Istituto Affari Internazionali

ISSN 2532-6570

IAI COMMENTARIES 20 | 94 - DECEMBER 2020

Lebanon as a Test Case for the EU's Logic of Governmentality in Refugee Challenges

by Tamirace Fakhoury

Prior to 2011, Lebanon was no traditional gatekeeper in managing migrant and refugee flows to the EU. Following mass refugee influx from Syria, the small Middle Eastern state acquired key importance in the EU's architecture of externalisation, alternatively framed as the set of norms and practices that the EU crafts to govern migration from a distance.

Lebanon currently hosts more than 1.5 million Syrian refugees and since 2012 the EU has been the key funding power seeking to help the refugee-hosting state cope with the spillover effects that mass displacement brought about on the country.

The EU's recently published New Pact on Migration and Asylum reiterates support to refugees and refugee-hosting countries – including those in Syria's neighbourhood – as one of the central elements of cooperation with third countries on migration and displacement. After nearly a decade of cooperation between the EU and Lebanon in this area, and ahead of the EU's new budgetary and policy-planning cycle (2021–27), now is a key moment to critically assess EU-Lebanon cooperation on displacement from Syria.

I argue that the EU's logic of governmentality in the context of the refugee challenge has remained disconnected from a deeper grasp of Lebanon's cumulative crises on the one hand, and its politics of refugee reception on the other. Moving forward, the EU would need a revamped approach that looks at Lebanon beyond the prism of a partner in refugee challenges, bringing the principle of good governance in EU-Lebanon negotiations as crucial element to improve the relationship, placing it on a more sustainable and mutually beneficial plane.

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This paper was prepared with partial support of the Open Society Foundations, in the framework of the project "A New European Consensus on Asylum & Migration". Views expressed are the author's alone.

ISSN 2532-6570

Lebanon in the context of mass displacement from Syria

In 2011, with the onset of Syria's lethal conflict, Lebanon opened its borders to displaced Syrians. What started as an open-border policy quickly evolved into a highly securitised refugee policy. By the end of 2014, under the impact of the heavy strain that the neighbouring conflict brought about in Lebanon, the government closed its borders to new refugee arrivals. Further, it instructed the UN Refugee Agency (UNHCR) to halt refugee registration.

As soon as the Bashar al Assad regime started making territorial advances in 2016, key political figures in Lebanon began lobbying for refugee repatriation to Syria.[1] In this context, factors such as illegal municipal curfews, evictions and crackdowns on employed refugees pushed many Syrians to consider return.[2] In collaboration with security agencies, the Lebanese government started in 2017 to organise so-called "voluntary returns", notwithstanding the UNHCR's disapproval and ongoing violence in Syria.

Though they have no legal mandate to do so, parties such as the Shiite-based Hezbollah or the Christian-based Free Patriotic Movement have played an active role in coordinating return operations or "encouraging" Syrians to return by opening return centres. At the same time, in light of various geopolitical motives, rival governing parties such as the Sunni-based Future Current have warned against rushing repatriation as long as suitable conditions are not in place in Syria.[3]

Three features have characterised Lebanon's approach towards displaced Syrians: incoherent policymaking, securitisation and fragmentation. Far from reflecting an absent asylum policy, such features mirror the state's imperative to uphold a reluctant yet strategically ambiguous policy of reception as its preferred mode of action. Devolving authority over refugees, be it to municipalities, landowners, security agencies or political parties, allows the state to disperse accountability for refugee rights.[4]

Within this context, Lebanese officials have continuously called on international powers, including the EU, to channel more aid so as to help the overburdened host state withstand the challenge. It would be no exaggeration to add that Lebanon's approach to refugee governance has hovered between openly contesting refugees' stay and adopting a tactical "marketplace" strategy to leverage hospitality in return for more financial aid.

[1] Tom Rollins, "Incitement, Tensions Rise Over Syrian Refugees in Lebanon", in *Al-Monitor*, 28 September 2016, http://almon.co/2qx4.

[2] Rouba Mhaissen and Elena Hodges, *Unpacking Return. Syrian Refugees' Conditions and Concerns*, Beirut, Sawa for Development and Aid, February 2019, https://reliefweb.int/node/2977858.

[3] For a full account of Lebanon's incoherent politics on return, see Tamirace Fakhoury, "Refugee Return and Fragmented Governance in the Host State: Displaced Syrians in the Face of Lebanon's Divided Politics", in *Third World Quarterly*, 8 June 2020, https://doi.org/10.1080/01436597.2020.1762485.

[4] Ibid.

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ISSN 2532-6570

The EU's logic of refugee governmentality in Lebanon

Three interrelated characteristics have marked the EU's logic of refugee governance in Lebanon since 2011: reinforced cooperation with the government, emphasis on resilience-building despite the political elite's contestation of such an approach, and a tactical non-engagement towards Lebanon's securitised refugee practices.

Since 2012, the EU has conducted high-level meetings to explore how the EU and Lebanon could turn the refugee challenge into an opportunity. In the wake of the eighth EU-Lebanon Association Council (2017), for example, the two sides embedded cooperation on the refugee challenge within a wider diplomatic context, seeking mutual benefits in issue areas such as trade and the fight against terrorism.

The assumption at the time was that cooperation on refugee governance could evolve into a win-win outcome. The EU would implement a plethora of activities in the fields of capacity-building and security-sector reform in Lebanon. In return, Lebanon would evolve into an upscaled partner that co-devises solutions on migration management.[5]

The EU moreover integrated its refugee response into a broader politics of resilience-building, which took on two dimensions in Lebanon. Firstly, the EU channelled financial support to activities that would spur benefits to both refugees and local populations in terms of job creation or economic growth. Secondly, the EU explored with the government a set of measures that would help Syrians "temporarily" integrate in Lebanon, and become more self-reliant pending their repatriation, a means to provide the host state with incentives for refugee reception.

The 2016 EU-Lebanon compact epitomises the EU's search for a politics of refugee resilience in Lebanon.[6] The so-called tailored partnership channels funding to projects in livelihoods, economic growth and job creation to both Syrians and Lebanese, in return for the government's facilitation of access to residency and employment in certain sectors for Syrian refugees.[7]

Indeed, following the compact, the Lebanese government sought to facilitate residency requirements for Syrian refugees, and ease their access to employment in, for instance, agriculture. The compact also inspired a broader conversation on improving Syrian refugee protection in Lebanon

[5] Tamirace Fakhoury, "Leverage and Contestation in Refugee Governance: Lebanon and Europe in the Context of Mass Displacement", in Raffaella A. Del Sarto and Simone Tholens (eds), *Resisting Europe. Practices of Contestation in the Mediterranean Middle East*, Ann Arbor, University of Michigan Press, 2020, p. 142-163.

[6] Cindy Huang and Nazanin Ash, "Jordan, Lebanon Compacts Should Be Improved, Not Abandoned", in *Refugees Deeply*, 5 February 2018, https://deeply.thenewhumanitarian.org/refugees/community/2018/02/05/jordan-lebanon-compacts-should-be-improved-not-abandoned.

[7] European Commission, *EU-Lebanon Partnership: The Compact*, August 2017, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/lebanon-compact.pdf.

through measures such as allowing Syrian refugee children to register on Lebanese soil.[8]

In practice however, the compact was a non-binding document that lacked mechanisms for implementation. Further, the principles the compact set out to uphold were strongly contested by Lebanon's political elite. Key officials have relentlessly critiqued the EU's search for more lasting solutions in Lebanon. They have also opposed calls for refugee employment on the basis of their encroachment on Lebanon's sovereignty. More broadly, they have critiqued refugee solutions promoted by the EU for their lack of fair burden-sharing and for adding further strain on Lebanon's already delicate configuration.[9]

Against this backdrop, the EU's call for improved refugee inclusion in the compact – and in the Brussels Conferences for Supporting the Future of Syria and the Region – has not materialised. More than 70 per cent of Syrians today do not hold a legal residency,[10] while their livelihoods have seen a dramatic decline even prior to Lebanon's economic collapse in 2019.

Notwithstanding its calls for refugee protection and resilience, on-the-ground pragmatic realism has marked the EU's policy behaviour. Thus, the EU has sought to upscale collaboration with the political establishment regardless of recurrent refugee rights abuses. This is neither surprising nor novel.

Drawing non-European partners into crafting refugee governance initiatives is an integral part of the EU's wider infrastructure of externalisation. Compacts and resilience-building programmes arise as outsourced modalities that seek to retain refugees where they are, and to discourage the departure of potential asylum seekers from regions of origin.[11]

It would therefore be safe to say that rather than deeply engaging with the roots of refugee dispossession and tying its funding power to good governance, the EU's logic of refugee governmentality in Lebanon has consisted in stabilising the strained polity, while governing migration from a distance.

With Lebanon's fall does the EU's approach falter as well?

Lebanon experienced a massive protest wave – commonly called the revolution or *thawra* – in 2019, with citizens calling for the demise of Lebanon's inept and corrupt regime. The revolutionary episode was essentially a reaction to a financial crash that led the Lebanese

[8] Sandra Lavenex and Tamirace Fakhoury, *Trade Agreements as a Venue for EU Migration Governance*, DELMI Seminar, Sweden, October 2019.

[9] Tamirace Fakhoury, "Leverage and Contestation in Refugee Governance", cit.

[10] UN High Commissioner for Refugees (UNHCR), UN Children's Fund (UNICEF) andWorld Food Programme (WFP), 2019 Vulnerability Assessment for Syrian Refugees in Lebanon (VASyR), Beirut, December 2019, https://data2.unhcr.org/en/documents/details/73118.

[11] Sandra Lavenex, *Instruments, Methods, Mechanisms of Externalisation*, presentation at the CONREP workshop "Refugee Externalisation Policies. Responsibility, Legitimacy and Accountability", Prato, 14 June 2019.

IAI COMMENTARIES 20 | 94 - DECEMBER 2020 ISSN 2532-6570

pound to lose more than 80 per cent of its value in the months to come.

Beyond its financial triggers, the *thawra* carved an intersectional field tying together the struggles of workers, women, as well as migrants and refugees. In this setting, activists decried international powers' pragmatic collaboration with a corrupt regime which has stifled the well-being of both citizens and refugees.

With the spread of the COVID-19 pandemic and the Beirut blasts in August 2020, anti-regime mobilisation diminished, but protests still episodically erupt. In the context of cumulative shocks, both refugees and host populations have experienced a "catastrophe after catastrophe scenario".

Today, more than 50 per cent of Lebanese citizens[12] and more than 70 per cent of Syrian refugees[13] have been thrown under the poverty line. Lebanon's collapse, which comes at a time when international powers, including the EU, have channelled massive aid and implemented a myriad of resilience-building programmes, has spurred a flurry of critiques on the architecture of external assistance and stabilisation.

Indeed, Lebanon's fall has various implications for the EU's external logic of governmentality. The politics of resilience-building, which is the cornerstone of the EU's refugee response and seeks to make individuals self-reliant rather than states accountable, has left the ruling elite unscathed and intact. It has also remained poorly synchronised with the search for rights-based remedies which guarantee dignified options to refugees beyond temporary schemes.

The EU is called in this regard to bring in the principle of good governance in its external migration policies.[14] Otherwise, as the Lebanese case dramatically shows, its policy solutions to protracted refugee challenges will remain disconnected from both the endemic challenges, and the cumulative shocks that afflict both host and refugee populations.

The EU is moreover called to look at Lebanon beyond the mono-dimensional prism of a priority partner in times of crises. In the last decade, the EU has tailored its stabilisation approach to the issue of displacement on Lebanese soil, arguably relegating cooperation on good governance and political reform in the country.

As various grassroots activists have pointed out, after Lebanon's collapse the EU should uphold a people-centric policy approach that prioritises the everyday lives and futures of

[12] UN Economic and Social Commission for Western Asia (ESCWA), "Poverty in Lebanon: Solidarity is Vital to Address the Impact of Multiple Overlapping Shocks", in *ESCWA Policy Briefs*, No. 15 (August 2020), https://www.unescwa.org/news/Lebanon-poverty-2020.

[13] Patricia Khoder, "La communauté internationale espère lever 2,6 milliards de dollars pour le Liban", in *L'Orient Le Jour*, 30 June 2020, https://www.lorientlejour.com/article/1224000.

[14] Bruno Oliveira Martins and Michael Strange, "Rethinking EU External Migration Policy: Contestation and Critique", in *Global Affairs*, Vol. 5, No. 3 (2019), p. 195-202, https://doi.org/10.1080/23340460.2019.1641128.

ISSN 2532-6570

individuals, rather than cooperation with volatile elite cartels.[15]

14 December 2020

[15] Author's informal conversations with activists, Beirut, October 2019 to August 2020.

ISSN 2532-6570

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ISSN 2532-6570