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Externalizing Migration Control to the MENA Region: Lebanon

The European Union Commission announced in May 2024 a €1 billion ($1.08 billion) support package for Lebanon, with the stated intention of shoring up basic services, such as education and healthcare, as well as migration and border management. The partnership with Lebanon is not an isolated arrangement; it follows a series of similar deals that the EU has signed over the course of the past few years with various states in the Middle East and North Africa (MENA) region, such as Tunisia, Egypt, Mauritania. The stated objective of these deals is to alleviate some of the financial stress of these struggling countries and boost their capacity to curb irregular migration toward Europe.

This explainer outlines the EU's partnership deal with Lebanon, focusing on its migration and mobility component, with a particular emphasis on refugees and asylum seekers attempting to migrate from Lebanon to Europe. It examines the legal framework, policies, and practices applied to refugees and asylum seekers in Lebanon, and shows how this partnership may serve as a short-term security measure aimed at stopping refugees from reaching Europe.

The EU-Lebanon partnership in a nutshell

The financial assistance package**,** covering the period between 2024 to 2027, was announced by the European Union Commission President Ursula von der Leyen in Beirut in April 2024. In her speech, Von der Leyen said that the partnership was intended to demonstrate the EU's continued commitment "to provide strong financial support to the country in view of the significant challenges it faces…. and contribute to its security and stability."

The full text of the agreement is not publicly available, however, a press release by the European Commission outlines that the three main objectives of the deal were to support: basic services, such as healthcare and education; urgent domestic economic reforms in line with recommendations of the International Monetary Fund (IMF); and increased border security and the prevention of irregular migration.

Half of the funding in this deal, approximately €500,000 (around $557,000), was disbursed to Lebanon in August 2024. However, the Commission decided to withhold the remaining 50 percent until the banking

sector is restructured in accordance with the requests of the IMF, as per the second main objective of the deal. There were no conditions for human rights considerations, specifically the treatment of refugees or practices of security forces.

Lebanon has been a regular recipient of international financial aid to support the costs of hosting refugees. This is primarily facilitated through the annual Brussels Conference, during which countries around the world pledge funding to support the hosting of Syrian refugees in MENA countries, including Lebanon, Jordan, and Turkey.

The EU has also been providing financial assistance to bolster Lebanon's security sector for the past several years with the stated goal of decreasing irregular migration to Europe. Such "externalization agreements," whereby countries of the Global North outsource border management to the Global South, have grown increasingly popular. This is despite the fact that these deals may lead to human rights violations, including the right to leave a country and the right to seek asylum. The current funding agreement was designed against the backdrop of the growing number of refugees arriving irregularly to Cyprus from Lebanon; it mirrors the approach used in Tunisia, where the country halts departures of irregular migrants seeking to enter Europe in exchange for financial support and enhanced border management cooperation.

Domestic legal framework to protect refugees and asylum seekers' rights in Lebanon

Lebanon is not a party to the 1951 Convention Relating to the Status of Refugees (known as Refugee Convention) that sets out the definition of refugees, their rights, and necessary protections. However, Lebanon has acceded to the Convention Against Torture, which prohibits *refoulement*—the deportation of any individual to a country where they face the risk of torture. The principle of *non-refoulement* is also part of the body of customary international law, thus obligating all states to abide by this rule, even if they have not ratified the above conventions.

Lebanon's only law applicable to refugees and asylum seekers, outlined in Articles 26-31 of the 1962 Law on Foreigners, provides for the possibility of political asylum only, neglecting other causes of asylum. Article 26 of the law states that "any foreign national who is the subject of a prosecution or a conviction by an authority that is not Lebanese for a political crime or whose life or freedom is threatened, also for political reasons, may request political asylum in Lebanon." While this is a broad categorization that could allow for application to a wide range of cases, it does not specifically provide for protection against persecution

on the grounds of religion, nationality, ethnicity, or other immutable characteristics, as per the standard set by the Refugee Convention.

Lebanon's domestic asylum law also falls short of international standards of due process, which require that an individual must have the opportunity to appear before an impartial, independent, and regularly-constituted court. To be independent, a tribunal must be separate from other branches of government and there should be no external interference with judicial proceedings or decisions. Article 27 of Law on Foreigners includes the implementation of an asylum determination committee responsible for assessing and conferring asylum status, but it is entirely composed of government officials; it is chaired by the Ministry of Interior, and includes members of the Ministry of Justice, the Ministry of Foreign Affairs, and the Directorate of General Security. Even more importantly, the decision of the asylum committee is final and not appealable on any grounds.

The asylum determination committee has only conferred asylum status in one instance since the law came into force, in the case of Kozo Okamoto, a member of the Japanese Red Army who participated in a suicide attack in Tel Aviv's airport in 1972, and was later sent to Lebanon in a prisoner exchange in 1985. Lebanon granted Okamoto asylum status in 2000, rejecting Japan's demands for his extradition, likely due to public pressure. Lebanon has never implemented any other mechanism to systematically process asylum claims. Instead, legal residency for refugees in the country depends on tenuous bilateral agreements with the United Nations High Commissioner for Refugees (UNHCR) and government edicts that can change from one day to the next. Cases of threatened deportations are contested through civil society advocacy, or through negotiations between either UNHCR or an attorney and the Directorate of General Security. Nonetheless, many refugees and asylum seekers are deported arbitrarily and unilaterally by Lebanon's security forces before anyone can intervene.

With Lebanon declining to adopt the Refugee Convention and failing to implement an adequate legal framework to fairly adjudicate cases of asylum or confer refugee status, those seeking sanctuary in Lebanon are subjected to abuse and exploitation, left vulnerable to deportation to a country where they face the risk of persecution.

The human rights situation of refugees and asylum seekers in Lebanon

Lebanon last conducted a population census in 1932. Since then, the country's sectarian power sharing system and fears of change and internal friction has prevented a new count. As such, demographic analysis

must rely on approximations that point to Lebanon's population sitting at 5.8 million, including 1.5 to 2 million refugees.

Similar issues are encountered in the calculation of the number and nationalities of refugees and asylum seekers. The Lebanese government estimates that Lebanon hosts 1.5 million Syrian refugees, though it issued an edict in 2015 prohibiting UNHCR from continuing to register them. The UN agency's latest data as of the end of 2024 shows that 750,000 registered Syrian refugees are still in Lebanon, in addition to 11,000 refugees of other nationalities. Currently, only 20 percent of Syrian refugees hold legal residency permits in Lebanon, leaving the vast majority at risk of arbitrary arrest, exploitation, abuse, or forced deportation. The lack of access to legal documentation is due to the numerous obstacles that Syrian refugees must overcome to obtain residency, including high fees, difficulty reaching General Security offices or understanding the requirements for application, as well as baseless rejections or the imposition of arbitrary requirements by General Security.

Palestinian refugees, who have been in the country for generations, fall under the mandate of the UN Relief Works Agency (UNRWA), rather than UNHCR. UNRWA has nearly 500,000 Palestinian refugees registered in Lebanon, though the agency estimates that only 222,000 Palestinians still resided in Lebanon as of February 2025.

While Lebanon as a whole is grappling with one of the worst socio-economic crises of modern times, refugees have been disproportionately affected. Ninety percent of refugees under UNHCR's jurisdiction currently live in extreme poverty, while 80 percent of Palestinian refugees under UNRWA's mandate live under the poverty line.

Across the board, all refugees and asylum seekers in Lebanon face discrimination, rights violations, and insecurity. Many refugees can only access the highly exploitative informal labor market. Palestinian refugees are prohibited from working in a large number of professions. They also pay an equal share to Lebanese citizens of their wages to the National Social Security Fund, but are not entitled to the same benefits. Syrian refugees face even greater restrictions, and are permitted to work only in agriculture, construction, and sanitation. In addition, those working in the agriculture sector "are systematically excluded from the protections of the Labor Law."

Over the past several years, Lebanese authorities have regularly scapegoated Syrian refugees for the country's failings, whether social, economic, or security-related. Scapegoating campaigns are typically

accompanied by widespread harassment and large-scale deportations. In 2022, the Lebanese government began pushing for Syrian refugees to return to Syria, with the caretaker Minister of the Displaced announcing a plan to return 15,000 people each month, while claiming that said returns would be voluntary. As a result of advocacy by rights groups sounding the alarm about the potential for *refoulement*, only two return convoys were ultimately coordinated, with a total of roughly 800 people returning to Syria. However, by early 2023, the Lebanese army began a mass deportation campaign, conducting raids on areas where refugees lived, rounding them up, and summarily deporting approximately 1,800 people.

Similarly, the early months of 2024 witnessed a highly coordinated anti-refugee campaign, including advertisements with misinformation about Syrian refugees and false statements by political officials, government representatives, and traditional politically-aligned media outlets. Syrian residents faced violence and harassment from security and police officers, as well as vigilante groups in different parts of Lebanon, pressuring them to leave. The country's security forces also undertook raids and deportations, which, though much fewer than the previous year, included persons who were vulnerable due to their opposition to the Syrian regime.

Due to Israel's widespread attacks on Lebanon, and the subsequent formation of a new Lebanese government, the authorities have been less focused on Syrian refugees in the country. Since the fall of Bashar al-Assad's regime on December 8, 2024, the situation of Syrian refugees has remained in flux, with some refugees either returning to Syria and others fleeing to Lebanon. However, recently, Lebanese authorities have resumed pushing for Syrian refugee returns; President Joseph Aoun claimed that since the fall of Assad, "the conditions that caused their displacement were largely resolved," while the new foreign affairs minister stated that "the return of Syrian refugees is not only possible; it is now imperative."

The forced deportations of Syrian refugees by the Lebanese army and security forces likely amount to violations of the principle of *non-refoulement*. Additionally, many Syrian refugees returned to Syria not because they chose to do so freely, but due to an array of push factors, such as the lack of protection, support, and stability in Lebanon, making their situation in the country unbearable and pushing them to return prematurely.

Will the EU-Lebanon deal succeed in achieving its goals?

While it is too early to analyze the deal's outcomes, a review of the Lebanese authorities' mistreatment of refugees over the past several years—despite receiving funding support for the administration of refugee

affairs and protection—indicates that this deal may likely feed into the same cyclical pattern. Additionally, similar deals with countries like Tunisia, Mauritania, Turkey, and others reveal that the EU strategy of externalizing border control has not only failed to meet its objectives, but has also contributed to the commission of severe human rights violations against migrants.

Theoretically, the EU's externalization policy aims to reduce migration toward Europe. However, figures show that the number of migrants arriving in Europe through the Mediterranean has increased recently, despite billions of euros spent to curb migration. By outsourcing border control to countries known for their problematic human rights records, the EU risks contributing to widespread human rights abuses against migrants. A report by Human Rights Watch found that the EU had contributed €16.7 million (around $18 million) from 2020-2023 to prevent irregular migration from Lebanon, with rights violations and *refoulement* by Lebanese security forces and the army only worsening during that time. As such, it is possible that the current deal with Lebanon may result in the same failures.

Lebanon's legal framework requires significant amendments to protect the rights of refugees and asylum seekers in the country, and to ensure they do not face forced deportations or premature returns due to push factors. However, the current deal is unlikely to achieve these goals if the EU continues to rely on self-serving policies of externalization and is unwilling to condition funding on compliance with human rights standards. Under the status quo, it is unreasonable to foresee that this partnership will result in anything beyond a short-term, band-aid solution to suppress migration in an ad hoc and unsustainable manner.

The EU approach leaves fertile ground for rights violations and abuses and signals to Lebanon and other refugee hosting countries that they can successfully instrumentalize refugees in exchange for funding. It also undermines the EU's reputation and its ability to influence human rights and rule of law in the region. So long as the situation for refugees in Lebanon remains insecure and stakeholders in Lebanon's refugee population do not seriously work toward reform, legal and beyond, refugees are likely to keep looking for a better life elsewhere, regardless of the risks they face.