



# **Accelerated processing of claims from Syria in the context of large influxes into Lebanon**

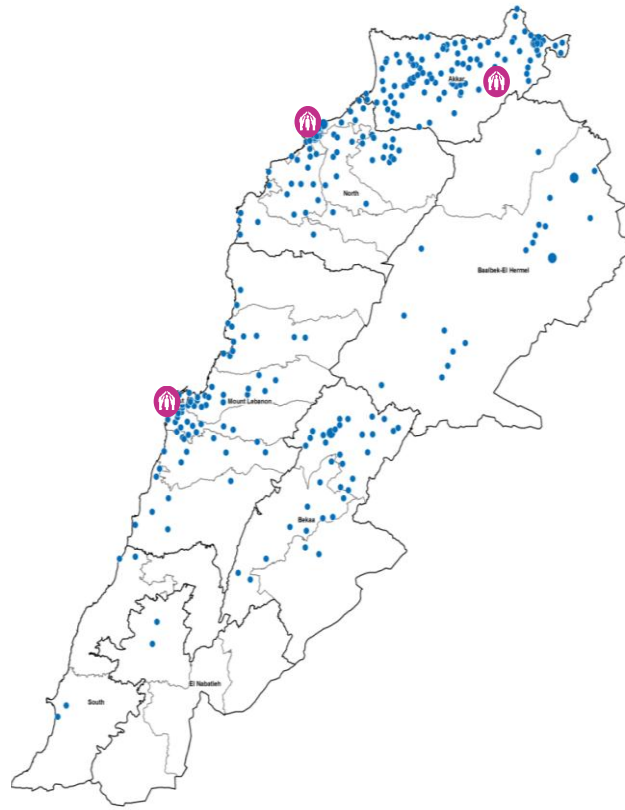
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**UNHCR Lebanon  
15-16 December 2015**

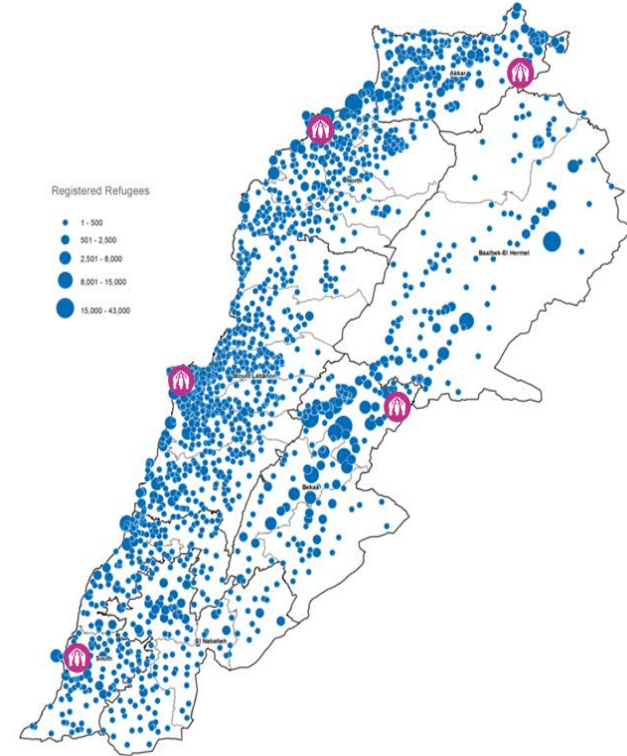
# An exponential influx



Mid-2011  
**2,000**



Mid-2012  
**25,400**



End-2015  
**1,075,637**

## Syrian arrivals to Lebanon

	2012	2013	2014
New arrivals	<b>122,407</b>	<b>688,540</b>	<b>440,751</b>

2015 (January – October): 59,038

**Current total: 1,075,637**

## Lebanon: Background

- The 1962 Law Regulating the Entry, Stay, and Exit from Lebanon is the main law governing entry and residency.
- No other domestic asylum framework. Non-signatory to the 1951 Refugee Convention or the 1967 Protocol.
- Despite this, the Lebanese government maintained an open border policy for Syrians from the beginning of the influx till mid-2014, where a series of increasing restrictions were implemented to safeguard the population demographic (one in four persons in Lebanon is a Syrian refugee).
- By mid-2014, there were up to 90,000 refugees registered a month (average of 50,000 a month).

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● **Once registered, Syrians are:** ●

**Provided access to education, medical, food, financial, and legal assistance.**

**Considered refugees or displaced persons by UNHCR and the Lebanese government.**

**Issued documents by UNHCR, and can obtain residency.**



## Durable solutions

- UNHCR estimates the resettlement needs for Syrians in Lebanon to be 10 percent of the population.
- Until 2013, resettlement of Syrians was limited to those who faced protection risks in Lebanon, as government was restrictive in issuing exit permits.
- Drastically changed by 2014, when the government started openly and strongly advocating with other states to increase their resettlement quotas.
- 72,000 Syrians were considered for resettlement and other admissions programs in 2015, with 8,500 persons submitted to third countries after thorough review.



## Merged procedure

- In 2014, UNHCR initiated a merged RSD-Resettlement procedure in response to increased resettlement activity for Syrians, so that resettlement and humanitarian admission targets are met in a timely manner.
- The objective of the initiative is to use resettlement/HAP as an immediate protection response for refugees who have compelling protection needs and vulnerabilities.
- SOPs were developed centrally for the region and aside from Lebanon, the merged procedure is also being utilized in Egypt, Iraq, Jordan, and Turkey.

# Process

Registration



Identification



Merged  
interview





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# Steps

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- 1. Registration:** collection of biodata, photograph, biometric data (iris scans), brief reasons for flight and fear of return, copies of documents. Includes civilian character of asylum screening. 15-18 cases per caseworker per day.
- 2. Case identification:** willingness/suitability for resettlement, vulnerability (e.g. survivors of violence/torture, women and girls at risk, medical needs or disabilities), absence of exclusion issues. Cases will be deprioritized if does not meet the criteria to proceed. 4 cases per caseworker per day.
- 3. Merged interview:** formal determination of status (for purposes of resettlement/HAP processing) after an in-depth interview. Preparation of the Resettlement Registration Form. Cases will be deprioritized if does not meet criteria for submission. 7 cases per caseworker per week.

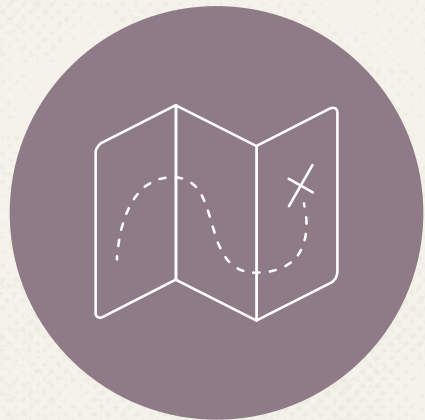
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## ● Deprioritization/RSD profiles ●

- **Military:** e.g. post-March 2011, Lebanese civil war (1975-1991) involved in combat, etc., Republican Guards, Military Police, ranks of Captain onwards.
- **Paramilitary/militant groups:** Members of pro-government armed groups, e.g. Shabiha, People's Army, Free Syria Army (FSA), Islamic State (IS), Jabhat Al-Nusra, Muslim Brotherhood, Lebanese Hezbollah. Includes civilians engaged in armed conflict, individuals assisting combatants.
- **Informants:** Individuals who report political or criminal matters to the state apparatus or opposition groups (excludes persons providing information while under torture or threat of torture).
- **Prisons/detention centers:** Staff who work in detention facilities, including in courts, police departments, security apparatus, military, government ministries, ad hoc facilities.

## Overview

- Due to the large influx, regular individual status determination was not feasible for Syrians. The operation also considered that it was not necessary, in light of the objective situation in Syria and the strong nature of the claims.
- The operation thus moved towards an accelerated procedure to focus detailed examination of claims where it was needed, e.g. civilian character of asylum, cases for resettlement consideration.
- The most labor-intensive refugee status interviews and assessments were reserved for cases where exclusion/possible exclusion issues might arise, to ensure that resources were deployed where completely necessary.
- Accelerated procedures were initiated in several countries in the Middle East and North Africa to maintain a consistent and harmonized approach in the region.



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- **Safe third country**

*Concept and safeguards*





The *safe third country* concept presumes that an applicant could and should already have requested asylum if they passed through a safe country *en route* to the country where asylum is being requested.



## UNHCR's position

- While there is no obligation for asylum-seekers to seek asylum at the first effective opportunity, there is at the same time no unfettered right to choose one's country of asylum.
- As such, an examination of whether an asylum-seeker has, or could have, found protection elsewhere may precede the examination of the substance of the claim.
- The intentions of the asylum-seeker ought to be taken into account to the extent possible, as the intention to move to another country may be motivated by a range of reasons such as family connections in another country.
- The applicant should be given the possibility of rebutting any presumption that they have found or could have found protection in a third country, and to this effect an appeal or review possibility with suspensive effect should be available.

## ● **Basic factors to consider** ●

- Ratification of and compliance with the international refugee instruments, in particular compliance with the principle of refoulement.
- Ratification of and compliance with international and regional human rights instruments.
- Readiness to permit asylum-seekers to remain while their claims are being examined on the merits.
- Adherence to recognized basic human rights standards for the treatment of asylum-seekers and refugees.
- The state's willingness and practice to accept returned asylum-seekers and refugees, consider their asylum-claims in a fair manner and provide effective and adequate protection.

## Other considerations

- Considerations as to whether the third country is indeed “safe” cannot be satisfied solely on the basis of formal criteria. The third state needs to actually implement appropriate asylum procedures and systems fairly. E.g. if formally, the third country has asylum procedures but in reality asylum-seekers have difficulty accessing these procedures, the conditions for return to the third country have not been met.
- UNHCR advocates formal agreements between states that would lead to the orderly handling of asylum applications. In the absence of formal agreements, governments should apply the safe third country notion only if they have received, on a bilateral basis, the explicit or implicit consent of the third state to take back the asylum-seeker and to grant them access to a fair asylum procedure, so as to ensure the application will be examined on its own merits.
- Regular monitoring or review by the transferring state of the transfers and conditions of the receiving state would also be required to ensure they continue to meet international standards.

## Last considerations

- There should also be prior notification to the readmitting country that the asylum claim has not been examined on the merits and that the person must be admitted to the refugee status determination procedure of the readmitting country.
- In addition, it would be desirable that returned asylum-seekers could be provided with a form stating that the application has not been examined in substance, and with an information leaflet on the asylum procedure of the readmitting country.
- Provision should also be made to admit and consider the claim in substance, rather than seek to transfer the asylum-seeker, i.e. if an asylum-seeker has passed through a “safe third country” but has close family and/or significant other ties with the country where asylum is claimed, or if there are compelling humanitarian reasons (e.g. health).



