Palestinian refugees and the current Syrian conflict: from settled refugees to stateless asylum seekers?

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The Syrian conflict has caused the forced displacement of many refugees. In November 2014, [UNRWA](#)[1] estimated the total number of Palestinian refugees displaced inside Syria just over 250,000 (half of the total registered in Syria), a large part originating from Yarmouk camp in Damascus. About 12% of the registered refugees have left the country to Lebanon (50,000), Jordan (6000) and Egypt (9000) mainly. About 250,000 are still in Syria, in safer places, but without any guarantee that the front line will not catch up. 8000 refugees whose homes were destroyed live in UNRWA facilities, schools in general. Some IDPs were able to return to their homes, but the number of new refugees moved *en masse* remains higher.

This has had dramatic consequences for the Palestinian population in Syria. Palestinians were enjoying access to education and the labour market without particular discrimination in Syria before 2011. The outbreak of the Syrian conflict in 2011 consigned Palestinians to a stateless status and forced more than 70,000 of them to seek asylum in neighbouring countries. All this seems to replicate a scenario already seen with Palestinians from Iraq at the aftermath of the fall of Saddam Hussein in 2003. The current Syrian conflict is part of a longer regional history which has often seen the refugees be involved, often as victims, sometimes as protagonists in the different conflicts in the post-1945 Middle East. If most of the Arab regimes show strong support for the Palestinian cause, particularly the right of return of refugees, refugees' precarious status, especially

during crisis, demonstrates a clear gap between practice and rhetoric.

A Palestinian refugee camp in Jaramana, Syria

The aim of this paper is to analyse Lebanese authorities' management of Palestinians from Syria. This issue raises the wider question of the status of Palestinian refugees who seek asylum in a third country. Their status has a strong impact both on how they settle in their host country and their access to mobility and protection in the context of conflicts. The current forced migration of Palestinian refugees, largely overshadowed by the magnitude of the Syrian refugee crisis, raises many questions regarding the status of refugees forced to leave their countries of first asylum to seek refuge in a third country out of any framework for international protection.

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While studying Palestinian migration and its impacts, this contribution discusses the temporality structuring migration flows and, thereby, it questions the dichotomy traditionally established between "forced" and "voluntary" migration.

Forced migrations have usually been described as "spontaneous" migrations and analysed in terms of political and security constraints. Early attempts to build a general theoretical model on refugee issues have focused mainly on push factors to explain refugee movements (e.g. Kunz, 1973). More recent studies have emphasized the role of international relations in the production of refugee flows (e.g. Loescher, 1990; Weiner, 1993). If push factors as well as international politics are key issues for the understanding of refugee movements, less attention has been paid to dynamics generated by refugees themselves. The duration of exile and the different kind of interactions with the host societies have also

generated different forms of mobility. Richmond (1994: 55) stresses that:

> *"[...] the distinction between free and forced or voluntary and involuntary is a misleading one. All human behaviour is constrained. Choices are not unlimited but are determined by the structuration process. However, degrees of freedom may vary. Individual and group autonomy and potency are situationally determined. It would be more appropriate to recognize a continuum at one end of which individuals and collectives are proactive and at the other reactive."*

Furthermore, refugee movements resulting from conflicts are often fashioned by previous migration flows and correlated network structures that are re-mobilized during the humanitarian crisis. Therefore, tracing a genealogy of Palestinian mobility between Syria and Lebanon can help to better understand current forced migration processes and their connections with other forms of social organization built over time in a regional area. This approach allows analysing in an original way the "legal vulnerability/mobility practices" nexus.Refugee movements are often studied(forgiven population) and focusing on the time of the crisis.I suggest analysing the current emigration of Palestinian refugees from Syria in a long term perspective.

Questioning the dichotomy between forced and voluntary migrations is even more interesting in the Middle East as Jordan, Lebanon Iraq and Syria are not signatories of the Geneva Convention on Refugees. The refugee category (with the exception of Palestinians who are recognized as refugees in the state where they have their permanent residency) does not exist as such. There is often confusion in the field of forced migration between legal categories (refugees, asylum seekers, etc.) and those relating to the analysis of migration (Zetter, 2007).

Palestinian refugees: a specific category?

There is no direct link between refugees' legal status and their settlement

patterns in the host countries. Refugees with only temporary status can be settled on the long-term in their host states, as is the case for Iraqis in Jordan or Sudanese in Lebanon during the 1990s. Instead, groups of well-established refugees may be expelled *en masse*, as happened to Palestinians in Kuwait in 1990-1991 and in Libya in 1995, when major geopolitical crises occurred in the region. Other groups can be caught up in a conflict that happens in their host countries. This is the case of the Palestinian refugees from Syria who arrived in the country after the creation of Israel in 1948. They were well integrated at socio-economic level in their host country. Following the Syrian uprising, many of them lost any form of protection from the Syrian state. As stateless refugees they were forced to leave their host country (which was for the majority of them also their country of birth) and search asylum in Lebanon and Jordan where they are vulnerable, due to the absence of formal legal status upon their arrival.

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In general, migrants in the Middle East are kept by host states authorities in a precarious status. Even when socio-economic integration seems to be achieved, this does not always guarantee integration on the long term. In fact, forms of local integration are most often articulated within transnational connections. Therefore first migrations represent a step in the migration route to third countries or to secure and prepare for a possible return.Thomas Faist (2000) notes that the installation of earlier migrants is a central element that permits the development of migratory networks because they condense the social capital. Migration develops when social capital does not function only on a local scale, but also as a *transnational transmission belt*. Previous Palestinian migration contributes to shape current migration flows.

Visa policies in the region regarding Palestinian refugees are different from one country to another. However, they all share a common point: Palestinians face

special treatment, different from the other refugee communities holding citizenship rights. This difference is partly based on bilateral migration agreements between Syria and Lebanon that exclude Palestinians refugees for the right of circulation In this context, Palestinian refugees are subject to specific measures (e.g. limited access to property, restrictions on access to employment and education, restrictions on mobility) taken by the Arab countries under the pretext of preserving their right of return and the fear of permanent settlement of Palestinian refugees in their host countries.

The future of Palestinian refugees in Syria remains uncertain. Regardless of their current residence, 400,000 of the 500,000 Syrian refugees are dependent on emergency assistance that UNRWA provides them in the form of food, blankets or financial assistance[2]. This assistance does not extend to the legal protection of refugees as that offered by the UNHCR. The lack of formal legal protection of Palestinian refugees transforms them de facto into illegal migrants subject to potential refoulement towards Syria. This is also the case of refugees who have tried to rebuild their lives outside Syria.

Lebanon: the main abode for Palestinians fleeing Syria

As October 2014, UNRWA estimates that 44,000 Palestinians from Syria entered Lebanon since the beginning of the crisis[3]. These figures should be taken with caution; they are not the result of a census of the presence of Palestinian refugee from Syria in Lebanon, but only take into consideration the number of those who have crossed the border between the two countries and registered with the UNRWA. As long as the border was not closed for them, many Palestinians went back and forth between Lebanon and Syria according to the evolution of the political and security situation in the camps and / or cities where they habitually resided in Syria. Some families are *de facto* divided between the two countries by

the crisis. Some Palestinians does not require UNRWA assistance, because they are already assisted by family members who reside permanently in Lebanon. It is thus very difficult to quantify the actual number of Palestinian from Syria "permanently" residing in Lebanon as many of them are illegal. The question of numbers is often problematic concerning refugee crisis and specifically concerning urban refuges. Karen Jacobsen comments that '[...] *the hidden, marginalized nature of urban refugees makes it difficult to make accurate estimates, and each "authoritative" source has its own agenda and set of reasons for the number it puts out*' (2006).

Lebanese General Security – in charge of the management of entry and stay of foreigners on Lebanese soil – has taken specific actions to discipline the entry of Palestinian refugees from Syria. Lebanon applies, as most of the Arab countries, restrictive measures to limit the entry of Palestinians on its soil. Local authorities justify this policy with the desire to limit the "risk" of settlement of unregistered Palestinians in Lebanon and preserve their right of return. This takes place in a context where the refusal of the settlement of the Palestinian refugees is almost unanimously endorsed by Lebanese politicians.

> *The cost of the visa extension procedure is difficult to bear for many families that become therefore illegal.*

At the beginning of the Syrian crisis, Lebanese General Security decided to soften the conditions of entry and residence of Palestinian refugees from Syria. They had to pay a fee of 25,000 Lebanese Pounds (LL – about 13 €) per person to enter Lebanon. A visa was issued with a validity of 7 days. They had the possibility to renew their residence for a period of one month for 50,000 LL (about 26 €). They had then to leave the country with the possibility of renewing the procedure. For those who overstayed the legal duration of their residence and willing to go back to Syria a 50,000 LL penalty was requested. As an amnesty, this penalty was abolished in September 2012. The political goal of these measures was to limit as much as possible the long-term settlement of Palestinian refugees from Syria in

Lebanon, allowing only short stays without any access to specific rights in Lebanon, such as access to the labour market, education or health system.

The cost of the visa extension procedure is difficult to bear for many families that become therefore illegal. In order to avoid the possible controls of the Lebanese authorities, many households settled in the existing Palestinian refugee camps and informal settlements. This resulted in increased pressure on the renting price in the Palestinian camps, already under strong demographic pressure.

From August 2013, Palestinians from Syria had to prove that they have family ties in Lebanon, or that they were coming for a medical purpose or an appointment in an embassy[4]. Some exceptions to these rules have been observed at the discretion of the General Security. Since May 3, 2014, the Lebanese General Security has significantly tightened entry conditions for Palestinian refugees from Syria. As a result, most of these refugees are denied entry into Lebanon.

Meanwhile, the Lebanese authorities have implemented restrictions on the renewal of residence visas for Palestinians from Syrian already on its soil. Many of them reside illegally in Lebanon with a limited freedom of movement, lacking access to services and assistance.

On several occasions, the General Security called on Palestinians from Syria who overstayed their legal residence to regularise their situation. Those who present themselves are granted a non-renewable 3 months visa, with a risk of being deported at the end of their legal stay. The latest amnesty was published on August 28, 2014[5]. In addition, since the introduction of restrictions many Palestinians from Syria have been deported without their consent on the Syrian border, regardless the risk of being persecuted and/or arrested upon their entry in Syria: others are *de facto* stuck in no man's land between the two countries.

Conclusion

The absence of legal framework concerning Palestinian refugees who are forced to leave their country of residence as well as the political treatment of the Palestinian refugees by states in the region, raises the problem of secondary migration during conflict. Secondary migration is often analyzed in the literature through the resettlement of refugees outside their area of first asylum to Europe or Northern America (Hein, 1993).

> *As they are stateless they cannot even seek the protection of their country of origin.*

The Palestinian case, despite its specificities, raises the question of the refugee status and secondary mobility. The refugee status of the Palestinians is linked to their country of residence. When they leave their country of residence they do not fall under the mandate of the UNHCR and can only access limited humanitarian assistance provided by UNRWA. Palestinian refugees tend to be transformed in asylum seekers by conflicts, and most of the time considered as illegal migrants in their country of temporary residence. As they are stateless they cannot even seek the protection of their country of origin.

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Notes

[1]United Nations Relief and Works Agency for Palestine Refugees in the Near East

[2]See http://www.unrwa.org/syria-crisis

[3]*UNRWA response and services, to Palestine refugees from Syria (PRS) in Lebanon*, Issue 41, 1st Nov. – 31 Dec. 2014, URL : http://www.unrwa.org/sites/default/files/prs_update_issue_41_1_nov_31_dec_2014.pdf

[4]Since the beginning of the Syrian uprising many embassies have closed in Damascus and relocated in Beirut.

[5] Direction Générale de la Sûreté générale libanaise "Régularisation de la situation des réfugiés palestiniens de Syrie résidant au Liban", 28/08/2014