

DENIED REFUGE

PALESTINIANS FROM SYRIA
SEEKING SAFETY IN
LEBANON

AMNESTY
INTERNATIONAL



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“The situation is very bad. I am worried that part of my family is here and part is there (in Syria). I am myself disabled and need special care. My wife used to help me but now she cannot.”

Yusuf*, aged 61, a Palestinian refugee from Yarmouk in Syria.

Yusuf lives in Ein el-Hilweh camp in Lebanon. His wife, Amal*, has been denied entry into Lebanon since May 2014. Yusuf lost his right arm and left leg in Syria prior to the conflict. He and Amal sought refuge in Lebanon in December 2013 after the refugee camp in Syria they had lived in was bombed. Amal returned to Syria on 28 April 2014 in order to visit their daughter. On 3 May she tried to return to Lebanon but was denied entry at the border. Yusuf travelled to the border to plead with the authorities to grant her a visa, but was told that he could not assist his wife as his own residency visa had expired.

He told Amnesty International: *“I went to General Security on 5 May to explain the situation and ask for a visa for my wife and I was told I need a valid residency visa. I returned to renew my residency visa and was told I have to wait until 10 June. I am worried about my wife.”*

INTRODUCTION

In May 2014 the Lebanese authorities put in place new requirements for Palestinian refugees from Syria trying to enter Lebanon. They are required to demonstrate – prior to entry – that they meet certain conditions for temporary residence in Lebanon or that they are transiting through Lebanon.¹ The effect of these requirements – which many Palestinian refugees from Syria cannot meet – has been to deny people fleeing conflict in Syria the ability to seek refuge in Lebanon. Moreover, despite official denials, there is evidence of a policy to deny Palestinian refugees from Syria entry altogether – regardless of whether they meet the new conditions of entry. This evidence includes a leaked document, apparently from the security services, instructing airlines using the main Beirut airport not to transport any traveller who is a Palestinian refugee from Syria to Lebanon, regardless of the documents they may hold.² In addition, it appears that some Palestinian refugees from Syria already residing in Lebanon are not being allowed to renew their temporary residency visas, leaving them without a clear legal status in the country and at risk of arrest and deportation.³

The changes in policy have not been clearly announced by the government of Lebanon. The Minister of Interior has referred to the changes in statements made to the media since 3 May 2014,⁴ and refugees and civil society actors have confirmed that new processes are now in place.

Under the new “system” Palestinian refugees from Syria who want to enter Lebanon must possess one of three Lebanese documents: an entry visa approved by the General Directorate

of General Security; a Lebanese residency visa of one to three years; or an exit and return visa.⁵ Obtaining any of these documents before leaving Syria is extremely difficult.⁶

The requirements which Palestinian refugees from Syria must meet in order to enter Lebanon do not apply to Syrians. Even prior to the May 2014 changes in policy, Palestinian refugees from Syria faced different conditions for entry into Lebanon, including a requirement that they first obtain permission to exit Syria from the Syrian authorities, for which they had to pay. Additional conditions of entry for Palestinian refugees from Syria were imposed in August 2013, limiting entry to those who could demonstrate that they had certain family connections or a medical or embassy appointment. Transit through Lebanon was also allowed; some exceptions were made on humanitarian grounds, at the discretion of the General Security officer in charge.⁷

Until June 2014 Syrians who were in possession of a passport or Syrian identity card were able to enter Lebanon and secure a temporary residency visa. In June 2014 the situation for Syrians changed and now they also face restrictions on entry into Lebanon (see box below on *New rules on entry for Syrian refugees entering Lebanon*).

NEW RULES ON ENTRY FOR SYRIAN REFUGEES ENTERING LEBANON

Prior to June 2014, Syrians who entered Lebanon through an official border crossing, and who were in possession of a passport or Syrian ID card, could receive a free six-month residency permit; this could be renewed for another six months, without charge.⁸ Subsequent renewals required payment of a US\$ 200 fee;⁹ some refugees cannot afford this fee and as a result are living in Lebanon irregularly. This has negative impacts on their ability to access services. Amnesty International has reported on this human rights issue in a previous report.¹⁰

On 2 June 2014, the Lebanese government changed the entry requirements for Syrians as follows:¹¹

- Entry of displaced Syrians is restricted to those coming from areas where there is fighting near the Lebanese border;
- Anyone who goes back to Syria from Lebanon will risk losing their refugee status.¹²

At the time of printing this briefing it was not clear what effect these new rules have had on the flow of Syrian refugees into Lebanon.

The Lebanese government's policies and practices towards Palestinian refugees from Syria have led to a range of serious human rights violations. People have been denied the right to seek asylum and some have been forcibly returned to Syria by the Lebanese authorities.¹³ Unclear and unannounced changes in policy have led to families being separated. The policies – which treat Palestinian refugees from Syria differently to other refugees – are also blatantly discriminatory.¹⁴

Since the start of the conflict in Syria, Lebanon has had a largely open door policy for refugees, which has allowed over one million people¹⁵ to find safety. Amnesty International recognizes the immense strain that hosting this large refugee population from Syria has had on Lebanon's infrastructure, economy and security.¹⁶ The international community has failed to provide sufficient support to the refugee crisis - the UN-led humanitarian response is

grossly underfunded with only 23% of the 2014 funding requirements for Lebanon met at the time of writing.¹⁷ Amnesty International continues to call for the international community to increase its funding and assistance to Lebanon in order to help the country cope with the refugee crisis.¹⁸

However, while recognizing the challenges Lebanon is facing, there is no justification for imposing restrictions on one group of refugees from Syria. The number of Palestinian refugees from Syria represents a very small proportion of the total number of refugees from Syria - of more than one million refugees, just over 50,000 are Palestinians.

This briefing details the restrictions facing Palestinian refugees from Syria who try to enter or stay in Lebanon, as far as these are known. It covers the restrictions in place prior to May 2014, as well as those imposed in May. It describes some of the implications for refugees and includes the accounts of several Palestinian refugees from Syria who have been directly affected. The report concludes with recommendations to the government of Lebanon and the international community.

METHODOLOGY

Research for this briefing was carried out from 21 May to 1 June in a number of locations in Lebanon, including Shatila camp in Beirut and its surrounding areas, Ein el-Hilweh camp in south Lebanon, and Sidon and Tyre. Amnesty International researchers interviewed 32 Palestinian refugees from Syria. The organization also held meetings with a number of relevant stakeholders including the UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), the UN Refugee Agency (UNHCR) and other UN agencies, international and national NGOs, and civil society organizations.

Amnesty International wrote to the Minister of Interior on 7 May 2014, seeking further information on the forcible return of a group of Palestinians to Syria earlier that month, but did not receive a response. Amnesty International sought a meeting with the officials during the organization's visit to the country in late May 2014; however, it was not possible to secure a meeting. On 6 June Amnesty International sent a letter to the Lebanese authorities outlining the organization's main findings and seeking clarification on a number of the government's recent changes in policy. No response had been received at the time of printing.

PALESTINIAN REFUGEES AND THE UN RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA)

The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was created in 1949 to provide assistance to Palestinian refugees. These refugees and their descendants fled their homes in what is now Israel between late 1947 and the first half of 1949 to escape the violence linked to the creation of the state of Israel and the Arab-Israeli war of 1948; others became refugees in 1967 when Israel occupied territory, including in Gaza and the West Bank. Under international law, Palestinians who fled or were otherwise forcibly displaced from their homes and land in Mandate Palestine - and their descendants - have the right to return.¹⁹ However, they have not been able to exercise this right and remain refugees.

Prior to the crisis in Syria, which began in 2011, there were over 500,000 Palestinian refugees registered with UNRWA in Syria²⁰, and around 300,000 in Lebanon.²¹ Syrian refugees in Lebanon fall under the mandate of the

UN Refugee Agency, UNHCR; Palestinian refugees from Syria fall under UNRWA's mandate. They cannot obtain assistance from UNHCR in UNRWA's areas of operation, which include Lebanon.

BACKGROUND

Palestinian refugees living in Syria, like Syrian nationals, have been deeply affected by the ongoing conflict and deepening humanitarian crisis in that country. A number of refugee camps and neighbourhoods in Syria where Palestinian refugees live have come under attack and this has led to displacement - both internally and to neighbouring countries - of over 50% of the approximately 500,000 Palestinian refugees registered with UNRWA in Syria.²²

From December 2012, the Yarmouk camp in the suburbs of Syria's capital Damascus, where 180,000 Palestinian refugees and several hundred Syrian nationals lived, has been under siege by Syrian government forces.²³ Most of Yarmouk's residents fled in the first few months of the siege before government forces and allied militia tightened their control of the main entry and exit points to the neighbourhood in July 2013. The remaining inhabitants have since been subjected to unrelenting hardships, including repeated attacks and starvation due to the denial of humanitarian assistance.²⁴

LIMITED RIGHTS AFFORDED TO PALESTINIAN REFUGEES WHO ARE LONG-TERM RESIDENTS OF LEBANON

Prior to the Syrian conflict and refugee crisis, there were around 300,000 Palestinian refugees in Lebanon.²⁵ Most had lived there all their life. Just over half of Lebanon's Palestinian refugee population lives in 12 refugee camps;²⁶ others live in informal gatherings and in towns and cities across the country. UNRWA provides some service at the refugee camps, but conditions are generally poor and the camps are dilapidated and overcrowded.²⁷ The poor living conditions have been exacerbated by the influx of refugees from Syria (including both Palestinians and some Syrian refugees) who have moved into the camps.

Palestinian refugees who are long-term residents in Lebanon and registered with UNRWA face restrictions on their rights to work²⁸ and own property.²⁹ The limited rights afforded to Palestinian refugees in Lebanon contravene international law, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of Racial Discrimination (ICERD) and the Convention on the Rights of the Child (CRC), all treaties to which Lebanon is a state party.

OBSTACLES FACED BY PALESTINIAN REFUGEES FROM SYRIA SEEKING REFUGE IN LEBANON

Since the start of the crisis in Syria, Palestinian refugees from Syria have faced specific obstacles to seeking refuge in Lebanon and other countries in the region.³⁰ In the case of Lebanon, the conditions under which Palestinian refugees from Syria can enter the country have changed twice since the start of the Syrian conflict: once in August 2013 and again in May 2014. The changes made have been cumulative in that new requirements have been applied in addition to the pre-existing requirements.

PALESTINIAN REFUGEES FROM SYRIA: DISCRIMINATION IN JORDAN

Restrictions on the entry of Palestinian refugees from Syria are not limited to Lebanon. Hundreds, if not thousands, of Palestinians who had been living in Syria have been denied access to Jordan since 2012, when the Jordanian authorities made it harder for Palestinian refugees from Syria to enter the country. The authorities officially announced the policy in January 2013.

The following sections of this briefing describe the requirements in place prior to August 2013 (and still in force) as well as the changes made in August 2013 and May 2014.

REQUIREMENTS PRIOR TO AUGUST 2013

In order to be allowed to enter Lebanon Palestinian refugees must have prior authorization from the Syrian authorities to leave that country.³¹ To obtain this authorization they must hold a Palestinian Refugee Identity Card and visit the Department for Immigration and Passports in Damascus, Syria's capital. Until August 2013 Palestinian refugees from Syria who had this prior authorization from the Syrian authorities were automatically granted an "entry card" from Lebanese General Security, including an entry stamp which acted as a transit visa valid for one week, for a fee of 25,000 LBP (approximately \$17 USD).³²

The entry card could be changed to a residency visa, valid for three months and renewed, free of charge, up to four times at a General Security Office in Lebanon, for a total stay of one year.³³ After one year refugees could pay between 300,000 LBP and 350,000 LBP (approximately \$200 USD) to General Security, which would allow them to stay in Lebanon for a further year (renewing their three month residency for another four times).³⁴

GENERAL SECURITY IN LEBANON

The General Directorate of General Security in Lebanon (General Security) is a governmental body falling under the Ministry of Interior. It has broad security functions, as well as functions with regard to immigration and media censorship, among others.³⁵

Prior to the restrictions imposed in May 2014, Palestinian refugees from Syria who crossed

the Lebanese border through an unofficial crossing could regularize their status through what is known as a “plea of mercy”. This involved paying a fee of approximately 950,000 LBP per person (approximately \$627 USD) to General Security.³⁶ It is unclear whether they are still able to do so following the recent restrictions.

THE LEGAL PRINCIPLE OF NON-REFOULEMENT

While Lebanon is not a party to the 1951 Refugee Convention, it is obliged under international customary law, as well as the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture, not to return individuals to a situation where they would be at risk of persecution or serious human rights abuses: this is known as the principle of *non-refoulement*.³⁷ The principle of *non-refoulement* also prohibits the rejection of asylum-seekers at the border.³⁸ As such, countries must permit entry to people seeking asylum to assess whether they need to be protected as refugees.

CHANGES IN POLICY IN AUGUST 2013

Starting in August 2013, media and non-governmental sources began reporting that some Palestinian refugees from Syria were being denied entry to Lebanon.³⁹ Border officials were reported to be enforcing a practice of only allowing Palestinian refugees from Syria to enter Lebanon if they had one of the following: a valid pre-approved visa which required an application made by a guarantor in Lebanon; a valid visa and ticket to a third country – meaning they were only transiting through Lebanon; a scheduled medical or embassy appointment; or if they were able to prove they had family already legally in Lebanon (a family member had to send a valid copy of their residency permit to the authorities as proof).⁴⁰ These restrictions, which were additional to the requirement that Palestinians had an official exit permit from Syria, were never published officially but their existence was confirmed by non-governmental organizations (NGOs) in Lebanon who work with refugees and documented the processes at the border. All of the Palestinian refugees from Syria that Amnesty International interviewed in Lebanon in May 2014 had obtained authorization to leave Syria from the Department for Immigration and Passports.

According to non-governmental sources there was a degree of arbitrariness in the enforcement of the restrictions; some Palestinian refugees from Syria were allowed into Lebanon at the discretion of the General Security officer at the border, while others were denied entry. There is evidence that some refugees who met the conditions for entry and had their paperwork in order were still refused entry, although the extent of this practice is unclear. Refugees are reported to have waited at the border for several days in some cases, in order to attempt to enter Lebanon when there was a change in the General Security officer in charge.⁴¹

CASE STUDIES: PALESTINIAN REFUGEES FROM SYRIA DENIED ENTRY TO LEBANON

The policies of the Lebanese authorities with regard to entry of Palestinian refugees from Syria have resulted in many families being separated. This has occurred when some family members have been allowed to enter but others are denied without any clear reason given. In other cases people have returned to Syria and then been refused re-entry. Many refugees from Syria who have sought refuge in Lebanon make brief visits back to

the country for a variety of reasons. Amnesty International has previously reported on people returning to seek health care. People also return to get documents they need in order to meet Lebanese requirements for temporary residency, to register the birth of children or to check on family members who have not been able to leave Syria.

Suleiman*,⁴² aged 12, lives with his uncle, Mazen* in Lebanon. Amnesty met them in May 2014. Suleiman's parents and brother, who had fled with him to Lebanon to escape the conflict in June 2013, returned to Syria in July 2013 to get new identity documents issued.

According to Mazen the family members who went back to Syria were able to obtain their documents but were denied entry to Lebanon when they tried to return in August 2013. Despite trying many times, over several months, to re-enter Lebanon at the Masnaa border cross, they were refused entry by the Lebanese border officials. Mazen, who has spoken to Suliman's parents by phone, told Amnesty International that the family have their papers in order but were denied entry because they are Palestinian refugees from Syria. They are now in Damascus, living in a school that is being used as a shelter for internally displaced people.

Mazen told Amnesty International: *"I can't work because I am injured and we don't have enough for the rent. But this boy has no one else but me."*

Amnesty International interviewed Hassina, aged 37, from Yarmouk in Syria. She came to Lebanon with her five children, who are aged between 14 and four years old, on 17 March 2014.⁴³ They were able to leave Yarmouk when there was brief respite in the ongoing siege. Hassina's husband and two elder sons remained in Syria. She was six months pregnant when she left Syria and she says that her children were suffering from hepatitis.

Hassina first attempted to cross into Lebanon at the beginning of March 2014 but was denied access by the Lebanese authorities. She says that she was told by General Security that Palestinians from Syria cannot cross. Although Hassina had obtained authorization to leave Syria from the Department for Immigration and Passports she did not meet any of the post-August 2013 requirements however. She waited for six hours at the border before leaving to stay with some neighbours in a suburb of Damascus. Hassina and her five children then attempted a second time to cross the border in mid-March. This time they were helped by a UN worker and were able to cross successfully into Lebanon. Her husband and one son subsequently tried to join the family in April 2014, also having managed to leave Yarmouk. According to Hassina, the Lebanese authorities told them that, as Palestinians, they could not cross.

The transit visa that Hassina received on entry has expired and she does not have legal status; she was unable to renew her visa. She currently lives in a camp in south Lebanon with her children. She told Amnesty International: *"I am afraid to leave the camp because I have not renewed the permit. I cannot pay the fees, I can hardly afford the rent"*. Hassina had her baby in a hospital in Lebanon in late May 2014, but has not tried to register the birth as she is too scared to leave the camp.

Abed*, 32,⁴⁴ also from Yarmouk, arrived in Lebanon on 17 January 2014 with his wife, Azhar*, and their six children. He told Amnesty International:

"I have six children, ranging from ten and half years old to one month and four days old. Our residency permits have been invalid for about four months. Because my wife was pregnant I paid to renew her permit. The reason was because I wanted her to go back to Syria in order to give birth there and register the birth. We can't register the birth here in Lebanon because I have been unable to renew my permit due to the cost."

Registering births in Lebanon requires both parents of the child to have valid residency visas.⁴⁵

Around ten days after she gave birth in Syria - in April 2014 - Azhar tried to re-enter Lebanon at the Masnaa border. She was alone, carrying her baby, but she was refused access. The reasons for her being denied entry are not fully clear. According to Abed she had the necessary documentation including her residency permit and proof that she has family in Lebanon. Abed is now struggling to look after his children alone in Lebanon.

He told Amnesty International: *"I can't cook well and I need help with the laundry. I can't take care of their studies, they are enrolled in school but their education level has dropped. Our two- year-old cries every day as he wants his mother. I can't work because my permit is not valid and there are check points."*

He and his children live in an "informal gathering" (also referred to as "unofficial settlements") where Palestinian refugees who live outside of the 12 recognized camps tend to reside. He has tried to explain his situation to General Security but was told there is nothing they can do. Abed added:

"I can't go back to Syria because our house was destroyed and the children are here. My wife is staying with old neighbours in a neighbourhood in Damascus. Her psychological situation is very bad".

Registration is a right that every child has regardless of their immigration status or that of their parent. Article 7(1) of the Convention on the Rights of the Child states that "The child shall be registered immediately after birth..."⁴⁶ Without birth certificates, children born in Lebanon cannot register in schools.⁴⁷ Furthermore, without official proof of relation with their parents, the family may not be able to take advantage of resettlement opportunities, if it arises. The inability to register births due to requirements that cannot be met by certain families breaches Lebanon's obligations under international law.⁴⁸

CHANGE IN POLICY SINCE MAY 2014

Since May 2014 further changes in the policy and practice of the Lebanese authorities towards Palestinian refugees fleeing Syria have been reported. Some of the changes have been acknowledged by the government, although not all.

On 4 May 2014, the government of Lebanon forcibly returned around 40 Palestinian refugees to Syria, in violation of the principle of *non-refoulement* and Lebanon's obligations under international law.⁴⁹ The individuals had been arrested and detained at Beirut airport on 3 May 2014, along with several other people, for allegedly holding forged identity documents. They were escorted by the Lebanese authorities to the Lebanon-Syria border and left to re-enter Syria.

On the same day, non-governmental sources reported that Palestinian refugees from Syria seeking to enter Lebanon through an official border crossing were denied entry⁵⁰ and a

document leaked from Beirut's Rafiq Hariri International Airport which stated:⁵¹

Issued by the airport branch of General Security

To all airlines

Date 3/5/2014

Subject: not allowing the transportation of any traveller who is a Palestinian refugee in Syria

We request that you do not transport any traveller who is a Palestinian refugee in Syria to Lebanon no matter the reason and regardless of the documents or IDs that they hold, under penalty of fining the transporting company in case of non-compliance as well as return of the traveller to where they came from.

[signed by head of airport general security branch for Rafik Hariri airport]

The policy set out in this document constitutes a clear breach of international law. Amnesty International has been unable to discover if airlines operating in Lebanon have complied with the request made by General Security.

Five days later, on 8 May 2014, the Lebanese Minister of Interior issued a statement saying that "there is no decision preventing Palestinian refugees in Syria from entering Lebanon and passing through the country".⁵² The statement by the Minister of Interior also announced new regulations for the entry of Palestinian refugees from Syria, which stated that they could enter if they met one or more of these requirements:

- they have an entry permit approved by General Security;
- they have a one-year or three-year residency visa;
- they have an exit and return permit;
- they have a valid ticket and visa to a third country, in which case they can get a 24-hour transit permit.

Non-governmental sources working with refugees told Amnesty International that meeting these requirements would be extremely difficult and costly.⁵³

Amnesty International has written to the government of Lebanon requesting details of the measures being taken to curtail entry to Lebanon for Palestinian refugees from Syria. No response was received at the time of printing.

PALESTINIAN REFUGEES FROM SYRIA ALREADY IN LEBANON

In addition to the new restrictions on the entry, Palestinian refugees from Syria who are in Lebanon face difficulties in obtaining and renewing residency visas. There are a number of reasons for this. Some have entered Lebanon irregularly because they were unable to meet the requirements for official entry; others cannot afford to pay the fees to renew visas that have expired. As noted earlier, until May 2014, following entry into Lebanon through an official border post, Palestinian refugees from Syria are given a transit visa, which is then converted into a residency visa valid for three months; this residency visa can be renewed up to four times at a General Security Office, for a total stay of one year. Thereafter Palestinian refugees could pay a fee of approximately US\$200 and remain in Lebanon, although not all refugees appear to have been able to do this. Fees associated with the renewal of visas are a significant challenge faced by refugees in Lebanon.

Palestinian refugees from Syria in Lebanon, and non-governmental sources working with refugees, told Amnesty International that since May the authorities have refused to renew visas for some Palestinian refugees without any reason given. The situation was unclear as some people who attempted to renew their visas were able to do so, while others were refused or told to return at a later date.

On 21 May, Lebanese General Security issued an announcement calling on "Palestinian refugees from Syria who are residing in Lebanon and who are in breach of residency rules to approach General Security offices to settle their status, within a one month grace period starting on 22/05/2014."⁵⁴ Amnesty International has received report that some Palestinian refugees who went to General Security attempting to regularize their status were given deportation orders with periods ranging from 24 hours to one week.⁵⁵

In a letter dated 6 June 2014, Amnesty International sought clarification from the Minister of Interior. No response had been received at the time of writing.

THE IMPACT OF THE RECENT CHANGES ON PALESTINIAN REFUGEES FROM SYRIA

Amnesty International interviewed Palestinian refugees from Syria in Lebanon who have been affected by the changes in policy. They described how family members who tried to join them in Lebanon were denied entry; in some cases family members who had been in Lebanon had returned to Syria to obtain identity documents that they, or other family members, needed to obtain legal status in Lebanon - only to be denied re-entry at the border after 3 May 2014.

Refugees without documents, interviewed by Amnesty International, spoke of their fear they will be issued with deportation orders and be required to leave Lebanon.⁵⁶ There are a number of other serious consequences for refugees who do not have legal status in Lebanon: they cannot register births and marriages or obtain health care at government facilities; students cannot take official exams.

CASE STUDIES: IMPACT OF CHANGES IN POLICY ON ACCESS TO LEBANON

Ali*, aged 57, from Yarmouk, fled to Lebanon on 22 February 2013 with his wife, Alma*, and three of their six children. From May 2013 to March 2014, the family were considered to have irregular status, having failed to renew their permits due to lack of money. In March 2014, Ali was able to sell some gold in order to obtain the 300,000 LBP (approximately \$200 USD) required to renew one residency visa for a further year.⁵⁷

On 7 May 2014 he went to the General Security Office in order to renew the permit of one of his sons, so that the child could sit the official exams for Brevet (middle school official exams required to be taken and passed before entering high school). Ali again paid 300,000 LBP (approximately \$200 USD) at the General Security Office, and was told to return after 20 days to pick up the visa. However, when he returned on 27 May, he found that his son's visa had only been renewed from 9 May to 23 May 2014, and had already expired. Ali complained to the General Security Office in Tyre in south Lebanon, but was told that there would be no visa renewals for Palestinians from Syria. He was not reimbursed. His son could not sit the official exams.

He told Amnesty International: *"This year my son got the highest grades and was ready to take his exams. Then they told us that no Palestinians can renew their visa. We had sorted out all the other documentation and sent a relative to Syria to certify all the papers he needed. It had cost so much money, but we thought it was worth it... This is why it is very valuable to have a nation and a home to go back to."*

Mouna's* son Ahmed* is 15 years old. The family has been in Lebanon for over a year. On 15 May 2014 Ahmed went back into Syria, accompanied by his father, in order to sit his official exams. Amnesty spoke to refugees – both Syrian and Palestinians from Syria – who arranged for children to return briefly to Syria to sit official exams. They did so either because the children had no residency permits in Lebanon and so could not take the exams or because children found the curriculum in Lebanon difficult.

Mouna explained that Ahmed had struggled with the Lebanese curriculum.⁵⁸ He was finally able to enrol at an NGO-run school in south Lebanon that was teaching the Syrian curriculum.

When Amnesty International first spoke to Mouna in May 2014, Ahmed was still in Syria with her husband. She was extremely worried that they would be blocked from returning. She told Amnesty International: *"Even if my son finishes his official exams, I am thinking of returning to Syria with my children so that they can pursue their education."*

Amnesty International spoke to Mouna again on 9 June 2014 by phone. She told researchers that Ahmed had been able to return to Lebanon on 30 May 2014. However, his father was refused entry because of the new restrictions.

Amnesty International also interviewed Jamila* who said that her daughter, Dima* aged 16, went back to Syria to pursue her education. Dima is now unable to come to join her family in Lebanon due to the increased restrictions at the border.

Jamila told Amnesty International:

"My daughter went to Syria in October [2013], to pursue her education in grade 11. When the school year ended she wanted to come back as all the family is here but General Security refused her entry. She was refused on 25 May [2014]. I went myself to the Masnaa border to see her but I waited three hours and I wasn't allowed to see her or cross to be with her."⁵⁹

The family has an appointment at the embassy of a European country as Jamila's 17 year old son is in that country and they are seeking family reunification there. However, she was told that Dima has to be present for the interview at the embassy. It is not clear why Dima has been blocked from entering Lebanon. According to her mother she was able to prove that she has relatives in Lebanon and she had an exit permit from Syria but was still denied entry into Lebanon. She is now staying with relatives in Damascus.

Jamila told Amnesty International, *"We are just like the Syrians, why are we being treated differently?"* She added: *"She has to pursue her education, it's the only weapon we've got."*

CONCLUSION AND RECOMMENDATIONS

Since the start of the conflict in Syria Palestinian refugees from Syria have faced difficulties entering Lebanon. The situation has become progressively worse, with additional conditions for entry imposed in August 2013 and May 2014. Many of the conditions are very difficult to meet in practice and have the effect of denying people fleeing conflict the possibility of seeking safety in Lebanon. As refugees from the conflict in Syria, Palestinian refugees, similarly to Syrian refugees, should be afforded international protection. At a minimum this includes the recognition of their right to seek refuge and stay in Lebanon until there is a substantial change of circumstances in Syria that means they can return safely.

Measures that prevent people escaping the conflict from accessing the territory of Lebanon are a clear breach of the country's obligations under the principle of *non-refoulement*, a customary norm of international law binding on all states. Visa requirements that result in rejection at the border are amongst the prohibited measures.

Prohibitive fees for renewing visas, or the refusal to renew visas, which result in refugees being considered to be staying illegally in the country, and may compel people to return to Syria, can amount to constructive *refoulement*.

The restrictions described in this briefing, which target Palestinian refugees, are discriminatory. They are restriction based on national origin and their effect is a very serious impairment of the right not to be subject to *refoulement*.

In light of its findings, Amnesty International makes the following recommendations.

To the government of Lebanon:

- Allow all persons fleeing the conflict in Syria, including Palestinian refugees who are normally resident in Syria, to enter Lebanon and exempt them from pre-entry visa or residency requirements;
- In line with the international law principle of *non-refoulement*, ensure that no one fleeing Syria is forcibly returned to Syria, in any manner whatsoever, including rejection at the border;
- Allow all refugees from Syria – including Palestinian refugees from Syria - to renew their residency in Lebanon until there is a fundamental change in circumstances in Syria that means it is safe for them to return; waive the fees for renewal of visas for refugees from Syria or only charge a nominal fee;
- Make every effort not to separate families, particularly in cases where children are attempting to join their parents who are already in Lebanon;
- Ensure that all children born in Lebanon can be registered in accordance with Lebanon's obligations under the Convention on the Right of the Child. To this end, allow refugees from Syria to register their children's births regardless of their visa status;
- Allow refugee children to register for secondary school and take their exams even if their visas have expired, in accordance with Lebanon's obligation under the

Convention on the Rights of the Child to make secondary education available and accessible to every child;

- Publish clear and transparent information about administrative procedures relating to refugees' stay, legal status, and rights in Lebanon;
- Immediately revoke all instructions to border officials and airlines which violate the principle of *non-refoulement*.

To the international community:

- Substantially increase financial contributions to the UN Syria Regional Response Plan (RRP) and the UN Syria Humanitarian Assistance Response Plan (SHARP);
- Support UNRWA financially to enable it to provide assistance and services to Palestinian refugees affected by the conflict in Syria, in Lebanon and elsewhere;
- Support the government of Lebanon in increasing the capacity of national services, including health care facilities, to accommodate the needs of refugees from Syria;
- Substantially increase the number of resettlement and humanitarian admission places for refugees from Syria; resettlement should be equally available to Syrian refugees and Palestinian refugees from Syria;

To Syria's neighbouring countries including Lebanon, Jordan, Turkey, Iraq, and Israel:

- Allow all persons fleeing the conflict in Syria, including Palestinian refugees who are normally resident in Syria, to enter and exempt them from pre-entry visa or residency requirements;
- In line with the international law principle of *non-refoulement*, ensure that no one fleeing Syria is forcibly returned to Syria, in any manner whatsoever, including rejection at the border.

ENDNOTES

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- ¹ <http://reliefweb.int/report/syrian-arab-republic/lebanon-all-bars-palestinians-fleeing-syria> [accessed 11 June 2014].
- ² Image of statement available at: http://www.cihrs.org/wp-content/uploads/2014/06/10303784_623966244347104_8076155933000693846_n.jpg [accessed 18 May 2014].
- ³ Interviews with Palestinian refugees from Syrian in Lebanon, May 2014; non-governmental sources confirmed that some refugees are not being allowed to renew visas, but the denials appear to be *ad hoc*.
- ⁴ See for example <http://www.dailystar.com.lb/News/Lebanon-News/2014/May-09/255811-machnouk-new-entry-rules-for-palestinians-from-syria.ashx#axzz33IQGMduu> [Accessed on 11 June 2014].
- ⁵ For example see: <http://www.dailystar.com.lb/News/Lebanon-News/2014/May-09/255811-machnouk-new-entry-rules-for-palestinians-from-syria.ashx#axzz33IQGMduu> [Accessed on 11 June 2014].
- ⁶ Interviews with non-governmental sources in Lebanon who work with refugees, May and June 2014.
- ⁷ Interviews with refugees and non-governmental sources in Lebanon, May and June 2014.
- ⁸ Norwegian Refugee Council, *The Consequences of Limited Legal Status for Syrian Refugees in Lebanon*, March 2014, p.12.
- ⁹ Norwegian Refugee Council, *The Consequences of Limited Legal Status for Syrian Refugees in Lebanon*, March 2014, p.12.
- ¹⁰ See Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, Index Number MDE 18/001/2014, 21 May 2014.
- ¹¹ See <http://www.al-monitor.com/pulse/security/2014/06/lebanon-adopts-policy-syria-displaced.html#ixzz355vOGihm> [accessed 19 June 2014].
- ¹² Reuters, *Lebanon says Syrians who return will lose refugee status*, 1 June 2014, available at: <http://www.reuters.com/article/2014/06/01/us-syria-crisis-lebanon-idUSKBN0EC1AX20140601>; and Daily Star, *Lebanon asks refugees to refrain from entering Syria*, 31 May 2013, available at: <http://www.dailystar.com.lb/News/Lebanon-News/2014/May-31/258408-lebanon-asks-refugees-to-refrain-from-entering-syria.ashx#axzz35T9debAh> [Accessed 23 June 2014].
- ¹³ See cases documented in this briefing.
- ¹⁴ The International Convention on the Elimination of All Forms of Racial Discrimination defines "racial discrimination" as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."
- ¹⁵ Figures for Syrian refugees in Lebanon are available at: <http://data.unhcr.org/syrianrefugees/regional.php>. Figures for Palestinian refugees from Syria are available at: <http://www.unrwa.org/prs-lebanon>. Both sites last accessed on 7 June 2014.
- ¹⁶ World Bank, *Lebanon: Economic and social impact assessment of the Syrian Conflict*, 20 September 2013, available at: http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2013/09/24/000333037_20130924111238/Rendered/PDF/810980LB0box379831B00P14754500PUBLIC0.pdf
- ¹⁷ UNHCR, *Syria regional refugee response, inter-agency information sharing portal*, available at: <http://data.unhcr.org/syrianrefugees/country.php?id=122> Accessed 11 June 2014.
- ¹⁸ For more information on Amnesty International calls to the international community to increase support to Lebanon and Syria's others neighbours who host the majority of refugees from Syria, see: Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, May 2014, available at: <http://www.amnesty.org/en/library/info/MDE18/001/2014/en> and Amnesty International, *An International Failure: The Syrian Refugee Crisis*, December 2013, available at: <http://www.amnesty.org/en/library/asset/ACT34/001/2013/en/8a376b76-d031-48a6-9588-ed9aee651d52/act340012013en.pdf>
- ¹⁹ For further details see: Amnesty International, *Israel and the Occupied Territories/Palestinian Authority: The right to return: The case of the Palestinians*, Index number: MDE 15/013/2001, 29 March 2001.
- ²⁰ Figures from UNRWA, available at: <http://www.unrwa.org/where-we-work/syria> and

<http://www.unrwa.org/where-we-work/lebanon> Accessed on 11 June 2014. Other countries hosting Palestinian refugees include Jordan, Gaza and the West Bank.

²¹ Amnesty International, *Exiled and suffering: Palestinian refugees in Lebanon*, October 2007, available at: <http://www.amnesty.org/en/library/info/MDE18/010/2007>

²² See UNRWA: http://www.unrwa.org/sites/default/files/regional_prs_appeal.pdf. Accessed 16 June 2014.

²³ Amnesty International Public Statement, *Briefing note on sieges across Syria*, 16 April 2014, available at: <http://www.amnesty.org/en/library/info/MDE24/018/2014/en>

²⁴ Amnesty International, Syria: *Squeezing the life out of Yarmouk: War crimes against besieged civilians*, 10 March 2014, available at: <http://www.amnesty.org/en/library/info/MDE24/008/2014/en>

²⁵ Amnesty International, *Exiled and suffering: Palestinian refugees in Lebanon*, October 2007, available at: <http://www.amnesty.org/en/library/info/MDE18/010/2007>

²⁶ UNRWA, *Where we work, Lebanon*, available at: <http://www.unrwa.org/where-we-work/lebanon> Accessed on 11 June 2014.

²⁷ See UNRWA, *Where we work, Lebanon*, available at: <http://www.unrwa.org/where-we-work/lebanon> and Amnesty International, *Exiled and suffering: Palestinian refugees in Lebanon*, October 2007, available at: <http://www.amnesty.org/en/library/info/MDE18/010/2007>

²⁸ For more information see: Association Najdeh, *Right to work campaign*, available at: <http://www.association-najdeh.org/english/work1.htm> [Accessed on 7 June 2014].

²⁹ For more information see: Norwegian Refugee Council: *No Place Like Home: An assessment of the housing, land and property rights of Palestinian refugee women in camps and gatherings in Lebanon*, 2013, available at: http://www.nrc.no/arch/img.aspx?file_id=9687247&ext=.pdf [Accessed on 7 June 2014].

³⁰ See Amnesty International, *Jordan: Growing restrictions, tough conditions: The plight of those fleeing Syria to Jordan*, AI Index MDE 16/003/2013, 31 October 2013; see also <http://www.unrwa.org/prs-jordan> [accessed 18 June 2014]

³¹ Information obtained by Amnesty International from interviews with NGOs providing legal services to refugees in Lebanon, May 2014.

³² Information obtained by Amnesty International from interviews with NGOs providing legal services to refugees in Lebanon, May 2014.

³³ See General Directorate of General Security website: http://www.general-security.gov.lb/residency_in_leb/sy_res.aspx Accessed on 8 June 2014.

³⁴ The fee paid after 12 months was considered an “exit and return” stamp, which would allow Palestinian Refugees from Syria to leave Lebanon and re-enter Syria or go elsewhere. It also allowed Palestinian refugees from Syria to stay in Lebanon and get another residency visa for a further 12 months, with renewals every three months. Information obtained by Amnesty International from NGOs providing services to Palestinian refugees from Syria, June 2014.

³⁵ Online <http://www.general-security.gov.lb/About-GS/sub2.aspx> [accessed 17 June 2014].

³⁶ Information obtained from an NGO providing legal services to Palestinian refugees from Syria, June 2014.

³⁷ UNHCR, *UNHCR Note on the Principle of Non-Refoulement*, available at: <http://www.refworld.org/docid/438c6d972.html> Accessed 16 June 2014.

³⁸ See for example UNHCR Executive Committee conclusion No. 22 (para 2), No.30 (para. e) and No. 82 (para. d), online at: <http://www.refworld.org/docid/4b28bf1f2.html> [accessed 17 June 2014].

³⁹ See for example: UNRWA, *UNRWA's response and services to Palestine refugees from Syria (PRS) in Lebanon*, 10 February 2014, available at data.unhcr.org/syrianrefugees/download.php?id=4512b [accessed 19 June 2014].

⁴⁰ Interviews carried out by Amnesty International with non-governmental sources working with refugees from Syria, May 2014.

⁴¹ Interviews carried out by Amnesty International with NGOs providing legal services to refugees from Syria, May 2014.

⁴² Interviewed by Amnesty International on 31 May 2014 in Tyre, Lebanon.

⁴³ Interviewed by Amnesty International on 31 May 2014 in Tyre, Lebanon.

⁴⁴ Interviewed by Amnesty International in Tyre, south Lebanon on 31 May 2014.

⁴⁵ For more information see NRC, *Information, Counselling and Legal Assistance Programme, Lebanon*, January 2014, available at:

http://reliefweb.int/sites/reliefweb.int/files/resources/NRC_BirthRegistration_Update_January2014_FINAL.pdf.

⁴⁶ See <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>. Accessed on 8 June 2014.

⁴⁷ For more information see Amnesty International, *Exiled and suffering: Palestinian refugees in Lebanon*, October 2007, available at: <http://www.amnesty.org/en/library/info/MDE18/010/2007>

⁴⁸ Convention on the Rights of the Child, available at:

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx> [Accessed 23 June 2014].

⁴⁹ See: <http://reliefweb.int/report/lebanon/statement-chris-gunness-unrwa-spokesperson> [accessed 11 June 2014].

⁵⁰ For example see UNRWA, *PRS in Lebanon*, available at: <http://www.unrwa.org/prs-lebanon> and HRW, *Lebanon: Palestinians barred, sent to Syria*, 6 May 2014, available at: <http://www.hrw.org/news/2014/05/05/lebanon-palestinians-barred-sent-syria>.

⁵¹ An image of the statement is available at http://www.cihrs.org/wp-content/uploads/2014/06/10303784_623966244347104_8076155933000693846_n.jpg [accessed 10 June 2014]

⁵² See *Machnouk: New entry rule for Palestinians from Syria*, available at: <http://www.dailystar.com.lb/News/Lebanon-News/2014/May-09/255811-machnouk-new-entry-rules-for-palestinians-from-syria.ashx#ixzz350oAkLbP> [accessed 18 June 2014].

⁵³ Amnesty International interviews with non-governmental sources working with refugees in Lebanon, May 2014.

⁵⁴ Translated from Arabic by Amnesty International, available at: http://www.general-security.gov.lb/news_det.aspx?d=145 [last accessed 18 June 2014].

⁵⁵ Amnesty International interviews with non-government sources working with refugees in Lebanon, May and June 2014.

⁵⁶ Interviews carried out by Amnesty International with refugees from Syria, various locations in Lebanon, May 2014.

⁵⁷ Interview with Amnesty International, Tyre, south Lebanon, 31 May 2014.

⁵⁸ Interviewed by Amnesty International in Sidon, Lebanon on 27 May 2014.

⁵⁹ Interviewed by Amnesty International in Sidon, Lebanon on 27 May 2014.