

# THE RISKS AND PERILS OF AN EU-LEBANON MIGRATION DEAL

**BRIEFING  
PAPER**

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## EXECUTIVE SUMMARY

In recent months Cyprus, together with the Government of Lebanon, has advocated for an **EU-Lebanon migration deal** under which the EU would reportedly 1) Provide additional financial support to Lebanese security agencies to prevent people from trying to reach Cyprus' shores; and/or 2) Declare (parts of) Syria as safe to return to and/or 3) Expand return assistance programming to “safe areas” inside Syria in order to incentivize refugee returns.

This policy note argues strongly against an EU-Lebanon migration deal with these objectives, as it would:

1. **Not be grounded in reality:** Simply declaring or wishing an area to be safe for return does not make it actually safe. Recent reports by the United Nations (UN), the UN High Commissioner for Refugees (UNHCR), the UN Commission of Inquiry for the Syrian Arab Republic (UN COI), the UN Office of the High Commissioner for Human Rights (OHCHR) and the European Union Asylum Agency (EUAA) do not provide a factual basis for the claim that Syria, or parts of the country, have become safe for return. To the contrary: in recent months Syria has experienced the worst escalation in violence since 2020, while it has been widely documented how refugee returnees are specifically targeted by the Syrian government. According to the UN, Syrian returnees are subjected to gross human rights violations and abuses upon their return to Syria, including arbitrary arrest, detention, torture and ill-treatment. Moreover, a European Commission decision to declare (parts of) Syria as safe for return would run directly counter to a European parliament resolution adopted in February 2024, raising strong concerns about the democratic nature of any such decision.

Providing additional financial support to Area-Based Return Support (ABRS) projects, at a time when conditions for safe return do not exist, would also present significant protection and human rights risks to hundreds of thousands of displaced Syrians. It would further embolden host country governments to forcibly deport Syrian refugees back to Syria, utilizing the existence of so-called “UN-designated safe zones” as a pretext to send back more refugees, which in its turn would likely lead to an increase in the number of “irregular migration” movements from Lebanon to Europe. Furthermore, increased ABRS support would directly contradict and undermine key elements and principles outlined in UNHCR’s own “Comprehensive Protection and Solutions Strategy” around refugee return to Syria.

2. **Make the European Union complicit in violations of the customary international law principle of non-refoulement:** Since 2019 Lebanon has implemented a non-readmission policy for Syrians forcibly returned from Cyprus. Lebanon has frequently applied a chain-refoulement policy, directly deporting Syrian who returned from Cyprus to Syria. Providing further direct support to actors involved in such blatant violations of the *non-refoulement* principle would make the EU, as a whole, directly complicit into these violations. In recent months, the Lebanese army has also stepped up its efforts to immediately deport Syrians who are either arrested while trying to leave Lebanon by boat, or who are intercepted on a boat heading towards Europe.
3. **Be counterproductive:** Providing financial support to Lebanese security agencies, under the guise of “migration management” and the stated aim to curb migration movements to Europe, could actually result in an increased number of Syrians who try to reach Europe’s shores, more refugees drowning in the Mediterranean Sea and an intensification of the

activities of smuggling networks. Rather than strengthening key drivers of irregular migration (as Lebanese security agencies are directly responsible for one of the main drivers of irregular migration movements of Syrians towards Europe, the enhanced risk of forced deportations), the EU and EU member states should conduct an enhanced human rights due diligence assessment of any funding to Lebanese security actors and review funding practices accordingly.

Moreover, in a context where caretaker Lebanese Prime Minister Mikati has declared that “*most of the Syrians in Lebanon*” will be “*deported when the international community recognizes*” the existence of safe zones in Syria, an EU statement that would declare (parts of) Syria as safe for return would likely trigger increased onward migration movements of Syrian refugees, including to EU countries, as they would want to avoid forced return to Syria at all costs.

4. **Not provide any long-term solution:** An EU-Lebanon migration deal would likely strengthen an ongoing dynamic of “re-returns”<sup>1</sup>, in which Syrians who return/are deported to Syria find themselves in a situation where conditions for safe return are not in place, as a result of which they flee Syria again. However, as neighboring host countries have adopted stricter policies in recent years, such “re-returnees” would find themselves in an even worse situation than before they returned to Syria, and would be more vulnerable to find themselves at the whims of human smugglers, legal vulnerabilities, and increased poverty. And even if Lebanon were to “successfully” close off its borders with Syria, migration movements would most likely re-orientate themselves to the border with Türkiye and/or other countries.

Highlighting the many risks and perils of the (potential) deal that is reportedly being discussed between the EU and Lebanon does, however, **not mean that any agreement between the EU and Lebanon is necessarily a bad development**. To the contrary, given the rapidly deteriorating human rights, protection and human rights situation in Lebanon, a deal between the EU and Lebanon is long overdue. Such EU-Lebanon cooperation should however be grounded in a “durable solutions” framework. As such, this paper calls upon the EU and EU member states to:

- > **Initiate negotiations with the Government of Lebanon to adopt a joint “EU-Lebanon Durable Solutions Statement”** aimed at protecting Syrian refugees in Lebanon. These talks should center on a moratorium on summary deportations and an increase in the number of temporary legal residencies and work permits for Syrian refugees residing in Lebanon. In return, the EU should commit to providing additional funding to support vulnerable Lebanese host communities, resettling additional numbers of Syrian refugees to Europe, and holding discussions on enhancing Lebanon’s export potential and providing other economic incentives and benefits.
- > Urge UNHCR to set up a structural and international mechanism to **monitor where and when conditions become or stop being conducive for safe, voluntary and dignified return to Syria**, and request that the UN Commission of Inquiry for the Syrian Arab Republic publish regular reports on the conditions for safe, voluntary and dignified return to Syria. As long as there is no structural and international mechanism that confirms that conditions inside Syria are conducive for safe, voluntary and dignified return, the EU and EU member states should urge refugee hosting governments to refrain from deporting Syrian refugees, and make clear that non-adherence to the *non-refoulement* principle will have concrete consequences.



- > **Ensure enhanced, predictable, flexible and multi-annual humanitarian, development and peacebuilding funding to refugees from Syria and host communities**, taking into account the 2019 OECD DAC recommendation regarding the “triple nexus” and ensuring meaningful participation of refugees and Refugee-Led Organizations (RLOs) in the design, implementation and evaluation of programs and projects, in line with the principle of “Accountability to Affected Populations” (AAP).
- > **End illegal pushbacks from EU member states (such as Cyprus) to Lebanon and end the suspension of asylum procedures for Syrians**. The EU should also support the Cypriot government to ensure reception, protection and relocation for refugees arriving to the island.

## 1. CONTEXT

Thirteen years after the start of the Syrian revolution (2011), **Syria remains the world’s largest refugee crisis**. According to UNHCR numbers, by the end of 2023 about 6.5 million Syrian officially registered refugees were living outside Syria’s borders. Syrian refugees make up one-fifth of the global refugee population. An additional 6.7 million people are internally displaced within Syria. More than half of the Syrian population is still fleeing war and persecution. According to UNHCR data, as of 31 December 2023 there are 784.884 registered Syrian refugees in Lebanon. In reality, the number of Syrian refugees living in Lebanon is estimated at 1.5 million. This means that Lebanon remains the country hosting the largest number of refugees per capita worldwide.<sup>2</sup>

Faced with a total lack of “durable solutions” (i.e. safe, voluntary and dignified return; protection and local integration in the region; and resettlement or other legal pathways to third countries), **displaced Syrians have increasingly tried to flee Syria and its neighbouring countries, with a variety of new irregular migration routes forming from the region towards Europe**. While attempting to flee the region, they once again face state violence and human rights violations.

Data from the European Union Asylum Agency (EUAA) show that **Syrians are the number one nationality among the people applying for asylum in the EU throughout 2023**. Out of the 1,14 million asylum applications in 2023, 181.000 Syrians lodged an application, which represents a 38% increase when compared to 2022.<sup>3</sup> This trend continued into the first month of 2024, when the EU Asylum Agency recorded 94.000 asylum applications and Syrians continued to lodge the most applications (15% of all applications).<sup>4</sup> A similar picture emerged in Frontex’s 2023 data on “irregular crossings”. Syrians accounted for over 100.000 irregular crossings last year, the highest number among all nationalities.<sup>5</sup>

As per EUAA 2023 data, within the EU **Cyprus** is the member state that received the **highest number of asylum applications per capita** (1 application per 78 inhabitants).<sup>6</sup> The small island received 6.231 asylum applications from Syrian nationals in 2023. According to Cypriot authorities, in the first 3 months of 2024 over 2.000 people (the vast majority Syrian nationals) arrived by boat in Cyprus.<sup>7</sup>

Against this background, as well as escalating violence and hate speech against Syrians since March 2024 and a massive increase in the number of forced deportations since 2023<sup>8</sup>, in recent months there has been increasing pressure from Cyprus and the Government of Lebanon (GoL) on the European Commission to revise key parts of its long-stated policy on Syrian refugees and conditions for safe, voluntary and dignified return inside Syria. Recent developments include:

- > **12 February 2024:** Cypriot President Nikos Christodoulides stated that the EU should designate specific areas within Syria as “safe zones”, and that Cyprus will initiate such discussion with like-minded member states within the European Union.<sup>9</sup>
- > **22 March 2024:** European Commissioner for “Promoting the European Way of Life”, Margaritis Schinas, suggested that the EU could strike a migration deal with Lebanon along the same lines of the EU-Egypt deal that was signed on 17 March.<sup>10</sup>
- > **2 April 2024:** Cypriot President Christodoulides stated that he had requested European Commission President Ursula von Der Leyen to demand that Lebanon would step up efforts to prevent Syrian refugees from crossing the Mediterranean towards Cyprus. According to Christodoulides, EU financial aid for Lebanon (both for Lebanese host communities and Syrian refugees) should be conditioned to Lebanon preventing refugees and migrants to reach Cyprus.<sup>11</sup>
- > **2 April 2024:** Lebanese Minister for Social Affairs Hector Hajjar presented a new plan to the Lebanese government, which foresees to conduct a “*comprehensive survey*” of Syrians living in Lebanon in order to “*determine who meets the status of displaced or not*”. Under this proposal Syrians who would not meet such criteria would be sent back to Syria or be resettled to a third country.<sup>12</sup> It should be noted that, given that an estimated 83% of the 1.5 million Syrians in Lebanon do not hold legal residency, this means that over 1.2 million Syrians could be at immediate risk of deportation.<sup>13</sup>
- > **8 April 2024:** Lebanese Caretaker Prime Minister Mikati and Cypriot President Christodoulides called on the European Union to provide financial support to the Lebanese army and security agencies, to support the latter in stopping refugees and migrants from reaching European shores. Mikati explicitly hinted at a “framework agreement” similar to the EU-Egypt and EU-Tunisia deals and claimed that most of Syria has become safe for return. The caretaker Prime Minister called on the EU to either support the return of Syrian refugees or resettle them to other countries outside the region. Christodoulides also advocated for a EU-Lebanon migration deal, re-iterated Cyprus’ claim that parts of Syria have become safe to return to and that most Syrian refugees in Lebanon are economic migrants, and called on the EU and other international actors to fund “*development projects in Syria that would help incentivize or motivate their return.*”<sup>14</sup>
- > **11 April 2024:** Danish Immigration Minister Bek and Czech Interior Minister Rakušan expressed support to Cyprus’ proposals regarding a revision of the EU’s Syria policy and endorsed the idea of a joint Cyprus-Czech Republic “fact-finding mission” to Syria, as a first step to designate specific “safe areas” for return inside Syria.<sup>15</sup>
- > **13 April 2024:** Lebanon’s caretaker Prime Minister Mikati publicly stated that “*most of the Syrians in Lebanon*” will be “*deported when the international community recognises*” the existence of safe zones in Syria. Mikati added that “*we will respect the rights of those who have residence and work permits just as we respect any Arab citizen.*”<sup>16</sup>
- > **14 April 2024:** The Cypriot government announced that it will suspend the processing of asylum applications from Syria, in an attempt to increase pressure on the EU to redesignate parts of Syria as “safe zones”. A government spokesperson also stated that President Christodoulides and European Commission President von Der Leyen have been discussing a reinforced economic aid package for Lebanon, and that preparations are underway for a joint visit to Lebanon.<sup>17</sup>
- > **17 April 2024:** The Cypriot government stopped several boats with Syrian refugees fleeing Lebanon, just outside Lebanese waters, leaving them trapped at sea for several days, without food and water. UNHCR urged Cyprus to end these practices and respect human rights law.<sup>18</sup>
- > **17 April 2024:** The European Council adopted conclusions in which it stated the EU remains committed to “*strengthening its support to the Lebanese Armed Forces.*” The Council also

“reaffirmed” the “need to achieve conditions for safe, voluntary and dignified returns of Syrian refugees, as defined by UNHCR”, while also inviting High Representative for Foreign Affairs Borrell and the European Commission to “review and enhance the effectiveness of EU assistance to Syrian refugees and displaced persons in Syria and in the region”. Finally, the European Council also called on “all donors to maintain or increase their level of assistance” to displaced Syrians.<sup>19</sup>

- **22 April 2024:** During a meeting with European Commissioner for Neighbourhood and Enlargement Olivér Várhelyi, caretaker Lebanese Prime Minister Mikati said that EU aid to Syrian refugees in Lebanon “should be directed towards their repatriation.”<sup>20</sup>

## 2. SYRIA IS NOT YET SAFE FOR RETURN

Simply declaring or wishing an area to be safe for return does not actually make it safe. Recent reports by the United Nations, the UN High Commissioner for Refugees (UNHCR), the UN Commission of Inquiry for the Syrian Arab Republic (UN COI), the UN Office of the High Commissioner for Human Rights (OHCHR) and the European Union Asylum Agency (EUAA) do not provide a factual basis for the claim that Syria, or parts of the country, have become safe for return. On the contrary: in recent months Syria has experienced the worst escalation in violence since 2020, while it has been widely documented how refugee returnees are specifically targeted by the Syrian government:

- In the 2024 Humanitarian Needs Overview (HNO), published by the **United Nations** in March 2024, it is explicitly stated that “the situation in Syria continues to be volatile and not conducive to safe and dignified return.”<sup>21</sup> The HNO also assesses the risk of increased hostilities and regional spillover on Syria as “likely”, which would have a “critical” (the highest scale) impact.<sup>22</sup> In a similar vein, UNHCR Syria’s Operational Update for the period February-March 2024 (published in April 2024) also warns that the “security situation in the country is becoming unpredictable due to the current regional tension impacting relatively stable areas.”<sup>23</sup>
- In February 2024, the **Office of the United Nations High Commissioner for Human Rights (OHCHR)** issued a report in which it stated that “there are reasonable grounds to believe that the overall conditions in Syria do not permit safe, dignified and sustainable returns of Syrian refugees to their home country.” The report documented how refugee returnees have been systematically targeted after their return, and found that most refugee returnees have fled Syria again after their return.<sup>24</sup>
- In a report issued in March 2024, the **United Nations Commission of Inquiry for the Syrian Arab Republic (UN COI)** documented how since October 2023 Syria has been experiencing a wave of violence not seen since 2020. In line with previous UN COI reports, the report confirmed that “over 13 million Syrians (are) unable to return to their homes.”<sup>25</sup> In a report previously issued in 2023, the UN COI stated that “it remains abundantly clear that Syria is still not a safe place to return to.”<sup>26</sup>
- In its most recent “International Protection Considerations with Regard to People Fleeing the Syrian Arab Republic” (March 2021), the **United Nations High Commissioner for Refugees (UNHCR)** stated that it “continues to characterize the flight of civilians from Syria as a refugee movement, with the vast majority of Syrian asylum-seekers continuing to be in need of international refugee protection, fulfilling the requirements of the refugee definition contained in Article 1A(2) of the 1951 Convention.” UNHCR further added that “a particular feature of the conflict in Syria is that different parties to the conflict frequently impute a political opinion to larger groups of people, including families, tribes, religious or ethnic groups, or whole towns, villages or neighbourhoods,

*by association. As such, members of a larger entity, without individually being singled out, may become the target of repercussions by different actors for reason of real or perceived support to another party to the conflict. The perception of sharing a political opinion or affiliation in relation to the conflict is often based on little more than an individual's physical presence in a particular area (or the fact that he/she originates from a particular area), or his/her ethnic or religious background. In those situations, the risk of being harmed is serious and real, and in no way diminished by the fact that the person concerned may not be targeted on an individual basis."*

- Directly refuting claims being made by Cyprus and other EU member states, UNHCR explicitly concludes that *"changes in the objective circumstances in Syria, including relative security improvements in parts of the territory, are not of a fundamental, stable and durable character so as to warrant cessation of refugee status."*<sup>27</sup>
- In its updated "Country Guidance" on Syria (April 2024), the **European Union Asylum Agency (EUAA)** (again) identified a wide array of specific profiles who have a well-founded fear of persecution and can continue to claim refugee status. These include, among others, persons *perceived* to be opposing the Syrian government (including persons who have ever expressed criticism towards the regime or persons who took part in protests); civilians originating from areas associated with opposition to the government; persons who evaded or deserted military service; members of and persons perceived to be collaborating with the Syrian Democratic Forces (SDF) in areas where the Syrian National Army (SNA) operates; and Kurds from areas under the control of the Syrian National Army (SNA).<sup>28</sup>
- When assessing the likelihood of "indiscriminate violence"<sup>29</sup> (covering the period until 30 November 2023), the EUAA Country Guidance found that high or substantive levels of indiscriminate violence continue to persist in the governorates of Aleppo, Dar'a, Deir Ez-Zor, Hasaka, Idlib, Hama, Homs, Latakia, Quneitra, Raqqa, Rural Damascus and Sweida. Although the EUAA Guidance did not identify a *general* risk of indiscriminate violence in the governorates of Damascus and Tartous, it did explicitly warn that people returning there could still face a well-founded fear of persecution (see above), and that the situation in areas such as Damascus is such that sending people there who were not at risk of persecution would be reasonable *"only in exceptional cases."*<sup>30</sup>

In addition, the EUAA assessment confirmed that the simple fact of being a returnee can often result in deliberate targeting by the Syrian government:

*"Several reports documented violations against returnees based on interviews with returnees and their relatives, namely unlawful or arbitrary detention, torture and other ill-treatment, including rape and sexual violence, and enforced disappearance (...) According to multiple sources, obtaining a security clearance would by no means guarantee a safe return to Syria, and the Syrian authorities continued to arrest, (temporarily) detain, interrogate, torture and/or prosecute returnees in terrorism courts upon return. (...) According to another source, nearly half (48 %) of the interviewed returnees to GoS areas reported that they or a family member had experienced 'persecution' due to having left Syria illegally, for having applied for asylum abroad or because of their area of origin (...) Returnees from abroad (have been) arrested for a variety of reasons, most frequently on broad accusations of 'terrorism', often based on the claim that a relative was affiliated with the political or armed opposition, because the returnee originated from an area previously held by the opposition, for their alleged participation in protests or political opposition groups in the early days of the Syrian uprising, or for purportedly criticising Syria. There were also cases of returnees being arrested for the purpose of exacting bribes in exchange for their release."*<sup>31</sup>



- > In a resolution adopted in February 2024, the **European Parliament** “recalled that Syria cannot be regarded, in whole or in part, as a safe country for the return of Syrian nationals living as refugees and asylum seekers in Europe and around the world”. In the same resolution, the European Parliament also specifically “reiterate(d) to host countries, such as Türkiye, Lebanon, Jordan, Iraq and Egypt, that Syria is not a safe country, neither in whole nor in part, and that Syrian nationals can therefore not return safely.”<sup>32</sup>

Moreover, significantly scaling up return assistance - in the form of additional support to the existing “Area-Based Return Support” (ABRS) approach - at a time when conditions for safe return do not exist, would present significant protection and human rights risks to hundreds of thousands of displaced Syrians.<sup>33</sup> It would further embolden host country governments to forcibly deport Syrian refugees back to Syria, utilizing the existence of so-called “UN-designated safe zones” (sic) as a pretext to send back more refugees, which in turn could lead to an increase in the number of “irregular migration” movements from Lebanon to Europe. Furthermore, increased ABRS support would directly contradict and undermine key elements and principles outlined in UNHCR’s “Comprehensive Protection and Solutions Strategy” (CPSS) around refugee return to Syria.<sup>34</sup>

In this Strategy, UNHCR has outlined three criteria that need to be met inside Syria before UNHCR could start large-scale return assistance programming inside Syria. These conditions include 1) The existence of legal frameworks, guaranteeing rights of returnees and unhindered access to them as well as return areas, 2) Clear evidence that a list of 22 “protection thresholds” are being met in the place of return, and 3) Refugees actively requesting support from UNHCR to return, “*in large numbers*”. None of these conditions are currently met. The UNHCR strategy also stated explicitly that return planning “*should be based on an objective assessment of conditions in return areas*”, and that UNHCR has the “*responsibility*” to provide “*up-to-date and objective information to refugees and the international community on conditions in these areas, including determining whether conditions meet protection thresholds*.”<sup>35</sup>

It is also important to emphasise that the absence of a suitable environment for return does not preclude a focus on Early Recovery and Livelihoods (ERL) / “Humanitarian Early Recovery” work, but this should be decoupled from returns until the basic thresholds, and protection monitoring infrastructure is in place. A focus on securing space to monitor conditions, and undertake protection monitoring of returnees, should be the focus for returns work at this time. In parallel, donors could consider increasing their support for Early Recovery efforts inside Syria which focus on areas with the highest *needs*, rather than following a *status*-based approach.

## TESTIMONIES

### OMAR\* BEIRUT

A Syrian young man from the countryside around Aleppo who was arrested and deported in late April 2023 during a large-scale "security campaign" by the Lebanese army.



*They came knocking at the door at 4am. When I did not open they banged the door and asked for my residence papers, which I do not have. Along with 10 other residents of my apartment building, we were handcuffed and blindfolded. After a heavy-handed interrogation in a nearby army base, with no procedures or access to a lawyer, they took us to the Wadi Khaled border crossing. Where the soldiers handed us over directly to the smugglers."*



*That's when the bazaar started. First the smugglers bribe the soldiers, then we had to negotiate the price with them ourselves to be smuggled back into Lebanon. In the end, we were able to bring the price down to \$150 per person. They took us to a flat nearby, where we had to wait for the rest of the day. As soon as it got dark, they put us in a car, which speeded through the fields. Then we had to run again for a bit, and were picked up by another car. By the next morning, I was back in Beirut. But since then I have lived in constant fear of being arrested and deported again."*



*Of course I am considering fleeing to Europe. I know many people who have already tried, via boat to Cyprus. Or via Libya, and from there jump on a boat towards Italy. If I get the chance to go to Europe, I won't hesitate for a second. Here in Lebanon, there is the constant fear of being deported, while Syria is still unsafe and I would immediately be conscripted into the Syrian army."*



### 3. PROVIDING SUPPORT TO LEBANESE SECURITY FORCES WOULD MAKE EU COMPLICIT IN INTERNATIONAL LAW VIOLATIONS

In recent years Cyprus has continued implementing a pushback policy, repeatedly and forcibly returning individuals arriving from Lebanon by boat. People are intercepted or rescued within Cypriot territorial waters or territory, transferred to a police boat, and subsequently pushed back to Lebanon,<sup>36</sup> with their rights to apply for asylum and the principle of non-refoulement clearly violated.<sup>37</sup>

In line with the Higher Defence Council's decision of May 2019, Lebanon continues to implement its non-readmission policy for Syrians forcibly returned from Cyprus.<sup>38</sup> Lebanon has frequently applied a chain-refoulement policy, further deporting Syrian forced returnees from Cyprus to Syria. This policy has also affected several Syrian individuals returned from other countries, especially Russia, to Beirut Airport. In a new development, Cypriot authorities have started to deport to Lebanon Syrian nationals who left by boat from Syria and did not transit through Lebanon, a practice comparable to a “triangle deportation” policy. For example, on 30 July 2023, Cyprus deported 73 individuals to Lebanon, even though they reportedly departed from Tartous, Syria, and not from Lebanon; they were subsequently deported to Syria by Lebanese authorities.<sup>39</sup> In recent months, the Lebanese army has also stepped up its efforts to immediately deport Syrians who are either arrested while trying to leave Lebanon by boat, or who are intercepted on a boat heading towards Europe.

As it would be blatantly illegal for Cypriot authorities to deport individuals directly to Syria, Cyprus uses Lebanon as a proxy to achieve the same result. The chain-refoulement policy ignores the Cypriot and Lebanese States' prohibition on deporting individuals to Syria and breaches their duty to ensure individuals' access to apply for asylum and to an effective remedy to challenge their deportation.

Furthermore, providing additional financial support to Lebanese security agencies would pose inevitable risks for EU complicity in human rights violations committed on Lebanese territory, given previously-documented cases of violence and torture against Syrian refugees in Lebanon.<sup>40</sup>

## TESTIMONIES

### TRACY TRIPOLI

Coordinator at the local office of 11.11.11 partner, CLDH. The Lebanese Center for Human Rights provides legal support to vulnerable populations, and has an entire team of lawyers who intervene when a Syrian is in danger of being deported. CLDH published an extensive investigative report in 2023 that mapped how European countries provide financial support to Lebanese security forces. Under the guise of “migration management,” millions of euros flow to actors who deport Syrians on a large scale. A practice that, ironically, is precisely a central cause of the increasing numbers of Syrians trying to reach Europe by boat.



*On New Year's Eve of 2022 to 2023, when a boat full of Syrian refugees sank off the Lebanese coast, survivors were immediately deported to the Wadi Khaled border crossing. This was a clear turning point. It was the first time the Lebanese army played such a central role in the deportations, which is illegal even under Lebanese law. That is the exclusive jurisdiction of the GSO, who is supposed to verify whether the person in question faces a security risk in Syria. However since early 2023, the military has been playing an increasing role in preventing departing boats, intercepting boats at sea and deporting refugees. People on those boats have few options. They reach Cyprus, or they die at sea. They can also be taken back to Lebanon and deported to Syria at a moment's notice, so-called “chain deportation.”*



*In addition to such investigations, our lawyers intervene when Syrians are in danger of being deported. Sometimes we exert public pressure, which also helps. We also offer social and psychological support as well as legal assistance. For example, we support in applying for or renewing temporary residence permits. That is often the best protection against deportation. But we can only intervene if the GSO is involved. In that case, Syrians can call our hotline, or we visit them in detention, and we can try to prevent deportation in various ways.”*



*If the military carries out the deportations, we can't actually do anything. In that case, people are deported immediately, without any procedure. When we hear about the deportation, it's usually already too late. However, regardless of whether it is the GSO or the military, most Syrians are deported regardless. The GSO doesn't have clear criteria or procedures. There is, more than ever before, a climate of fear among the Syrians we assist. A state of panic. People are staying home as much as possible. They are even afraid to go to the supermarket, they feel they could be deported at any moment. Anywhere or anytime.”*



## 4. THE PROPOSED EU-LEBANON DEAL WOULD BE COUNTERPRODUCTIVE AND COULD FOSTER INCREASED IRREGULAR MIGRATION

Providing financial support to Lebanese security agencies, under the guise of “migration management” and the stated aim to curb migration movements to Europe, could actually result in an increased number of Syrians who try to reach Europe’s shores, more refugees drowning in the Mediterranean Sea and an intensification of the activities of smuggling networks. Rather than strengthening key drivers of irregular migration (as Lebanese security agencies are directly responsible for one of the main drivers of irregular migration movements of Syrians towards Europe, the enhanced risk of forced deportations), the EU and EU member states should conduct an enhanced human rights due diligence assessment of any funding to Lebanese security actors and review funding practices accordingly.

Moreover, in a context where caretaker Lebanese Prime Minister Mikati has declared that “*most of the Syrians in Lebanon*” will be “*deported when the international community recognizes*” the existence of safe zones in Syria, an EU statement that would declare (parts of) Syria as safe for return would likely trigger increased onward migration movements of Syrian refugees, including to EU countries, as they would want to avoid forced return to Syria at all costs.



## 5. LACK OF LONG-TERM SOLUTION AND ADDITIONAL PRESURE ON TÜRKIYE

An EU-Lebanon migration deal, along the lines proposed by Cyprus and Lebanon, would likely further strengthen an ongoing dynamic of “re-returns”<sup>41</sup>, in which Syrians who return or are deported to Syria find themselves in a situation where conditions for safe, voluntary and dignified return are not in place, as a result of which they flee Syria yet again.

However, as neighboring host countries have adopted stricter policies in recent years, such “re-returnees” would find themselves in an even worse situation than before they returned to Syria, and would be more vulnerable to find themselves at the whims of human smugglers, legal vulnerabilities, and increased poverty. And even if Lebanon were to “successfully” close off its borders with Syria, migration movements would most likely re-orientate themselves to the border with Türkiye. In the words of the United Nations Office of the High Commissioner for Human Rights (OHCHR, February 2024):

*“As the root causes of the conflict remain fundamentally unaddressed, those who return appear particularly exposed to a range of human rights and international humanitarian law violations (...) Syrian returnees face multiple challenges and many of them are subjected to gross human rights violations and abuses upon their return to Syria (...) Returnees appear particularly vulnerable to violations and abuses of specific rights, including arbitrary arrest and detention, torture and ill-treatment, freedom of movement, adequate housing, land and property rights, at least during the initial phases of their return (...) As a result of the patterns of violations and abuses the **vast majority** of those interviewed or whose cases have been documented, particularly those who had the means to flee, **have decided to leave Syria for a second time**, opting to return to countries such as Lebanon and Türkiye in which they know they would face extremely precarious economic conditions, often combined with social stigma, and possible abuses by local authorities.”<sup>42</sup>(emphasis added)*

## TESTIMONIES

### ABDUL\* QOB ELIAS

A Syrian 60-year-old and grandfather of three small children whose own son Jamal was forcibly deported to Syria in the summer of 2021. Jamal ended up in an Assad regime torture chamber; the family was able to bail him out after much difficulty. To avoid forced conscription into the Syrian army, the son immediately had to go into hiding again and eventually managed to return to Lebanon through a smuggler. The hut where Abdul and Jamal are staying now has no running water or electricity, and the roof is full of holes.



*We escaped the fear in Syria, and here we are living in fear again. The hatred and violence have only increased since then. 100%. The arrests, raids on camps and deportations are of course nothing new, but since the middle of last year it really is next level. The fear is everywhere, many people are sleeping in the middle of a field. Or in a riverbed, for fear of army raids on the camps. And the United Nations is hardly doing anything for us. The last time I received support from them was three months ago. But with that amount of money, I couldn't even buy enough bread for my family. Let alone things like gas, electricity, water or nappies."*



*This hut is my refuge. When we hear in the camp that the army is coming, we run here. Of course, I dream of going to Europe. I want to live in dignity, which is impossible in Syria or Lebanon. If I can, I will jump on a boat towards Europe in no time. Wallah, I would make the journey on the back of a donkey if necessary."*



## SOURCES

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- 3 The top-5 of nationalities applying for asylum to the EU in 2023 was as follows: Syrians (181.000; 16%); Afghans (114.000; 10%); Turkish (101.000; 9%); Venezuelans (68.000; 6%); and Colombians (63.000; 5.5%).
- 4 See <https://euaa.europa.eu/latest-asylum-trends-asylum>
- 5 See <https://www.frontex.europa.eu/media-centre/news/news-release/significant-rise-in-irregular-border-crossings-in-2023-highest-since-2016-C0gGpm#:~:text=The%20number%20of%20irregular%20border.to%20preliminary%20calculations%20by%20Frontex>.
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- 7 See <https://apnews.com/article/lebanon-cyprus-refugees-migration-syria-a653060f389302f5a721ac0375d3a7ce>
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- 9 See <https://apnews.com/article/cyprus-syria-repatriation-safe-zones-migrants-7d0640ca4c69cabe32e06e24195b82ae>; and <https://apnews.com/article/syria-migration-cyprus-refugees-safe-zones-eu-bede1ce178aed848f77fef6e94bb277e>
- 10 See [https://www.reuters.com/world/after-eu-migrant-deal-with-egypt-lebanon-also-possible-eu-commissioner-says-2024-03-22/#:~:text=NICOSIA%2C%20March%2022%20\(Reuters\),arrivals%20from%20the%20Middle%20East](https://www.reuters.com/world/after-eu-migrant-deal-with-egypt-lebanon-also-possible-eu-commissioner-says-2024-03-22/#:~:text=NICOSIA%2C%20March%2022%20(Reuters),arrivals%20from%20the%20Middle%20East).
- 11 See <https://apnews.com/article/cyprus-migrants-syria-lebanon-eu-refugees-asylum-seekers-boats-929a4c3a4acac4e03de66528a0ac5a77>
- 12 See <https://today.lorientlejour.com/article/1408960/syrians-who-are-not-displaced-could-face-forced-repatriation-under-new-government-proposal.html>. See also <https://reliefweb.int/report/lebanon/lebanon-plan-vet-syrian-refugee-status-threatens-forced-returns>
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- 16 See <https://today.lorientlejour.com/article/1410127/most-syrians-in-lebanon-will-be-deported-mikati-says-from-bkirki.html>
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- 18 See <https://www.reuters.com/world/europe/cyprus-beefs-up-efforts-stop-irregular-migration-patrol-off-lebanon-2024-04-17/>
- 19 See [https://www.consilium.europa.eu/en/press/press-releases/2024/04/18/european-council-conclusions-on-ukraine-and-turkiye/?utm\\_source=brevo&utm\\_campaign=AUTOMATED%20-%20Alert%20-%20Newsletter&utm\\_medium=email&utm\\_id=320](https://www.consilium.europa.eu/en/press/press-releases/2024/04/18/european-council-conclusions-on-ukraine-and-turkiye/?utm_source=brevo&utm_campaign=AUTOMATED%20-%20Alert%20-%20Newsletter&utm_medium=email&utm_id=320)
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- 22 See [Syrian Arab Republic: 2024 Humanitarian Needs Overview \(February 2024\) - Syrian Arab Republic | ReliefWeb](#), p 54.
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31 See <https://euaa.europa.eu/country-guidance-syria-2024>, p 18-19.

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41 See for example <https://refugeeprotectionwatch.org/never-refuge-and-unsafe-homecoming/>

42 See <https://www.ohchr.org/en/press-releases/2024/02/syrian-returnees-subjected-gross-human-rights-violations-and-abuses-un>, p 29-30.

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