

Associazione

Comunità Papa Giovanni XXIII

Associazione internazionale di fedeli di diritto pontificio – www.apg23.org Segreteria: Via Valverde, 10/C - 47900 Rimini (RN)
Tel. 0541/909600 - Fax 0541/909601

Operazione Colombia

Nonviolent Peace Corps of the Association

Comunità Papa Giovanni XXIII

E-Mail: operazione.colombia@apg23.org

Sito: www.operazionecolomba.it



ON THE VIOLATION OF NON-REFOULMENT AND WORSENING CONDITIONS OF SYRIAN REFUGEES IN LEBANON

OPERAZIONE COLOMBO¹ LEBANON/SYRIA REPORT

REPORT II

December 2019

In the wake of current mass protests shaking Lebanon's political establishment, Syrian refugees are living in the total uncertainty of future scenarios. We raise our concerns to the international community, witnessing the effects of current instability in the country as we monitor continued human rights violations and systematic abuse suffered by Syrian refugees in Lebanon.

This report follows Operazione Colomba's July 2019 report, denouncing the intensification of direct and indirect refoulement strategies designed to push Syrians back to Syria on the false claim that Syria is now a safe country of return.²

(To access Operation Colombia Syria/Lebanon Report I – July 2019, please email us at operazionecolomba.ls@apg23.org).

Operazione Colomba – Who are we:

As a Nonviolent Peace Corps, Operazione Colomba has been living alongside Syrian families in a refugee camp since 2014. Sharing daily life with families and people, Operazione Colomba presence supports the Syrians in Lebanon, whilst recording abuses and intimidations. The information collected in this report is the outcome of numerous private conversations, interviews, discussions and directly observed events on the ground.

Due to security threats and widespread fear, it is becoming increasingly harder for established organisations to hear direct accounts from Syrians themselves. Living in a refugee camp in the north of Lebanon, Operazione Colomba enjoys a privileged position in witnessing the unfolding of direct events. Below is a summarised version of the most relevant incidents reported by Syrian refugees to Operazione Colomba in the period between August and December 2019.

All testimonies in this report are anonymised. Detailed information can be made available to relevant agencies upon request.

Recommendations:

Operazione Colomba renews its calls on the Italian government, the European Union and the United Nations, as well as individual members of the assembly, to:

1. ensure that the Lebanese government acts in accordance with International Law and respects the principle of non-refoulment as enshrined in Article 3 of the Convention Against Torture, of which Lebanon is a signatory;
2. support the Lebanese state in providing aid, as well as legal and medical assistance to Syrian refugees in Lebanon, especially in this period of political turmoil;
3. condemn the normalization of international relations with the Syrian government, until a political settlement is reached,
4. Support Lebanese civil society organizations in the process of democratic and nonviolent civil and political participation, recognising their key role in guaranteeing support structures to Lebanese, Syrian and Palestinians living in Lebanon.

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1. Brief Context

The mass popular protests that have been shaking Lebanon since early October 2019 are a testimony to widespread anger and dissatisfaction felt by the Lebanese population towards their government and political elite. For over a month now, thousands of Lebanese have taken to the streets to demonstrate social dissatisfaction against economic recession, widespread corruption and lack of employment opportunity. ***What will happen as a consequence of such political turmoil will affect hosted communities, with repercussions on the over 1-million Syrian refugees living in Lebanon.***

Syrian refugees in Lebanon are suffering a steady decline in humanitarian aid due to funding cuts, combined with a continued crackdown on irregular labour, and harsher security restrictions applying on 74% of Syrians who currently live without valid residency.³ This report documents the continuation of human rights violations and abuses suffered by Syrians in Lebanon, including unlawful forced deportations, the targeting of civil society activists and increased techniques of indirect refoulement.

If prolonged and/or worsened, Lebanon's political instability could become a driving factor in influencing Syrians deciding whether to face worsening conditions in Lebanon or return to Syria while it is still reportedly unsafe to do so. If the security situation in Lebanon would de-escalated into violence, many Syrian families might have no other choice than attempt to reach Europe by sea.

2. Violations

The July 2019 report testified to deportations, voluntary returns, episodes of arbitrary arrest and torture, as well as the systematic dismantlement of concrete structures in Beqqa and Arsal camps, forced evictions, as well as numerous episodes of collective social intimidation.

This report follows up on any significant developments of these events.⁴ The lack of news and clear information over the situation of Syrians in Lebanon is itself a sign that much is happening under the surface of Lebanon's political events.

The simple continuation of worsening conditions is making the lives of Syrians unbearable.

2.1 Deportations to Syria

Deportations violate the principle of non-refoulement enshrined in International Law and Article 3 of the Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, of which Lebanon is a signatory.⁵

"On the 7th June 2016, the Lebanese armed forces came and arrested my son. He was just 16 years old. They accused him of terrorism. Then they arrested my husband too. They tortured my husband in front of my son. They kept my son for three years in jail until they deported him and other four men on the 6th October 2019 from Roumieh prison. Syrian police want 11,000 dollars for information on his whereabouts. How can we ever afford that?"

Mother of deported son from Quasyr

On May 13th, 2019, Lebanese General Security Office (GSO) issued the decision to summarily deport and hand over to Syrian authorities all Syrian nationals who have irregularly crossed the border after April 24th 2019.⁶

On the 27th August 2019, the Lebanese GSO confirmed that they had deported 2,731 Syrians who had entered the country through unofficial crossings between 21st of May - 27th August 2019.⁷ This amounts to an average of 30 Syrians deported every day during this period. No new number of deportations has been released by Lebanese GSO over the last three months.

a. Unlawfulness in due process

The Lebanese GSO's decision allows deportations to be executed based on a verbal order from the Public Prosecution - without referring Syrian nationals to trial. This results in most deportations occurring immediately after arrest, without any judicial investigation taking place first.⁸

Whilst deportation orders only apply to those Syrians who entered Lebanon irregularly after April 24th 2019, it has been widely documented that Syrians who entered *before* April 25th 2019 have also been deported.⁹ Operazione Colomba documented cases in which Syrian nationals was deported despite having legal representation and having entered the country in 2013. Access Centre to Human Rights (ACHR),¹⁰ have also reported a number of similar cases of Syrians who entered Lebanon before April 25th 2019 being deported to Syria, including one of a women.¹¹

b. Return conditions

"At the Abboudiyeh Syrian-Lebanese border checkpoint, I saw four Syrian men being deported. They were in trucks, with handcuffs shackling them down. I saw them belong delivered to the Syrian border authorities by the Lebanese army.

Anonymised testimony, Syrian man living in Akkar, 2 October 2019.

Once deported to Syria, communication with deportees is lost and little is known of what happens to them. The Syrian Network for Human Rights (SNHR) has documented 1,916 cases of arrest amongst forcibly returned refugees in Syria.¹² 784 of those arrested remain in detention, of whom 638 have been forcibly disappeared. SNHR have also documented 15 deaths of those detainees due to torture. 11 of those killed had been deported from Lebanon.¹³ Access for Human Rights who have documented the return of Syrian refugees from Lebanon, noting that at least two deportees were arrested and tortured on return to Syria.¹⁴

United Nations High Commission for Refugees¹⁵, Human Rights Watch¹⁶, the German Foreign Ministry¹⁷ and a number of independent media reports¹⁸ have all stated that those who return to Syria face a risk of being forcibly conscripted in the army, arrested, tortured or killed. Finally, for those who do not face violence or arrest the Syrian regime or armed groups, the physical destruction of the country has left basic infrastructure non-existent,¹⁹ and basic healthcare services and food nowhere close to meeting the demand.²⁰

c. Fear and psychological distress

"I do not leave the house. I feel fear all the time. I want to register myself with the UNHCR, but I am too afraid to pass the checkpoints. I spent 6 years in a Syrian prison. I would die before I go back."

Mohammed 34, from Talkalah

Families who are dependent on the work of young men - who are the largest demographic to be deported - often lose the only breadwinner, exposing families to greater risk of exploitation, child labour and early marriage.²¹ Despite the restricted security measures applying discriminately on Syrians, most Syrian men cannot stop travelling across checkpoints to reach work places, risking arrest and the possibility of being arbitrarily deported.²² Many new families arriving from Syria have not been able to register with UNHCR due to fear of crossing checkpoints.

d. Voluntary return schemes

In 2018, 32,272 Syrian refugees returned from Lebanon to Syria through self-organised means.²³ In the first quarter of 2019, Lebanese authorities stated that 172,046 refugees had returned to Syria through facilitated and organised voluntary returns.²⁴ Constant intimidation, the difficulty to find and maintain work, the impossibility to move past checkpoints, are all factors influencing many Syrians' decisions to return to Syria.

This is not because Syria is considered safe, but due to unbearable life conditions in Lebanon is.²⁵ Operazione Colomba has reported cases in which family members of Syrian nationals were made to sign voluntary repatriation forms whilst in prison. Similar events have been reported by human rights groups in

several other occasions.²⁶ The degree to which the ‘voluntariness’ of such returns is to be trusted is highly questionable.

2.2 Arbitrary Arrest and Detention

“I was called into the General Security in Jbeil at 8am. They took everything from me and then started to ask, “how did you enter Lebanon? What is your work? Did you take part in the Revolution? Are you taking part in the protests in Lebanon?” I told them I had not, but they claimed to have a photograph of me at the protests. They finally released me around 1.30pm, telling me that next time they arrest me, I am going to be deported to Syria.”

Syrian Activist from Aleppo, October 2019

The number of arbitrary arrests of Syrians in Lebanon remains dramatically high. Operation Colomba has documented hundreds of refugees’ testimonies of surviving assault and confirmed being tortured and severely beaten by perpetrators in Lebanese military uniforms. Access Center for Human Rights (ACHR) reports confirm the same.²⁷

ACHR has also documented the systematic targeting of Syrian activists in Lebanon.²⁸ Operazione Colomba has met and spoken with activists who have reported being threatened, questioned or arrested and assaulted by the Lebanese army.

e. Targeting of activists

On the 9th November, a Syrian activist reported to Operazione Colomba of being arrested after a peaceful march in the centre of Tripoli, as he was on his way to Tripoli’s neighbourhood of Mina. He was arrested off the street by Lebanese military. He was taken to Qobbeh military intelligence headquarters where he was questioned before being beaten and insulted. He was released the next day thanks to the intercession of a Lebanese friend. Like many others, once released he was given the warning that if arrested again, he would be immediately deported.²⁹

f. Roumieh Prison incidents

On 12th October 2019, ACHR reported that 5 Syrian nationals who had completed their sentences were deported from Roumieh prison through Masnaa’ border checkpoint.³⁰ This occurred despite the UNHCR was aware of their imminent deportation risk.³¹ On 13th October 2019, ACHR report that detainee’s on Terrorism charges in Special Security Ward (Cell Block B) threatened to call for a food strike with three demands:³²

1. An official statement from the Lebanese authorities that no Syrian refugee in Lebanon will be deported especially those who will be released soon.
2. To explain the fate of the five young men who were handed over to Syrian authorities.
3. To explain the reasons of handing over Syrian refugees at risk in Syria.

The food strike did not take place as officials met with the inmates and promise to speak with the Interior Ministry about their demands.³³

On 16th October 2019, Syr24 News channel reported that two Syrian prisoners hanged themselves in Beirut’s Roumieh prison after five other Syrian nationals had been deported from the same prison.³⁴ This information has not been verified by any other source, but has reached most Syrians living in Lebanon, increasing the general fears and preoccupations amongst Syrians in Lebanon, and especially of families with members currently detained.

2.3 Social intimidation

Anti-Syrian refugee rhetoric, peddled by months of xenophobic political rhetoric from certain political actors, has normalised a high level of animosity of the local population towards Syrians. Before the explosion of social protests in October 2019, Foreign Minister and head of the Free Patriotic Movement Gibran Bassil, publicly blamed Syrian refugees for Lebanon's unemployment rate and economic woes, as well as accusing the UN of 'spreading fear' and 'intimidating refugees who wish to return voluntarily'.³⁵

Encouraged by such rhetoric, there has been a marked increase in anti- Syrian acts of violence and abuse,³⁶ including acts of collective punishment against Syrians.³⁷ Media coverage has also played a role in inciting "repulsion, fear and insecurity" towards refugees.³⁸

The recent demonstrations that are taking place across Lebanon since October enhance the uncertainty faced by Syrians in Lebanon. Operation Colombia has noted a marked increase in fear from Syrian refugees.

2.4 Dismantlement of concrete structures in camps and evictions

The Higher Defense Council's decision on April 15th 2019 has also resulted in the demolition of around 5,682³⁹ semi- permanent structures housing Syrian refugees, based on a long-existing but largely unenforced housing code.⁴⁰ This was largely seen as political tactic of indirect refoulement than then enforcement of housing regulations.⁴¹

Having repeatedly visited camps in the Beqqa Valley and Arsal regions, we report the result of these demolitions having affected hundreds of families now facing the winter in inadequate shelters. International NGO's predict that as winter falls upon Lebanon, the situation of families will deteriorate even further.⁴²

3. Conclusion

We urgently call on the international community, the Italian government and the European Union, as well as individual members of the European Parliament, to ensure that the Lebanese government acts in accordance with international law and respects the principle of non-refoulement, immediately stopping the forced deportation of Syrians to Syria until political conditions can guarantee a safe and dignified return for refugees to their homeland.

4. Syrian Refugees Appeal for Peace

Operazione Colombia believes that a real and rightful solution can be reached by supporting the appeal for peace created by Syrian refugees in Lebanon. This appeal mainly asks for the creation of humanitarian areas in Syria, where people who choose neutrality instead of conflict, can be provided with international protection and where armed stakeholders cannot enter, as is the case in the Peace Community of San Jose de Apartado in Colombia (http://www.corteidh.or.cr/docs/medidas/apartado_se_05.pdf). This solution would allow refugees to return safely whilst improving the respect and the control of human rights in the country.

Access the text of the Syrian Refugees Appeal for Peace at the following links:

<https://www.operazionecolomba.it/wethesyrians> (ITALIAN)

<http://www.operazionecolomba.it/docs/noisiriani-EN.pdf> (ENGLISH)

¹ Operazione Colombia is the Nonviolent Peace Corps of the Pope John XXIII Community Association. Find more on our website: <https://www.operazionecolomba.it/chi/chi-siamo.html>

² Independent international organizations and human rights monitors agree in classifying Syria as a country where it is not safe to return for volunteers. The UN High Commissioner for Refugees (UNHCR) as well as the International Commission for the Red Cross (ICRC) also don't consider Syria as a safe country of return.

³ <https://www.hrw.org/world-report/2019/country-chapters/lebanon>

⁴ **On the violation of non-refoulement and worsening conditions of Syrian refugees in Lebanon, OPERAZIONE COLOMBA SYRIA/LEBANON REPORT, July 2019**

⁵ In October 2000 Lebanon's parliament agreed to join the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment. See UN Treaty Collection: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9&chapter=4&clang_en

⁶ General Director of the General Security Decision No. 43830/ع.م.ق of 13/5/2019. See Human Rights Watch report 05/07/19: <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished>

⁷ <https://www.dailystar.com.lb/News/Lebanon-News/2019/Aug-27/490475-more-than-2700-syrians-deported-from-lebanon-under-new-rule.ashx>

⁸ See 'Position Paper' signed by the most prominent Lebanese legal organizations including Legal Agenda, Frontier Rights, Alef, Lebanese Center for Human Rights, Umam for Documentation and Research, Lebanon Support, Social Media Exchange, Lebanese Labor Watch. May 2019: <http://www.legal-agenda.com/article.php?id=5599>

⁹ <https://reliefweb.int/report/lebanon/syrians-deported-lebanon-arrested-home>

¹⁰ ACHR are a civil society organisation monitoring deportations and arbitrary arrest of Syrians in Lebanon.

¹¹ See: ACHR Deportation Report.EN1 (1).pdf

¹² See: <http://sn4hr.org/blog/2019/08/15/54146/>

¹³ See: <http://sn4hr.org/blog/2019/08/15/54146/>

¹⁴ See ACHR Deportation Report EN Aug 2019

¹⁵ See UNHCR Protection: <https://www.unhcr.org/lb/protection>

¹⁶ See Human Rights Watch report on Retaken Areas in Syria. 21/05/19: <https://www.hrw.org/news/2019/05/21/syria-detention-harassment-retaken-areas>

¹⁷ See German media reports of German Foreign Ministry report November 2018: https://www.dw.com/en/germany-says-syrian-deportees-could-face-reprisals-reports/a-46367849?utm_source=ECRE+Newsletters&utm_campaign=f8d6a3785f-EMAIL_CAMPAIGN_2018_11_21_01_12&utm_medium=email&utm_term=0_3ec9497afdf8d6a3785f-422321521

¹⁸ See Foreign Policy 06/02/19: <https://foreignpolicy.com/2019/02/06/a-deadly-welcome-awaits-syrias-returning-refugees/>

¹⁹ See: <https://carnegie-mec.org/diwan/79805>

²⁰ See: <https://english.enabbaladi.net/archives/2019/05/homs-country-side-back-to-poverty-stricken-bosom-of-the-homeland-a-year-after-settlement/>

²¹ See: <https://www.thenewhumanitarian.org/news-feature/2019/09/17/Syrian-refugees-deportations-Lebanon>

²² See: <https://www.thenewhumanitarian.org/news-feature/2019/09/17/Syrian-refugees-deportations-Lebanon>

²³ See 101 Facts and Figures on the Syrian Refugee Crisis, Issam Fares Institute for Public Policy, July 2019:

<https://www.aub.edu.lb/ifi/news/Pages/20190702-101-facts-and-figures-on-syrian-refugee-crisis-volume-2.aspx>

²⁴ Amnesty International report, 12/06/2019: <https://www.amnesty.org/en/latest/news/2019/06/lebanon-wave-of-hostility-exposes-hollowness-of-claims-that-syrian-refugee-returns-are-voluntary/>

²⁵ Lynn Maalouf, Amnesty's International Middles East Research Director stated that "life for many Syrian refugees in Lebanon is marked by fear, constant intimidation and feelings of hopelessness. Despite the Lebanese government's claims that returns to Syria are voluntary.... life is becoming intolerable for refugees, leaving many with no choice but to return to Syria". Amnesty International Report 12/06/2019: <https://www.amnesty.org/en/latest/news/2019/06/lebanon-wave-of-hostility-exposes-hollowness-of-claims-that-syrian-refugee-returns-are-voluntary/>

²⁶ See report from Human Rights Watch, 24/05/2019: <https://www.hrw.org/news/2019/05/24/lebanon-syrians-summarily-deported-airport>

²⁷ ACHR Deportation Report.EN1 (1).pdf

²⁸ ACHR Deportation Report EN Aug 2019

²⁹ Through direct testimonies collected by Operazione Colombia during trips to the North and Akkar, the Beqqa Valley, Beirut areas and the South.

³⁰ See: <https://www.achrights.org/2019/10/17/lebanons-continues-its-forced-deportation-policy-of-syrian-refugees/>

³¹ See: <https://www.achrights.org/2019/10/17/لبنان-يو-اصل-سياسة-الترحيل-القسري-على-/>

³² See: <https://www.achrights.org/2019/10/17/lebanons-continues-its-forced-deportation-policy-of-syrian-refugees/>

³³ See: <https://www.achrights.org/2019/10/17/لبنان-يو-اصل-سياسة-الترحيل-القسري-على-/>

³⁴ See: <https://www.sy-24.com/news/>

³⁵ See DW reporting 08/06/18: <https://www.dw.com/en/lebanon-blocks-unhcr-workers-visa-applications-in-syrian-refugee-row-a-44133044-0>

³⁶ See report by the European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations, 12/06/19: <https://reliefweb.int/report/lebanon/lebanon-protection-concerns-syrian-refugees-echo-un-ngos-echo-daily-flash-12-june>

³⁷ In early June 2019, a fight between Syrian residents of a camp in Deir Al Ahmar and Lebanese firefighters ignited pre-existing tensions in the area, causing a municipality wide curfew and the expulsion of 600 Syrians from their homes in what was widely condemned as an act of collective punishment. See: Al Jazeera, 09/06/19: <https://www.aljazeera.com/news/2019/06/lebanon-deir-al-ahma-incident-displaced-600-refugees-190609095940222.html>

³⁸ ACHR Deportation Report 2019

³⁹ See reporting by The National, 06/06/19: <https://www.thenational.ae/world/mena/15-000-syrian-children-face-homelessness-in-lebanon-ngos-warn-1.870902>

⁴⁰ See Human Rights Watch report 05/07/19: <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished>

⁴¹ Bill Frelick, refugee rights director at Human Rights Watch confirmed that "this crackdown on housing code violations should be seen for what it is, which is illegitimate pressure on Syrian refugees to leave Lebanon". See Human Rights Watch Report 05/07/19: <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished>

⁴² <https://www.independent.co.uk/news/world/middle-east/syria-refugee-crisis-lebanon-arsal-border-middle-east-war-a8956646.html>