The Assad regime obstructs the return of the displaced, no money for the reconstruction of Syria before a political solution", Independent Arabia, 13 March 2019.

¹¹³ Crisis Group interview, senior Lebanese security official, August 2019.

¹¹⁴ A humanitarian agency researcher said: "None of the refugees from Qusayr I've talked to in the Beqaa went to register with General Security, because they know that there is no return to Qusayr". Crisis Group messaging app interview, September 2019. See also fn 130-132.

¹¹⁵ While Syrian women opposed to the regime have been detained and exposed to torture, gender-based violence and summary executions just as men have, the percentage of female detainees has been much smaller. The Violation Documentation Centre in Syria recorded about 2,000 detained adult females (by all parties to the conflict) between March 2011 and April 2018, as opposed to nearly 63,000 adult males. The Centre's data suggests that the percentage of female detainees dropped significantly after 2013, when the uprising – previously civic in character – gave way to civil war and became increasingly dominated by militant Islamist forces.

¹¹⁶ Crisis Group interview, Beirut, August 2019.

¹¹⁷ "Fifth Regional Survey in Syrian Refugees' Perceptions and Intentions on Return to Syria", UNHCR, March 2019.

¹¹⁸ "Syria's security sector: A legal handbook", The Syria Report, February 2019.

about 800,000 men who would no longer be required for reserve duty.¹¹⁹ Some observers, including pro-regime journalists, initially interpreted the measure as a step toward removing this deterrent to return.¹²⁰ A number of Syrians saw an opportunity and actually returned, sometimes after using relations back home to verify with the General Conscription Directorate branch in their area of origin that they were indeed no longer wanted for service.¹²¹ Yet at least some of those who returned found themselves in the army a few weeks later, after the defence ministry published new call-up lists for reserve duty in December 2018, rescinding its earlier decision.¹²²

The reasons behind this chain of events are difficult to ascertain.¹²³ Still, it clearly further undermined refugees' confidence that they could reliably predict what may be awaiting them upon return.¹²⁴

Active warfare in Syria has receded since mid-2018, yet another grim round of fighting may still await in Idlib, where the regime has conducted several offensives since May 2019.¹²⁵ What lies ahead for the north east also remains uncertain. Serving in the army thus still comes with the risk of being killed or seriously wounded in combat, in addition to separation from family for extended periods. Some of those with no option but to return and then be forced to join the army look at it from the "bright" side. One refugee explained that joining the military-security apparatus also offers a sort of protection and access to resources:

¹¹⁹ "No more reserve calls in Syria, order to release detained", Muraselon, 28 October 2018.

¹²⁰ For instance, prominent pro-regime journalist Shadi Halwi commented in a video broadcast on his Facebook channel (which had roughly 450,000 subscribers in late August 2019): "Congratulations to everyone who is outside the country. ... They should return to the nation". Facebook, 28 October 2018. The video itself has been viewed nearly 600,000 times.

¹²¹ Crisis Group interviews, Syrian refugees in Lebanon, including relatives of returnees and persons who authorised their parents inside Syria to check with the recruitment centre, October 2018–January 2019.

¹²² A Syrian refugee said: "I was wanted for the reserves. When the names were withdrawn, I checked with someone at the border and indeed my name was no longer on the list. Two weeks later, it had reappeared. I had a friend who was wanted for reserve service who left for Syria and crossed with no problem, but after a few weeks he was arrested at a checkpoint and taken to the army". Crisis Group interview, Beqaa, 15 January 2019. See also "New reserve lists ... calls include those born in 1970s", Enab Baladi, 7 December 2018 (Arabic).

¹²³ A pro-regime interlocutor in Beirut cited Russian pressure aimed at enhancing Moscow's push for refugee return as the reason behind the delisting decision. The decision was unpopular with soldiers who served for extended periods; angry responses from these quarters may have prompted the regime to rescind it. Bribes paid to avoid reserve service are also a source of income for pro-regime officials. Crisis Group interview, journalist with access to Syria, Beirut, 2018.

¹²⁴ Syrians who have lived abroad for at least four years can pay an equivalent of \$8,000 at the Syrian embassy to be released from mandatory (but not reserve) military service. "Financial Equivalent", Syrian Foreign Ministry (Arabic). One Syrian refugee said: "For rich people, this is little money, but for me it's unaffordable. All our property in rural Damascus was destroyed, so I have nothing to sell to raise this amount". Crisis Group interview, July 2019.

¹²⁵ "Latest Idlib offensive threatens 'unprecedented humanitarian disaster'", Refugee International, 6 May 2019.

My cousin is in the army and doesn't want to be discharged. By wearing the military uniform, you have authority, you walk with your gun, and it is a source of income. A simple soldier has become something big in society.¹²⁶

Women are not affected by conscription, yet many refrain from returning because they would either have to leave male relatives (husbands, sons of or approaching conscription age) behind in Lebanon or see them carried off to the army. Like for those who fail to obtain security clearances, entire families (including men no longer required to serve) may resist returning out of fear for young males old enough (or nearly old enough) to be conscripted but too young to be left behind alone.¹²⁷

B. *From the Frying Pan into the Fire*

1. Lawlessness, fragmentation and closure

Syria's geographic and political fragmentation further complicates the decision to return. Some previously opposition-held areas are practically sealed off to anyone wishing to return to their original homes. In others, the regime seeks to limit the return of the original population to avoid a reconstitution of social environments that supported the uprising. Some nominally regime-controlled areas, such as Daraa, Deir al-Zour city, and parts of Aleppo and Homs, are inhospitable for returnees due to heavy destruction, the reign of abusive pro-regime militias, security problems such as ISIS attacks or a combination of all three.

For instance, the town of al-Qusayr near Homs remained mostly off limits to returning refugees and internally displaced until late 2019. Depopulated during intense fighting in 2013, it was a closed zone, as the Lebanese Hizbollah established a military hub there.¹²⁸ According to UNHCR, about 55,000 Syrian refugees from al-Qusayr were living in Lebanon in 2015, mostly in the impoverished Aarsal area in the northern Beqaa valley.¹²⁹ Only in September 2019 did Hizbollah officially allow return to the area.¹³⁰ Many formerly opposition-held areas, such as Daraya near Damascus,

¹²⁶ Crisis Group interview, opposition activist from Daraya, Beqaa, December 2018.

¹²⁷ A Syrian refugee said: "Especially mothers are aware that their 16- or 17-year-old sons will have to serve in the army if they return". Crisis Group interview, Baalbek, July 2019.

¹²⁸ In March 2019, a Syrian official said: "The Qusayr file is complicated. These people can return to Syria, but they will have to live elsewhere, not in Qusayr". Crisis Group messaging app interview, March 2019.

¹²⁹ "Places of Origin of Syrian Refugees Registered in Lebanon", UNHCR, 19 December 2014.

¹³⁰ In July 2019, a refugee from al-Qusayr said: "Few people live in eastern Qusayr. No one is allowed to return. I know many people [from al-Qusayr] who went to register with General Security to return but they were turned away at once. There is no return to Qusayr". Crisis Group interview, Beqaa, July 2019. In the same month, however, the Syrian government organised the return of some 1,000 al-Qusayr residents (out of a pre-war population of about 60,000) displaced to other parts of Syria, though some said they had come only to see how much repair their houses needed and were not planning an immediate return. "Syrians return to their home city", Reuters, 7 July 2019. Then, in September 2019, Hizbollah Secretary General Hassan Nasrallah declared that his party had finally sorted out the situation in al-Qusayr, and that refugees could now return. "Hezbollah calls on Syrian refugees from Qusayr to return", France 24, 20 September 2019. Several thousand appear to have returned since. "Syrian refugees trickle back to Qusayr under watchful eyes of the regime, Hezbollah", *Asharq Al-Awsat*, 13 November 2019.

eastern Aleppo or certain neighbourhoods of Homs, have suffered such severe destruction that return is difficult without substantial material support, which is mostly unavailable. In some of these areas, access restrictions that appear geared to prevent a reoccurrence of the social conditions that gave rise to the protests in 2011 further militate against return.¹³¹

De facto rule by abusive militias in many areas adds to the problem. Checkpoints extracting bribes are a common phenomenon across regime-held Syria. The regime has sometimes demonstrated its capacity to rein in rogue actors, but enforcement remains uneven.¹³² The government-held parts of Deir al-Zour province are perhaps the most blatant example. More than two years after the regime captured these areas from ISIS, they lack basic services and are controlled by predatory militias.¹³³ Militia fighters manning checkpoints positioned on strategic roads levy illegal fees on travellers and transporters of goods, and exact bribes from young men on the threat of conscription or arrest.¹³⁴ A trader from Deir al-Zour explained how government control in effect amounts to rule by protection racket:

¹³¹ The regime allegedly destroyed the land registry in Homs, one of the centres of the anti-regime movement in 2011, and manipulated property deeds to prevent return and thereby re-engineer the sectarian balance in favour of Alawites. "No Return to Homs", The Syria Institute and PAX, 21 February 2017. The regime completely evacuated Daraya, another early centre of the uprising with a pre-war population of about 100,000, in 2016 after a four-year siege, and kept it sealed off for two years after. Haid Haid, "Where is Home for the Permanently Displaced Citizens of Daraya?", Heinrich Böll Stiftung, September 2018. Since 6 September 2018, the official Facebook page of Daraya municipality regularly publishes the names of previous residents allowed to visit the town for the day to check on their properties. By late August 2019, the number was approaching 14,000. In July 2019, the head of the Daraya return initiative in Lebanon confirmed to Crisis Group that refugees from Daraya can return to Syria, but not to the town. Yet shortly afterward, the first families (about 130 by early September) were able to return to their homes. Crisis Group communications over messaging app, refugee from Daraya, 1 September 2019. In early November 2019, official media reported that more than a thousand families had returned to Daraya. "More than 1,000 families return to Daraya, south-west Damascus", SANA, 3 November 2019.

¹³² In some cases, the regime has brought militias to heel by revoking the exemption from regular military service that their members receive and then conscripting them. "'Commandos of the Sea' may be dissolved after an altercation with a presidential convoy", *Al-Sharq al-Awsat*, 22 February 2017 (Arabic). In April 2019, the regime targeted a smuggling network in the Lattakia area allegedly linked to prominent militia leader Suheil al-Hassan, undermining his war hero image. "Who is staining Suheil Hassan's name", *Al-Modon*, 23 April 2019 (Arabic).

¹³³ Deir al-Zour suffers from blackouts lasting up to twenty hours per day, crippling operations of businesses and institutions. Only a few main roads have been cleared of rubble since the government retook the city. Crisis Group observations and interviews, remote via messaging app, January and July 2019. A public-sector employee who serves in Deir al-Zour said, "I have two girls in Damascus University, and my son is a high-schooler. I cannot take them to live in Deir al-Zour because of the behaviour of government security forces and militiamen. Every day, there is a crime, fighting and murder in the city because of the militias. The police have no authority. The Education Directorate promised to open all the city's schools, but now we are only two weeks away from the beginning of the school year and most of the schools still lack doors, windows and water tanks". Crisis Group messaging app interview, July 2019.

¹³⁴ A truck driver said pro-government forces collect road taxes at checkpoints on the Euphrates river crossings between government-controlled areas and those held by the Syrian Democratic Forces (SDF). "They take 300 Syrian pounds [\$0.50] for each person, 500 pounds [\$0.90] for motorcycles and 5,000 [\$9] for trucks laden with goods. They take bribes by telling young men that

Most of the rich businessmen give a part of their profits to senior government security officers to be shielded from harassment by government forces and militiamen. The militias became used to looting, and now they are prospecting for new financial sources and extract bribes from merchants in exchange for promises not to attack and loot their shops.¹³⁵

2. From refugees to IDPs

For refugees who are undeterred by security challenges, the question remains whether returning to Syria will improve their situation compared with staying in Lebanon. Paltry incomes, insufficient aid and high living costs in Lebanon push them to return, but if economic prospects in Syria appear worse, they may still choose to struggle on with the little they have in Lebanon rather than take the risk of ending up destitute in Syria.

The question of whether refugees can return to their original homes and areas is essential. Trading the status of refugee in Lebanon for that of internally displaced person in Syria is unlikely to improve their situation. Compelled to rent accommodations, and with no local networks to facilitate finding work or getting access to public services, return to Syria may end up making them more, not less vulnerable.

Refugees are aware of this problem: polls show a clear correlation between the decision to return to Syria and the hope to reach the area of one's origin. Nearly all refugees polled by UNHCR in May 2019 who expressed their intention to return in the coming year said they hoped to go to their area of origin. Conversely, nearly two thirds of those not intending to return within the next twelve months stated that their property was either fully destroyed or uninhabitable.¹³⁶ In addition to the physical destruction of housing, some refugees also lack sufficient documentation to assert their property rights or may be in danger of losing their property in the course of regime-proposed rezoning and reconstruction schemes.¹³⁷ One refugee summed up the predicament:

they will be drafted or are wanted by the security agencies. Some pay up to 150,000 pounds (\$3,000) to be allowed to pass". Crisis Group interview, truck driver, Deir al-Zour, January 2019. See also "Pro-regime Militias and ISIS Militants Stand Against the Return of Palmyra's People", Chatham House, September 2019. Figures reflect prices and exchange rates throughout the first nine months of 2019, when the Syrian pound stood at roughly 500 to the dollar (down from a pre-war rate of around 50). Since September 2019, the value of the pound has fallen by nearly 50 per cent as a result of international sanctions on the regime and the fiscal crisis in Lebanon, which left many Syrians unable to gain access to funds they had deposited there. "Syrian pound at new low as crisis roils neighboring Lebanon", *Seattle Times*, 2 December 2019.

¹³⁵ Crisis Group interview, trader, Deir al-Zour city, January 2019.

¹³⁶ "Still Longing to Go Home in Safety and Dignity", UNHCR, op. cit., pp. 16-17.

¹³⁷ Law 10 of April 2018 provides for the expedited expropriation of property in "development zones". For the text of Law 10, see "President al-Assad promulgates law concerning creation of zones for regulation within the land use plan", SANA, 2 April 2018. Law 42 of November 2018 amended Law 10 by extending the grace period for owners to assert property rights from thirty days to one year, and by providing for legal recourse not included in Law 10. For the text of Law 42, see "President al-Assad promulgates law modifying clauses of Law of 2018", SANA, 11 November 2018. Despite these improvements, criteria for expropriation and compensation and the documentation required remain unclear. Many refugees may also lack required documentation, either because they lost it in the chaos of war and flight, or as the result of the complex legal framework that includes semi-formal

Housing and public infrastructure are crucial. People don't return to become internally displaced. That would be a big mistake. You need to be able to pay rent, rebuild your social network, etc.¹³⁸

After housing comes the issue of income. Current economic circumstances do not bode well. Unemployment rates in Syria are estimated at anywhere between 40 and 60 per cent.¹³⁹ Pronounced regional disparities are amplified by the lack of mobility due to security problems and fuel shortages.¹⁴⁰ A Syrian expatriate with plans to open a small business in Aleppo said:

Before [the war], workers would commute from rural Idlib and Aleppo to Aleppo city. Now these [relatively short] distances are prohibitive. Checkpoints, especially those belonging to the [paramilitary] National Defence Forces, are horrible. People would rather stay home than be humiliated on a daily basis. Moving to the city is not an option because salaries are insufficient to cover rents there.¹⁴¹

In the public sector, still the largest employer in Syria, even employees with academic degrees and extensive work experience earn a salary of barely 60,000 Syrian pounds (\$100) per month, including benefits.¹⁴² Entry-level jobs for university graduates yield less than half of that. UN estimates put the annual average per capita income in Syria at \$479.¹⁴³ The pay that conscripted soldiers receive (36,500 pounds per month, or \$65-75) almost looks generous in comparison, and while most Syrians dread conscription, it can nevertheless be a fallback for those who would otherwise have no income.¹⁴⁴

The flip side of the misery is the low cost of living, prompting some refugees in Lebanon to turn to a time-tested economic model: staying for work in Lebanon, while sending women and children to Syria, where basic items are cheap, and where public

types of land tenure. Women often find it difficult to assert property rights, for instance through inheritance, in particular if they lack a man's support. "Still Longing to Go Home in Safety and Dignity", UNHCR, op. cit. See also "Q&A: Syria's New Property Law", Human Rights Watch, May 2018.¹³⁸ Crisis Group interview, community leader from Qalamoun, Baalbek, July 2019. A Syrian refugee from Hama explained how the lack of public infrastructure makes people leave the area. Crisis Group interview, Tripoli, July 2019.

¹³⁹ There are no reliable recent unemployment statistics in Syria. A study by the Union of Arab Banks headquartered in Beirut estimated a level of 57.7 per cent in 2014. "Syria first in unemployment rates among Arab countries", Al-Arabi al-Jadid, 2 September 2015 (Arabic). In 2015, the Syrian Trade Union Federation estimated the unemployment rate at 40 per cent. "Unemployment increases to 40 percent", Alsouria, 26 May 2015 (Arabic). In 2017, the World Bank estimated the unemployment rate among youth for 2015 at 78 per cent. "The Toll of War: Economic and Social Impact Analysis of the Conflict in Syria", World Bank, 10 July 2017.

¹⁴⁰ "The Mobility of Displaced Syrians: An Economic and Social Analysis", World Bank, 6 February 2019.

¹⁴¹ Crisis Group Skype interview, Syrian expatriate, North Africa, May 2019.

¹⁴² Figures reflect prices and exchange rates throughout the first nine months of 2019. See fn 136.

¹⁴³ "The 2019 budget cannot increase the salary of employees by more than 250 lira [\$0.5]", Sham Times Agency, 26 November 2018 (Arabic).

¹⁴⁴ "The Syrian regime publishes details about the salaries of its officers and soldiers in its forces", Enab Baladi, 24 December 2018 (Arabic).

services such as education and health care are perhaps rudimentary but free.¹⁴⁵ Others are deterred by the prospect that sending their families home alone would leave them without male protection in a country where many areas remain unsafe. Men who stay behind can come on regular visits only if they have a valid residency card in Lebanon based on a guarantor, not refugee status, and if they are not wanted for military service or political reasons in Syria. These are conditions that apply only to a few.

For Syria in general, the economic outlook remains bleak.¹⁴⁶ Without political change in Damascus, or a change in the European or U.S. approach toward the Assad regime, Western sanctions will remain in place, ruling out major investment in labour-intensive sectors such as construction, industry, agriculture and services. High unemployment, intense destruction in many areas, low salaries, even lower growth prospects and dismal services combine to make a daunting uphill struggle the most likely scenario for the majority of returnees.

¹⁴⁵ In 2018, an adult Syrian refugee in Lebanon needed about \$90 per month to cover his or her minimum nutritional requirements. "Vulnerability Assessment of Syrian Refugees in Lebanon", op. cit., p. 4. According to the World Food Programme, a Syrian family of five living in Syria could meet that requirement by spending around 24,000 Syrian pounds, less than \$50, per month. "FAP/WFP Crop and Food Security Assessment Mission to the Syrian Arab Republic", World Food Programme, October 2018, pp. 27-28.

¹⁴⁶ "The men making a fortune from Syria's war", *Financial Times*, 3 October 2019; "War by other means. Syria's economic struggle", Synaps, 30 September 2019.

IV. A Two-pronged Approach

A. *International Support for Refugees and Host Communities*

Questions relating to refugee return to Syria are bound up with unresolved controversies about the country's political order, as well as with the personal assessments that refugees themselves make about their safety, security and economic prospects should they return.

The Syrian regime and its allies argue that the conflict is over, that it is safe to return and that it is time to rebuild the state, politically as well as physically.¹⁴⁷ According to this view, Western governments refuse to fund reconstruction and support return to Syria because they regard the regime as illegitimate. For this reason, returnee numbers remain low.¹⁴⁸ Conversely, the return of a substantial number of refugees would support the regime narrative that Syria today is back to being a normal country and that the majority of Syrians are prepared to live under the current government's rule.

Sceptics of this narrative – including Western governments – argue that it is the regime itself that deters return, and that returnees will not be safe as long as it remains in control and unreformed.¹⁴⁹ They cite the view of international humanitarian organisations, which tie the notion of “safe” return to a catalogue of conditions that the regime is unlikely even to discuss, such as safety guarantees for returnees and monitoring mechanisms to enforce them, and the delisting of male returnees from all forms of military service.¹⁵⁰ Some human rights organisations argue that because refugees are in many cases fleeing dire conditions when leaving Lebanon, their returns to Syria may not be truly “voluntary”, and do not indicate that the time is right to begin organised repatriations.¹⁵¹

¹⁴⁷ “Russia FM: Syria war is over, time to return it to ‘Arab family’”, Middle East Monitor, 13 September 2019.

¹⁴⁸ According to President al-Assad, “the sponsors of terrorism” are using the refugee issue to discredit the Syrian state. “Bashar Al-Assad calls on Syrian refugees to return to their own country”, Middle East Monitor, 19 February 2019. Russian Foreign Minister Sergei Lavrov said: “Russia has already helped the Syrian government create normal living conditions. [...] I believe that the West’s refusal at this stage to do the same and help Syrians reconstruct normal life conditions across the country, which would enable refugees to return calmly and confidently, is counterproductive and against the norms of international humanitarian law and human rights”. “Lavrov blasts West’s refusal to participate in Syria’s reconstruction”, TASS, 28 December 2018.

¹⁴⁹ See, for instance, Bruno Foucher and Georg Birgelen, “Future of Syrian refugees in Lebanon lies in Syria”, *The Daily Star*, 15 March 2019. Foucher and Birgelen are, respectively, the French and German ambassadors to Lebanon.

¹⁵⁰ See, for instance, “Syria Refugee Returns: A CAFOD and SCIAF Policy Position”, Catholic Agency for Overseas Development and Scottish Catholic International Aid Fund, October 2018.

¹⁵¹ Amnesty International has argued that the living conditions created by Lebanese government policies may in some cases amount to “constructive refoulement”. “Q&A: Why are returns of refugees from Lebanon to Syria premature”, Amnesty International, 12 June 2019. Some scholars have defined “constructive refoulement” as “a form of refoulement that occurs when host countries deliberately deny refugees and asylum seekers their economic, social and cultural rights in order to leave them with no choice but to return to their unsafe country of origin”. Vasja Badalič, “Rejected Syrians: Violations of the Principle of ‘Non-Refoulement’ in Turkey, Jordan and Lebanon”, *Dve domovini*, February 2019.

For the refugees themselves, however, the decision about whether to risk return is far removed from these politicised debates, and more about a concrete and very personal risk-benefit calculation. As discussed above, some refugees return at their own initiative and against many odds. Before taking this step, which is irreversible for most, they tend to engage in drawn-out deliberations, weighing their increasingly difficult situation in Lebanon against the risks that come with returning to Syria. Economic factors, in particular accessibility of property, play a significant role for refugees who feel confident about a safe return but remain of marginal importance for those who believe that return will put their lives in danger. As long as there is no improvement in the regime's brutal conduct toward its perceived opponents, and as long as it remains committed to reclaiming all Syrian territory by military means, it seems unlikely that either facilitation or money will turn the current trickle of returnees into a steady stream.

By the same token, slashing aid for refugees living in Lebanon and redirecting it to assist returnees in Syria is unlikely to speed up return, contrary to claims advanced by some Lebanese leaders.¹⁵² Indeed, the research conducted for this report indicates that access to aid barely figures in refugees' deliberations. Whether it might factor more heavily if donors were to significantly increase the volume of assistance delivered in Syria is not known.

That scenario, however, is unlikely in any case. The provision of aid in regime-controlled areas of Syria is mired in controversy, with the regime facing credible allegations that the restrictions it imposes on humanitarian organisations – which are, among other things, denied access to some communities in need and the obligation to partner with certain approved local organisations – are designed to allow Damascus to co-opt the assistance for its own purposes.¹⁵³ Even if concerns over returnees' safety could be resolved, donor countries and organisations are unlikely to expand or redirect their assistance activities – however great the need – unless the Syrian government can address these legitimate concerns.

Crisis Group has elsewhere proposed that European countries consider breaking out of this conundrum by starting to provide funds for small-scale rehabilitation projects in regime-held areas that could help prevent the collapse of essential public services – eg, not just repairing the broken windows of hospitals or schools, as some EU member states are doing, but also rebuilding collapsed walls and roofs – on the condition that they are allowed to deliver funds independently, without regime interference.¹⁵⁴ But even if they do so, and Damascus cooperates, it will take time for the parties to build confidence, and it is hard to see donors feeling comfortable with full-scale reconstruction funding any time soon.

In the meantime, Beirut should be working with donors to improve conditions both for the Syrian refugees who are likely to be in the country for years to come and for the Lebanese with whom they are living side by side. While there are both humani-

¹⁵² Crisis Group interviews, Kataib and Lebanese Forces officials, November 2018. Also see “Thousands of Syrian refugees could be sent back, says Lebanese minister”, *The Guardian*, 15 June 2019.

¹⁵³ “Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria”, Human Rights Watch, 28 June 2019.

¹⁵⁴ Crisis Group Middle East Report N°209, *Ways out of Europe's Syria Reconstruction Conundrum*, 25 November 2019.

tarian and human rights reasons to move in this direction, there are also reasons of self-interest.

For example, if Beirut appears to be creating (or tolerating) conditions hostile to refugees in order to force them to return regardless of credible security concerns, it may end up jeopardising the funding for the humanitarian refugee response that, through investments in infrastructure and other projects, has created thousands of jobs for Lebanese as well as Syrians. Moreover, Beirut should be conscious of the role that Syrian workers have come to play in the nation's economy, and the consequences of driving them precipitously out of it. As noted above, many employers who now rely on cheap Syrian labour might well go out of business unless they can bear the costs of operating illegally (with the bribes and fines that entails) or switching to more expensive Lebanese labour.

Rather than making it more difficult for refugees to work, Beirut should turn this approach on its head, and instead regularise the already existing employment of Syrian refugees. Facilitating access to work permits for Syrian refugees while enforcing the collection of reasonable fees for such hires can help address domestic equity concerns. Refugees should also have legal avenues for self-employment and small business formation.¹⁵⁵ Such an approach can make refugees a source of state revenue, protect them against potential harassment by public officials and exploitation by unethical employers, and provide legal safeguards in line with existing bilateral agreements with Damascus. Importantly, these steps will help create a verifiable set of refugee employment indicators against which the Lebanese government can negotiate increased international support to stabilise its economy. Perhaps counterintuitively, legalising the work of Syrian refugees may also increase returns: workers who are legal in Lebanon and not wanted by the security agencies or for military service in Syria would be able to cross the border for short visits on a regular basis, making the difficult but economically plausible decision to let women and children go back alone, discussed above, appear more viable. The Syrian government, in turn, could help along such trends by exempting those who obtain legal work in Lebanon from reserve military service, thus increasing remittances of sorely needed hard currency.

Of course, notwithstanding its benefits, legalising the work of Syrian refugees will almost certainly be a difficult sell to the Lebanese public, which is straining under high unemployment and the loss of purchasing power amid a crushing fiscal crisis. Here, donors may be able to help, looking to recent precedents for strategic cooperation between external donors and host countries that create situations benefiting both refugees and host populations. For instance, as a result of the Jordan Compact, announced at the February 2016 Syria Conference in London, the Jordanian government agreed to accommodate 200,000 Syrian refugees in its labour market in return for improved access to the European market, increased investment and loans on concessional terms.¹⁵⁶

¹⁵⁵ See, for instance, "The Plumber: An Unexpected Path", International Rescue Committee (IRC), 28 September 2016.

¹⁵⁶ "The Jordan Compact: Lessons Learnt and Implications for Future Refugee Compacts", International Economic Development Group, February 2018; "Still in Search of Work: Creating Jobs for Syrian Refugees: An Update on the Jordan Compact", IRC, April 2018; "The Jordan Compact: Three Years on, Where Do We Stand?", Center for Global Development, 11 March 2019.

Subsequent trade agreements granted Jordanian manufacturers preferential access to European markets, provided that Syrian refugees account for 15 per cent of their work force, increasing to 25 per cent in the third year. International organisations such as the International Labour Organization (ILO), with funding from European governments, support job creation and labour market regulation in the service of implementing these arrangements.¹⁵⁷ Other foreign-funded projects in Jordan include labour-intensive upgrades for infrastructure in downtrodden areas, to which most refugees gravitate, with the declared objective of providing work and improved living conditions for both refugees and host communities.¹⁵⁸ Such projects are also carried out in Lebanon, albeit on a much smaller scale, mostly due to the political sensitivity surrounding the refugee issue.¹⁵⁹ An ILO representative at the organisation's Beirut office said:

The infrastructure in these areas where most of the refugees live is in bad shape, and the state does not have money to fix it. Hence, on the local level, community leaders and mayors welcome our initiatives. They want these infrastructural improvements and these jobs for their communities, and they realize that the refugees are the reason why these projects are happening. Once you take out the politics, it is just plain obvious that it is a win-win situation for everybody.¹⁶⁰

To mitigate the likelihood of increasing public hostility toward Syrian refugees, international donors should embrace a pragmatic approach to their assistance in Lebanon that builds on the experience of the Jordan Compact. By supporting highly visible, labour-intensive projects that benefit communities hosting large refugee concentrations, donors can proactively lessen local tensions that political forces might otherwise exploit. Simultaneously, donors should negotiate a results-based program of macro-economic support for the Lebanese economy that includes debt refinancing, investment and trade preferences linked to verifiable indicators of refugee employment, providing a clear case for political action.

B. *Facilitating Safe Return*

Although the vast majority of Syrian refugees are unlikely to return any time soon, a small number will likely continue to trickle back, and there are supportive steps Lebanese policymakers could take that might help numbers to rise gradually as and when conditions in Syria improve. If done responsibly, further facilitating voluntary returns could over time both broaden options for the refugees themselves and allow a growing number of Lebanese to see that some refugees are already heading home, which may contribute to a reduction in tensions between refugees and locals.

¹⁵⁷ "Decent Jobs for Jordanians and Syrian Refugees in the Manufacturing Sector", ILO, 2019.

¹⁵⁸ "Employment through Labour Intensive Infrastructure in Jordan", ILO, 2019.

¹⁵⁹ For instance, the council of ministers issued a decree in January 2020 to implement an agreement with the French development agency AFD, originally signed in May 2018, for rural reforestation and capacity building with a budget of 15 million euros. The agreement stipulated that at least 50 per cent of the jobs thus created should go to refugees. "French donation reveals the policy of the state: no return of the refugees for four years", *Al-Akhbar*, 1 February 2020 (Arabic).

¹⁶⁰ Crisis Group messaging app interview, November 2019.

For those refugees whose residency permit in Lebanon is tied to their UNHCR registration (unlike those who obtain it through a Lebanese guarantor), or who have no valid residency status at all, crossing the border to return home is a decision that is often irreversible, as the Lebanese authorities will not readmit them. For many, this decision amounts to a dangerous gamble. Given the fragmentation of Syria and significant differences between localities, reliable information about the viability of return to a specific area is often difficult to come by. Facilitating short “go and see” visits that allow refugees to explore the conditions back home, for instance by issuing temporary passes that allow refugees to cross into Syria and return, may encourage exploration of this possibility by some who are deterred by the prospect of travelling with their family down a one-way street into the unknown.¹⁶¹

There are other steps that Lebanese authorities could also usefully take. At present, the high ratio of refugees without legal residency status goes beyond creating hardship for refugees and headaches for their hosts; some of its side effects may even work against return. As noted above, the lack of legal residency results in back fees and fines for overstaying. When refugees leave they are required to pay those arrears, which can make returning prohibitively expensive, or face a re-entry ban that is often permanent, if they are unable to produce the money. Waiving these fees without imposing re-entry bans on those who cannot pay would remove a deterrent for refugees who hope to return to Lebanon at some point or who do not want to lose the option to visit the country.

The Syrian government, in turn, could help along return by reducing the number of men called up for reserve duty. For those who are not exempted, guaranteeing a grace period of several months for returnees before calling them up for service would give male heads of household precious extra time to stabilise their dependents' situation upon return; a renewal of the amnesty for deserters and draft dodgers that expired in April 2019 would also remove a major deterrent.¹⁶² That said, the fear of being targeted by the regime's security agencies even after clearance and a subsequent safe crossing; of conscription into an army that may yet fight new rounds of war; and of arbitrary practices by pro-regime militias will continue to serve as a major deterrent as long as the regime uses primarily security and military approaches in its quest to regain control over all of Syria.

¹⁶¹ According to a 2018 UNHCR survey, “41% of refugees not considering a return within the coming 12 months found it imperative to go back to Syria for a go and see visit”. “Fourth Regional Survey on Syrian Refugees' Perceptions and Intentions on Return to Syria (RIPS)”, UNHCR, July 2018. According to the 2019 update, “50% suggested that they would consider sending one family member to assess the situation before the household returns”. “Still Longing to Go Home in Safety and Dignity”, UNHCR, op. cit., p. 15. Some refugees improvise their own solution for the “go and see” visit. A humanitarian agency researcher based in the Beqaa said: “Families try to acquire a residence permit for one of their members. They borrow money, invest their savings, whatever they can. The important thing is to get the permit through a Lebanese guarantor. Usually, they choose a female member because women have less chance of security problems [in Syria]. So then she goes, checks the situation, gathers information and comes back. Based on what she saw and heard, the family takes a decision to return or not”. Crisis Group Skype interview, March 2019.

¹⁶² Such grace periods were previously a regular part of “reconciliation agreements” between Syrian rebels and the regime but are not applied consistently for returnees. Crisis Group interview, Syrian official, Beirut, July 2019. “Still Longing to Go Home in Safety and Dignity”, UNHCR, op. cit.

V. Conclusion

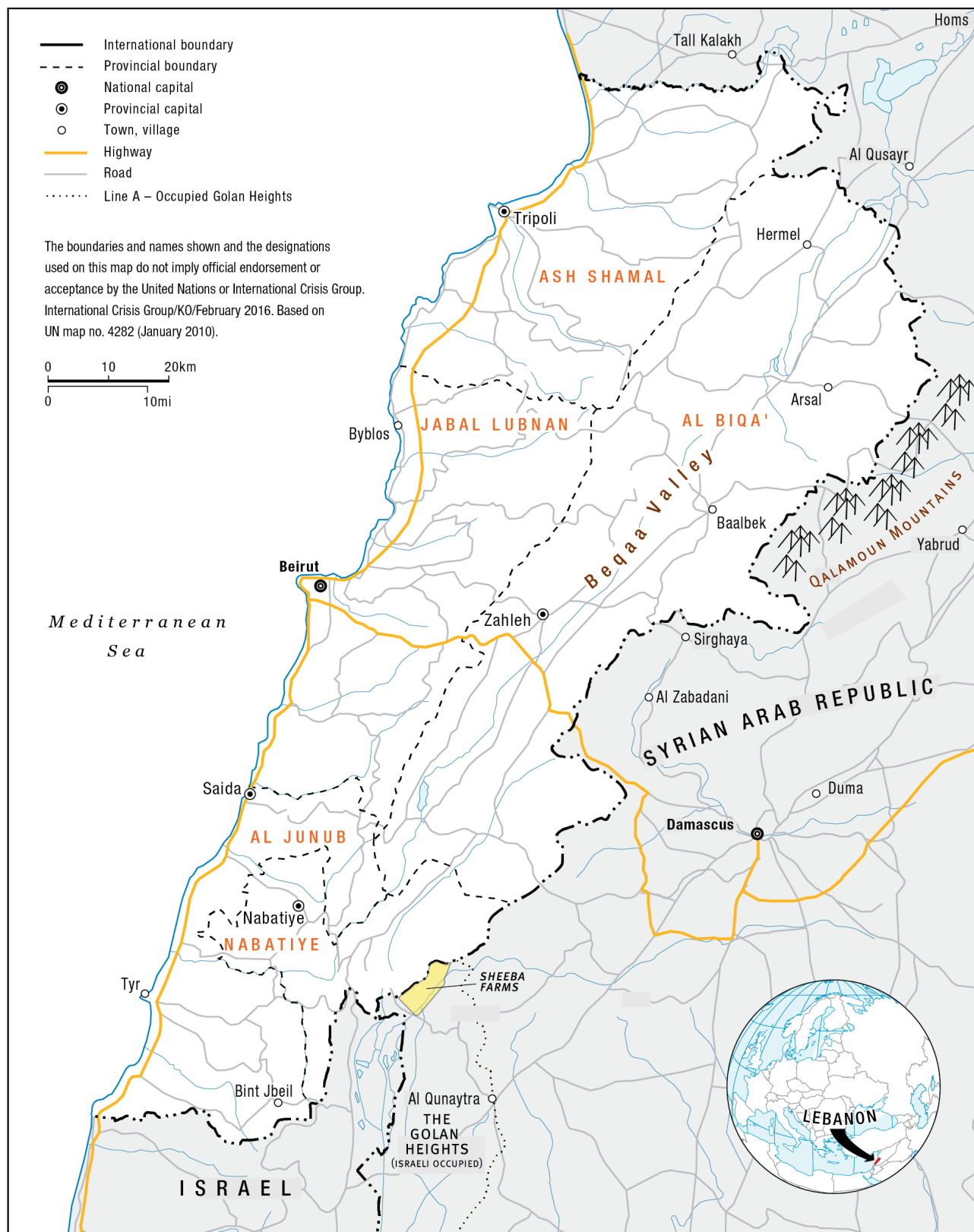
Small numbers of Syrian refugees are returning home from Lebanon, but their returns are too few to significantly ease what has become a very tense dynamic between refugees and their hosts. Moreover, neither economic hardship nor growing tension with Lebanese has given much extra momentum to repatriation: most refugees are still deterred by security conditions in Syria, in particular the threats of conscription and arbitrary arrest. This situation appears unlikely to change as long as the Assad regime rules as it does.

Damascus holds the key that can unlock the mass repatriation that both it and Beirut would like to see. How quickly returns proceed depends largely on questions under the Assad regime's control, including among other things: how many refugees it resolves to clear; how it treats those who come back; to what extent it allows foreign humanitarian organisations independent access to returnees and provides for the accountability of local organisations and institutions implementing foreign-funded assistance; and whether it will move toward national and social reconciliation rather than imposing control by force.

Until answers satisfactory to refugees and to some extent donors begin to emerge, many refugees will for the medium or long term continue to assess that they have no better option than to stay in Lebanon. Donor organisations, governments wishing to assist Lebanon, and Lebanese leaders need to face this reality and muster support that can help to gird both the refugees and their Lebanese neighbours for the lengthy period of co-existence that almost certainly lies ahead.

Beirut/Brussels, 13 February 2020

Appendix A: Map of Lebanon



Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Algiers, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Hong Kong, Jerusalem, Johannesburg, Juba, Mexico City, New Delhi, Rabat, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

Crisis Group receives financial support from a wide range of governments, foundations, and private sources. Currently Crisis Group holds relationships with the following governmental departments and agencies: Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Union Emergency Trust Fund for Africa, European Union Instrument contributing to Stability and Peace, French Development Agency, French Ministry of Europe and Foreign Affairs, German Federal Foreign Office, Global Affairs Canada, Irish Aid, Iceland Ministry for Foreign Affairs, Japan International Cooperation Agency, Principality of Liechtenstein, Luxembourg Ministry of Foreign and European Affairs, New Zealand Ministry of Foreign Affairs and Trade, Norwegian Ministry of Foreign Affairs, Qatar Ministry of Foreign Affairs, Swedish Ministry of Foreign Affairs, the Swiss Federal Department of Foreign Affairs, the UK Department for International Development, and the United Arab Emirates Ministry of Foreign Affairs and International Cooperation.

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Council of Despair? The Fragmentation of UN Diplomacy, Special Briefing N°1, 30 April 2019.

Seven Opportunities for the UN in 2019-2020, Special Briefing N°2, 12 September 2019.

Seven Priorities for the New EU High Representative, Special Briefing N°3, 12 December 2019.

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Israel, Hizbollah and Iran: Preventing Another War in Syria, Middle East Report N°182, 8 February 2018 (also available in Arabic).

Averting War in Gaza, Middle East Briefing N°60, 20 July 2018 (also available in Arabic).

Rebuilding the Gaza Ceasefire, Middle East Report N°191, 16 November 2018 (also available in Arabic).

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Hizbollah's Syria Conundrum, Middle East Report N°175, 14 March 2017 (also available in Arabic and Farsi).

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