



**Submission by the United Nations High Commissioner for Refugees
for the Office of the High Commissioner for Human Rights' Compilation Report –**

Universal Periodic Review:

THE REPUBLIC OF LEBANON

I. Background and Current Conditions

Lebanon is host to around 400,000 Palestinian refugees. In addition, there are 10,000 non-Palestinian refugees and asylum-seekers registered with UNHCR. 90 per cent of them are from Iraq and the rest from another 20 different countries.

Lebanon is not a party to the 1951 Convention relating to the Status of Refugees or to its 1967 Protocol. There is no legislation in Lebanon recognising the specific situation of refugees. As a consequence, refugees who enter or who are staying illegally in the country are considered as illegal aliens under applicable law. They do not have the right to work and, if arrested, they may be subject to fine, detention or even expulsion. Furthermore, Lebanon is not a party to the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness.

In 2003, UNHCR signed a Memorandum of Understanding (MoU) with the General Security Office (GSO) in the Ministry of Interior, which records Lebanon's position manifesting that it is not an asylum country. The MoU, in essence accepts UNHCR Refugee Status Determination (RSD) procedures and the Organization's protection role, against the expectation that refugees recognized by UNHCR be resettled within a six-month period (which can be extended once by three months). The MoU provides some protection space, which is however insufficient, as the MoU was not designed to respond to a situation of such a large number of refugees and asylum-seekers, as were generated by the conflict in Iraq. In fact, Lebanon only temporarily tolerates the presence of refugees under UNHCR mandate, pending their resettlement to third countries. In 2009, UNHCR resettled some 2,600 refugees.

As at 28 February 2010, there were 140 asylum-seekers and refugees detained throughout Lebanon, most of them for illegal entry or stay. Out of them, 33 were under prolonged detention and were kept in detention beyond the term of the sentences pronounced by a court for illegal entry or stay. Such practice is used by the GSO in order to induce detained refugees and asylum-seekers into signing “voluntary repatriation” forms. During the period from 1 January 2009 to 26 March 2010, two recognised refugees were forcibly returned to their country of origin by the law enforcement authorities.

Refugees enjoy few, if any, legal rights in Lebanon. They often avoid contact with the authorities, even to report abuses, for fear of being detained. Without any entitlement to work, they are often exploited on the informal labour market, forced to work excessive hours and are usually poorly paid. Refugees constitute one of the most vulnerable populations of the Lebanese society.

Refugee children have also been subject to detention on grounds of illegal entry due to the heightened security measures in the country, adopted following the 2008 security incidents in Lebanon. There are reported instances of children being detained alongside adult criminals in police stations and in penitentiary institutions.

II. Achievements and Best Practices

The Ministry of Education and Higher Education issued in October 2008 a circular (No. 134) instructing all schools in Lebanon to allow the enrolment of refugee children on the basis of their UNHCR refugee certificate.

Access to health care for refugees is also expected to improve. The Ministry of Health is considering the possibility to provide refugees under UNHCR’s mandate access to public hospitals, subject to availability of places, and the same medical treatment as Lebanese nationals.

Some court decisions on expulsion of refugees were successfully challenged before higher courts, on the basis of Article 3 of the Convention against Torture, which Lebanon has ratified. This certainly presents an important development for the improvement of the rule of law in the country. Furthermore, at the end of 2009 and in the beginning of 2010, human rights lawyers have successfully challenged the illegal character of the prolonged detention of four refugees recognized under UNHCR’s mandate.

The Government of Lebanon as well as members of the Parliament have accepted to discuss the possibility to de-penalise the illegal entry and stay of (non-Palestinian) refugees. The modalities and mechanisms to achieve such an objective remain to be determined. This is another positive development.

III. Challenges and Constraints

In light of the overall objective of improving the legal status and the situation of non-Palestinian refugees and asylum-seekers in Lebanon, the constraints lie with the tense security situation in the region, the presence of large numbers of Iraqi refugees in Jordan and Syria and the related fear of a pull-factor, and the presence some 400,000 Palestinian refugees in Lebanon whom the authorities do not wish to integrate.

IV. Recommendations

- Amend its 1962 Law on Entry and Stay of Foreigners with a view to de-penalise the illegal entry or presence of refugees recognised by UNHCR;
- Develop a specific legal framework defining and protecting rights and freedoms of refugees;
- Provide for the issuance of temporary residency permits for persons under UNHCR's mandate, pending the identification of a durable solution for them.

**Human Rights Liaison Unit
Division of International Protection
April 2010**