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DEMAGOGY, IMPROVISATION, POPULISM AND POLITICIZATION: THE CASE OF THE EU-LEBANON COMPACT

IFI Research Team:

Sirine Anouti, Project Coordinator at the Refugee Research and Policy Program, IFI, AUB

Dr. Nasser Yassin, Principal Investigator and Associate Professor at the Health Policy and Management Department at the Faculty of Health Sciences, AUB

Yara Mourad, Program Manager at the Refugee Research and Policy Program, IFI, AUB

Zeinab Awad, Research Assistant at the Refugee Research and Policy Program, IFI, AUB

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LIST OF ABBREVIATIONS

ENP: European Neighbourhood Policy

EU: European Union

INGO: International non-governmental organization

LCRP: Lebanon Crisis Response Plan

LSE: London School of Economics and Political Science

MEHE: Ministry of Education and Higher Education

MoSA: Ministry of Social Affairs

NGO: Non-governmental organization

ODA: Official Development Aid

RACE: Reaching All Children with Education

UN: United Nations

UNHCR: UN Refugee Agency

UNRWA: The UN Relief and Works Agency for Palestine Refugees in the Near East

WASH: Water, Sanitation and Hygiene

ABOUT THE PROJECT

The Responsible Deal Project aims to understand the impact of humanitarian and asylum policies on refugee decision-making and integration, with a special focus on Syrian refugees. By foregrounding the perspectives and interests of Syrian refugees, we offer policy-makers with the tools they need to address the challenge of migration in the 21st century from a rights-based perspective. Responsible Deal was initiated and led by Professor Erik Berglof of the London School of Economics and Political Science (LSE), and its last completion phase in 2022 was co-led by Dr Rim Turkmani. In 2022, the programme was hosted by the Conflict and Civiness Research Group, an autonomous research unit within LSE IDEAS, the LSE's in-house foreign policy think tank. Our work investigates the causes and dynamics of conflict, and the survival strategies employed in everyday life, in situations of war and intractable violence in Europe, Africa and the Middle East.

ABOUT THE REPORT

The study is part of a bigger initiative funded by the London School of Economics that aims to explore where and how to best protect and integrate Syrian refugees. The overall project was motivated by the increased politicization of migration in Europe and the discourses on refugees at the level of both the EU and the governments of Syria's neighboring countries, which, in turn, ignited international pressure to deal with the Syrian refugee 'crisis.' As a result, a series of funding agreements between the EU and the governments of Syria's neighboring host countries – Lebanon, Jordan and Turkey – were drafted.

For the present study in Lebanon, we summarized the findings of key expert interviews conducted with governmental, non-governmental representatives, and researchers who are involved in the issue of Syrian refugees and migrants in the Lebanese context, and have knowledge of the EU-Lebanon Compact, as well as participants in the pledging conferences, such as those that took place in Brussels and London.

The interviews sought the participants' perceptions regarding Lebanon's policies in dealing with Syrian refugees. We also explored the participants' views on the political environment and the discourse in Europe surrounding migrants and refugees, and their opinions on how this has been linked to the emergence of international pledging conferences and eventually the implementation of different funding agreements with host countries to deal with migration. In Lebanon's case this process resulted in the EU-Lebanon Compact. Additionally, the interviews sought to get a better understanding of how stakeholders had perceived the design and implementation of the Compact, including the application of its rules and terms, level of commitment to them, monitoring and accountability frameworks, as well as its contribution to the protection of the rights of migrants and refugees.

1. INTRODUCTION

1.1 EU-LEBANON Partnership Priorities and Compact

To address the impact of the protracted conflict in Syria, the European Union (EU) has sought international agreements with third countries hosting large numbers of refugees, principally Lebanon, Jordan, and Turkey. In particular, the EU and Lebanon adopted the Partnership Priorities¹ for the period 2016-2020 (extended until end of 2021) as well as an annexed EU-Lebanon Compact that were agreed in the context of the revised European Neighborhood Policy² (ENP) and the EU's global strategy for foreign and security policy.

The Partnership Priorities in EU-Lebanon relations for the coming years included: (1) **security and countering terrorism**, (2) **governance and the rule of law**, (3) **fostering growth and job opportunities**, and (4) **migration and mobility**. The EU-Lebanon Compact³ particularly tackled the funding and improvement of those priority areas of the Partnership Priorities. It outlined specific mutual commitments and priority actions through which both sides, the EU and Lebanon, will fulfill the pledges they made at the London Conference on supporting Syria and the region in February 2016. The commitments and priority actions were built on and reflected those identified by the government of Lebanon, including in its statement of intent presented at the London Conference, as well as in the Lebanon Crisis Response Plan (LCRP).

The overall objective is to improve the living conditions both of refugees temporarily staying in Lebanon and of vulnerable host communities. The key commitments and action points of the EU-Lebanon Compact are as follows:

- The EU provides funding to programs implemented with partners such as state authorities, unions of municipalities, municipalities, EU Member States' agencies, non-governmental organizations and international organizations, with pledges of a minimum of €400 million in 2016-2017, in addition to the bilateral assistance of more than €80 million for those two years.
- Lebanon commits to continue seeking, in conformity with Lebanese laws, ways to facilitate the streamlining of regulations governing their stay, including periodical waiver of residency fees and simplifying documentary requirements such as the "pledge not to work", with a view to easing their controlled access to the job market in sectors where they are not in direct competition with Lebanese, such as agriculture, construction and other labor-intensive sectors.

This compact was planned to be implemented in close regular coordination between the two sides as per the coordination mechanism outlined in the Partnership Priorities.

1.2 Objective

This study explores Lebanon's policies in dealing with Syrian refugees, the political environment and the discourse in Europe surrounding migrants and refugees and its repercussions on the EU policies and initiatives. It also assesses the EU-Lebanon Compact in terms of its design, application of its rules and the level of commitment to them, monitoring and accountability frameworks, as well as its contribution to the protection of the rights of migrants and refugees.

2. METHODOLOGY

A series of semi-structured qualitative interviews were conducted with key stakeholders (policymakers, decisions makers, government figures, and NGO representatives, among others) who are involved in their current or previous capacity in the issue of migrants and refugees and have knowledge of the international funding agreements that have taken place between the EU and Lebanon, as one of the host countries in the region.

2.1 Stakeholder selection

A total of 14 semi-structured interviews with key stakeholders were carried out over a period of two months (July-September) in 2020. Stakeholders were selected purposively, with specific intent to include representatives of policymakers, government officials, and researchers/academics that could answer questions related to the issue of migrants and refugees as well as those who have knowledge of the international funding agreements that have taken place between the EU and Lebanon. This diversity was considered essential to obtain a broader perspective and gain an understanding of various concerns, needs and expectations of actors in different fields.

¹ Decision No 1/2016 of the EU-Lebanon Association Council agreeing on EU-Lebanon Partnership Priorities. (2016). <https://www.consilium.europa.eu/media/24224/st03001en16docx.pdf>

² European Neighbourhood Policy. (2021). [https://www.eeas.europa.eu/eeas/european-neighborhood-policy_en#:~:text=The%20European%20Neighbourhood%20Policy%20\(ENP\),their%20mutual%20benefit%20and%20interest.](https://www.eeas.europa.eu/eeas/european-neighborhood-policy_en#:~:text=The%20European%20Neighbourhood%20Policy%20(ENP),their%20mutual%20benefit%20and%20interest.)

³ EU-Lebanon Partnership, The Compact. (2016). <https://www.alnap.org/system/files/content/resource/files/main/lebanon-compact.pdf>

2.2 Interview process

A form was created listing various organizations working in the field of refugees and migration in Lebanon as well as the key contact people from these organizations. The research team sent a letter on behalf of the Principal Investigator (Nasser Yassin) to each of the selected stakeholders requesting an appointment with him/her. The letter briefly explained the general objectives of the meeting and was followed up within a week by a phone call to set an appointment. For the stakeholders who agreed to a meeting, a time and place was scheduled at their convenience.

Given the current social distancing and lockdown measures associated with the Covid-19 pandemic, the interviewees who agreed to participate in this study were given the option of having an online interview, phone call or sending responses to interview questions in written form. All the participants preferred to be interviewed except for only one who provided their responses by email. Participants were sent reminders close to the interview time. After answering all the questions, stakeholders were asked to suggest other important stakeholders to interview. These were contacted after the research team confirmed their relevance to the research. Of the 29 contacted stakeholders that were on the original sampling frame, 14 agreed to be interviewed.

An oral consent was obtained from all interviewed stakeholders (Table 1). The interviews were conducted by one member of the research team (Sirine Anouti) in English or Arabic based on the interviewees' personal preference. All stakeholders gave permission to record the interview for transcribing purposes and these were subsequently transcribed in English. The participants were asked if they wished to remain anonymous or not, or their organization to remain anonymous. Since more organizations sought anonymity, we decided to anonymize entirely by only referring to the category of the organizations.

Table 1 List of organizations and institutions from which stakeholders participated in the interviews.

QUOTE LABEL	STAKEHOLDER
GO 1	Ministry of Social Affairs and Ministry of State for Displaced Affairs
GO 2	Ministry of Foreign Affairs and Emigrants
GO 3	Ministry of State for Displaced Affairs
GO 4	Ministry of Interior and Municipalities
NGO 1	Alef-Act for Human Rights (Alef)
NGO 2	The Arab NGO Network for Development (ANND)
NGO 3	ANND
NGO 4	Lebanon Humanitarian INGO Forum (LHIF)
NGO 5	Amel Association
NGO 6	Akkar Network for Development
NGO 7	Norwegian Refugee Council
NGO 8	Al Majmoua - The Lebanese Association for Development
NGO 9	LHIF
A 1	Associate Professor of Political Science

* GO = Governmental organization; NGO = non-governmental organization/Civil society, A = Academia.

2.3 Interview guide

The research team developed a structured interview guide to ensure coverage of relevant issues in a systematic manner and allow for probing during the interview process. The protocol covered such topics as the profile of the organization and the interviewee, the refugee crisis and its impact on the pledging conferences, the EU refugee crisis and policies as well as various aspects of the EU-Lebanon Compact, and its prospects. Whereas the protocol was structured, the interviewees were given flexibility to answer based on their knowledge and expertise, and follow-up questions were asked to learn more about some threads that showed up in the interview.

2.4 Analysis

We conducted thematic analysis, which is an approach in qualitative research that entails “identifying, analyzing, organizing, and describing” data collected⁴. The interviews were transcribed and translated by a team of researchers and analyzed by the lead researchers. The interviews that were conducted in English were transcribed. A set of themes were generated which also shaped the protocol. Thematic coding was later used to analyze the transcribed texts and the researchers analyzed the data simultaneously, spotted the recurring themes, and identified overlaps. The themes became more precise during the writing process. The thematic analysis was conducted in English.

2.5 Ethical considerations

All subjects gave their consent for inclusion before they participated in the study. The American University of Beirut’s Institutional Review Board approved the protocol for this research (AUB IRB ID SBS-2019-0129).

3. SUMMARY OF FINDINGS

We report the perceptions of interviewed stakeholders in relation to Lebanon’s policies in dealing with Syrian refugees, the political environment and the discourse in Europe surrounding migrants and refugees and its repercussions on the EU policies and initiatives. Additionally, we present the respondents’ views on the EU-Lebanon Compact in terms of its design, application of its rules and the level of commitment to them, monitoring and accountability frameworks, as well as its contribution to the protection of the rights of migrants and refugees. Several themes emerged from our analysis of the data. We use specific quotations from interviewees to further elaborate on the themes; but only refer to the interviewee by their organizational membership: Governmental organization (GO), Non-governmental organization/Civil Society (NGO) or Academia (A).

3.1 The position of Lebanon towards refugees in the context of the Syrian crisis

Stakeholders noted that Lebanon does not have a unified position, but rather a multitude of perspectives that reflect the unique character of the country’s political settlement. Its institutionalized sectarianism shaped how different forces approached the Syrian crisis and, specifically, whether groups were for or against the Assad regime:

The Sunni group saw the Syrian crisis as a challenge from a social and economic angle, especially considering the uneven geographical distribution of refugees across regions in Lebanon; the Christian group viewed it as an existential issue that is related to settlement and subsequent demographical change in Lebanon; the Shia group viewed it as a security issue especially when they considered that the majority of refugees are males who have undergone obligatory military services. (GO 4)

The Shiites as both politicians as well as a larger population are not in favor of the refugees. For Christians, Syrians today are posing the same threat as the Palestinians did in the past. The demographic fear in particular is a major driver of attitude and perceptions, and this is being largely manipulated in favor of Aoun and Hezbollah in Lebanese politics. On the host side, the poor Sunnis to some extent they fear the Syrian labor who in one way or another is competitive [to] Sunnis [in Lebanon]. They try to turn the question of refugees into an opportunity to gain donor funds. (A 1)

Nonetheless, stakeholders noted that, at the level of elite politics, there was at least a degree of consensus, particularly in the October 14 policy paper, which was the first comprehensive policy on Syrian displacement adopted by Lebanon’s Council of Ministers. It aims to curb the influx of Syrian refugees and encourage them to return to Syria:

The presence of Syrian refugees in Lebanon was one of the very few topics in the country where you did have a strong consensus for many years. (NGO 7)

The Lebanese decision makers have been to a large extent consistent in their views on the Syrian refugee crisis which are the objectives that were decided upon in [the] October 2014 policy paper as well as the need to secure humanitarian assistance. (NGO 1)

The only agreed upon position is what is stated in the preface of the constitution that is the refusal of all forms of settlement (tawtin) of displaced. (GO 4)

⁴ Nowell, L.S.; Norris, J.M.; White, D.E. Thematic analysis: Striving to meet the trustworthiness criteria. *Int. J. Qual. Methods* **2017**, *16*, 1609406917733847.

The apparent discordances were essentially “on the means of implementation of the objectives that were decided upon in [the] October 2014 policy paper” (NGO 1). Interviewees believed that these disagreements were made for “political purposes” (NGO 7). Another interviewee highlighted institutional differences of perspective within the state:

The differences depend on the political party, the ministry that is in place, and how much the ministry is actually participating in the humanitarian response, etc. This is why we saw a lot of discrepancies between the Ministry of Labor [Camille Abousleiman] and Ministry of Social Affairs [Richard Kouyoumjian] for example, even if they were for the same political parties. (NGO 1)

Lebanon took a vague and ambiguous position in dealing with Syrian refugees since the start of the Syrian crisis. Officially, the country is “not an asylum country but rather a transit country in terms of some rights” (NGO 2) and is “not a signatory to either the 1951 UN Convention Relating to the Status of Refugees or its 1967 Protocol” (NGO 3; NGO 8). Having not ratified the conventions creates a much more complex situation. As one stakeholder noted, these conventions “not only define the refugee classification and legal obligations by the host countries, but also they state very clearly one of the main pillars [of International Refugee Law]: The principle of *non-refoulement*” (NGO 8). This vital principle is not respected in Lebanon:

Even though the country agreed to host refugees until the war is over, on the ground in the past couple of years we saw some coercion, forcing the refugees to leave, by starting slowly to make the life of the Syrian refugees a bit harder, instilling the fear of detention and eventual deportation, also along with the daily deprivations because there is no real safety net for them. (NGO 8)

The Lebanese government does not permit the use of the term ‘refugee’ and considers refugees as a ‘displaced’ population (NGO 3). Stakeholders noted this:

At the beginning of the influx, the government asked the refugees to sign up with the UNHCR given that the latter will provide them with an international cover and humanitarian assistance. Then, when the government realized that by registering with UNHCR they would be determined as “refugees” [by the provisions of a Memorandum of Understanding signed between Lebanon and the UNHCR in 2003], hence the minimal rights of the hosting country, they asked the UNHCR to suspend the registration of refugees [in 2015] and determined their status as ‘temporarily displaced Syrians’, not refugees. (NGO 2)

At the start of the influx, I don’t think we were even allowed to call them refugees, if I am not mistaken. Even between the words ‘displaced’ and ‘refugee’ we have had some fights in that sense. The language was these are guests, things will get better in a bit in Syria, and they will go back. (NGO 6)

Accordingly, the Lebanese government approached the question of Syrian refugees as a ‘temporary issue’ (GO 4) and therefore did not take its humanitarian responsibility seriously, as noted:

The whole attitude in the first few years was [framed by the expectation] that [in a] few months they say the regime will win and [in] few months they say they will lose. (GO 4)

Unfortunately, we didn’t deal seriously ... in the management of the crisis e.g. by doing temporary shelters, registration, categorization between workers and displaced; doing a protocol with UNHCR to clarify role definitions and they will provide services for refugees; then management of return, who can return, when and what are the guarantees. Lebanon didn’t present any serious public policy to the EU. The one argument the Lebanese government used is permanent settlement (tawtin). (GO 3)

Nonetheless, stakeholders also highlighted the positive relationships that had developed between Lebanese and refugees, but noted the fact that the chaotic management of the crisis had “created a paranoid reaction, raising racist debates related to settlement” – similar to those that occurred before and after the civil war which were “settled by the preface of the Lebanese constitution” (GO 4). Politicians, as in other contexts, were blamed for instrumentalizing the crisis for political ends:

The Lebanese people are known for their hospitality. We hosted 1.5 million refugees in the absence [of] public policies. Host communities welcomed them home and shared with them everything. Politicians exploited the refugee crisis for their political agenda and didn’t allow the adoption of a national policy to deal with refugees. (GO 3)

Others highlighted the sheer scale of the influx on a small population, which was already facing major socioeconomic problems and instability:

In the last century alone, Lebanon opened its doors to Iraqis, Palestinians, Armenians, and most recently Syrians who were fleeing the war. Lebanon’s role was seen as an oasis of liberty and freedom and a place where most Arab political opponents used to come to fleeing persecution. The problem with the refugee crisis, be it the 1948 Palestinian Exodus or the Syrian refugee crisis, was the massive influx of people coming to a state that was not ready or capable of handling these big numbers in a proper way. (GO 2)

Before the crisis, the Lebanese job market has been accommodating a large number of Syrian workers in different sectors like agriculture, construction and waste management without any problem. If there was a regulation of the employment of foreign/Syrian labor force to prevent unfair competition between Lebanese and Syrian, the negative discourse would have been avoided. (NGO 2)

3.2 Lebanon's policies in dealing with the issue of Syrian refugees

Most of the stakeholders pointed out that Lebanon does not have a national policy to deal with refugees, an issue that dates back to the Palestinian refugee crisis:

In general, I cannot separate the issue of Syrian refugees in Lebanon from that of Palestinian refugees even if there are structural differences between the two and to this date, Lebanon hasn't adopted a public policy yet to deal with Palestinian refugees or 'displaced Syrians', which is the official approved terminology. (GO 3)

We don't have comprehensive policies. Our policies in general do not live up to the challenges of refugees. Most of policies are opportunistic to a larger stance by trying to utilize most donor funds for the benefits of politicians. The policies utilized here are very donor-oriented and go behind the fund and are not really meant to serve and help the refugees in any comprehensive way. (A 1)

Since the beginning of the influx, there has been efforts to develop policies to deal with Syrian refugees, which were rejected. Thus, no new policies were developed to deal with Syrian refugees and "old policies are still implemented which have... [no] policy basis" (NGO 2), as noted by stakeholders:

We have moved from 'no policy at all' to a certain mechanism. Then, we have reached a point where we started talking about policy and the need to have a clear and defined policy for refugees and ultimately, we had different decisions without reaching a clear defined policy. (NGO 6)

The policy for dealing with Syrian refugees is not having a policy and this is a reflection of our view towards the Lebanese system whereby the absence of consensus results in a lack of policy. (GO 4)

What we have is a couple of random ad-hoc decisions by the council of ministers that never translated into an actual comprehensive policy to deal with the refugees' situation. So, what we can say is that the government never really took proper ownership despite a lot of efforts being on different levels. (GO 1)

Stakeholders commented on the Ministry of Social Affairs (MoSA)'s *Policy Paper for the Return of Displaced Persons to Syria*, which was approved by the Cabinet of Ministers in Lebanon in July 2020:

Until 14th of July 2020, we had no single Lebanese policy on migration, the only plan was done recently. (GO 2)

About fifteen foreign officials in Lebanon including researchers, political officers, political directors, and ambassadors denounced the return policy paper before even reading it. I declared that it is poorly written, and the methodology is unacceptable and does not honor the government. (GO 3)

From a human rights and humanitarian perspective, interviewees noted that the policies of both the Lebanese and Syrian governments were not based on a rights-based framework which would aim to ensure that refugees are guaranteed rights by law:

The policies of the country have left a lot to be desired in that way that they haven't started from a rights-based approach to looking at how you ensure the residence of the country, if they can indeed ask for residency, how the range of rights can be enabled, but I think that is something politicians would take on different views. (NGO 4)

I think both [the Lebanese and Syrian] governments have used the refugee cards as a political card rather than as the rights of the Syrian refugees to go back to their country, so I do not think we have seen at any level the fact or real rights-based mechanism or rights-based dialogue on the return, on how to deal with the refugees who are here, how to organize it. (NGO 6)

Stakeholders stated that the Lebanese government "adopted an ostrich-like policy/behavior in dealing with Syrian refugees" (GO 4). It dealt with Syrians as "illegal immigrants," hoping for many years that they would return to their country. This inevitably had a negative impact on decision-making processes:

We can't indicate how the government has dealt with the Syrian refugees because it did not deal with them in reality. It's a policy of no policy. (GO 3)

While on the one hand you had the Minister of Social Affairs somehow being appointed by the government for Syrian issue, they have not been given any decision-making power. They had no strong role and were also not a power ministry at any moment. And then in reality it was much more the General Security, which is not even a ministry, but really a department inside the ministry that was given sweeping powers to actually impact and regulate the stay of the Syrians. (NGO 7)

Local authorities were left by themselves to deal with the refugees, then we had UNHCR that stepped in at one point and then you had the different NGOs and different groups who would be there assisting and helping even before UNHCR. (NGO 6)

The main reason for the absence of policies is that the Lebanese government “doesn’t want the refugees to stay” and that its main concern is “to avoid having responsibility and placing the responsibility on the international society (i.e., UNHCR)” (NGO 2):

In my perspective we did not have any refugee-specific policy, and I believe that the government does not want to have that because you have the issue of the Palestinians and Iraqi refugees as well. So, I think it went through different phases without ever reaching a real policy work. (NGO 6)

The absence of consensus on the issue of Syrian refugees in Lebanon is similar to the absence of consensus on the issue of Palestinian camps that started in 1949, into the end of civil war, and until now and whereby the Lebanese government considered the Palestinian camps as a security issue and a responsibility of the Palestinian authorities and the UNRWA. (GO 4)

This rationale was reflected by the decisions and actions undertaken by the Lebanese government “creating a number of push-factors towards refugees, particularly home demolition and forced evictions as well” (NGO 9). For instance, in terms of legal residency, one stakeholder stated:

If we look specifically at Lebanon’s residency policy for the Syrians, it was making it extremely difficult to actually obtain those permits. [...] Also, if we go back a couple of months ago [Spring 2020] in Aarsal when there were orders to demolish the homes, and what we saw also is some crackdowns that happened in Beirut around businesses that were employing Syrians staff. So clearly on the ground, we saw practices that were pushing the Syrians to somehow tell them: “there is nothing for you in Lebanon and it is better you leave”. We have seen this since the beginning. (NGO 8)

These push-factors towards refugees were not strongly addressed on the grounds that the country is dealing with its own “structural and systemic challenges in terms of addressing poverty, inequality and providing social justice” affecting both Lebanese and Syrians (NGO 3). Indeed, the problems facing Lebanon are very severe:

What we need to keep also in mind along this is that, beyond a culture of xenophobia that we have always seen, there is also the specific situation that Lebanon is facing with the crumbling economy, the high unemployment, and all the issues that we are facing. I think the situation is the convergence of different things that happened at the same time, and that have been making the things even more complex in dealing with the refugee crisis. (NGO 8)

One stakeholder argued that on the one hand there was an absence of relief-based policies, but also, on the other, “fairly combative policies” that actively impeded the response to humanitarian needs for Syrians. This “made it challenging for Lebanon in terms of realizing resources for its own development needs as well, particularly when these resources are needed even more so in 2020 as opposed to previous years.” The same stakeholder added:

With the Jordan Compact – the concessional financings, Jordan avails itself of a high degree of international aid support and concessional financing because of at least a modicum of support it had in presenting policies that were more beneficial to Syrian refugees. For instance, work permit, or access to services, documentation, the ability to have a validated legal stay in a country: these are all policies concessions that certainly Lebanon hasn’t made. Lebanon has failed to be able to reap concessional financing and better donor support because of the lack of policies. (NGO 9)

3.3 The EU and its attitudes towards migration in the context of the Syrian crisis

Most of the stakeholders said that the EU did not tackle the political root causes of the crisis and simply labeled it as a ‘migration crisis.’ This was a big concern for humanitarian actors. They noted that:

Instead of dealing with Syrian refugees in a political way and intervening to treat the root causes of the crisis, the Europeans dealt with it in a security way. This led to an increased competition and a lot of frustration between residents and migrants or refugees and an increasing populist/racist discourse among political parties. (NGO 2)

It has been easily manipulated by populist agendas in Europe to present that the main problem here is not the regime who is responsible for the misery of the refugees and their displacement, but rather the refugees themselves who are seen as a burden and as demographic threat that may overwhelm and change the culture, and the composition of the European society. So, it has gone more and more towards immigration policies rather than what is really needed, and that is a political agenda to force these regimes not to pursue policies of genocide and extermination of a whole population based on — in this case, in Syria — their sectarian affiliation being Sunni. (A 1)

The EU was looking at the issue of refugees as a migration crisis rather than a forced displacement or a refugee movement. By calling it migration crisis, the EU has already watered down a lot of its obligations and shifted the discussion towards regulations and registration of these individuals. (NGO 1)

There was a lack of consensus within the EU on how to manage the issue of Syrian refugees because of the multitude of opinions and the unequal distribution of asylum seekers among the different European countries:

I think that we do see since the beginning of this so-called 'migration crisis' that the lack of action of the EU led us there. There is also a whole reflection about to what extent EU is able to bring consensus to empower their decision and so on. This is not only about the public opinion, the EU body as well got afraid of managing this because at the national level it is not a very popular topic, and also because at the European level at some point there was a lack of consensus, as well as a lack of willingness to take over this topic and to deal with it as European common good. (NGO 5)

In 2015, almost a million migrants were coming to Europe through Turkey and other southern countries and that instigated tensions, open borders debates, and a re-emergence of the nation-state. The main issue is the unequal distribution of refugee burdens in Europe where the majority of migrants were arriving to Greece, Italy and Hungary. (GO 2)

Sometimes observers from the outside overestimate the capacity of the EU to really take strong positions on these kinds of issues. The EU is a club of 27 countries with extremely diverse opinions, positions, political cultures, but also different geographies and different levels of exposure. For example, if you talk about Syrians, you have a lot of countries in the Western part of the EU who are much less affected than for example countries in the center of Europe. So, it always depends a little bit. The EU has been notoriously bad at really keeping a very strong principal position on immigration and asylum, but it has also not been shifting so much to the right as many as its member states had. So, they kind of sit in the middle. So very often what it means is that you just get more a little room and still try to kind of be able to do programming. (NGO 7)

Regarding the outcome, stakeholders stated that the European countries “were not really equipped to handle the increased arrival of refugees” (NGO 8) due to the absence of a political leadership and vision and the global economic and financial crisis. This led it to become an “identity crisis” for European states:

Europe was supposed to be the first continent that would have achieved the Fukuyama model of the End of History and that it would have risen above the stage of [national] identity or nation-state. Therefore, we expected that the European construction and the society itself would be able to handle a crisis like this. However, a medium size migration wave, a little bit less than a million Syrian migrants, drastically changed the European [political] landscape. (GO 2)

The issue with Syrian refugees with respect to Europe comes as a result of the different integration problems that the European countries have faced with the different waves of either migrants, refugees or people who came illegally in their countries. There are some collective fears that are within the people of the difficulties of integrating new groups into the original communities that inhabit these European countries or the original residence or citizens. (NGO 6)

The Syrian crisis kind of was the emblematic development that is basically in Europe, synonymous with the whole situation in 2015 where suddenly you had people running into the continent, and even if the figures are smaller than other parts of the world this really was immediately labeled as a major crisis on European soil. There I think you really had almost all governments being extremely cautious in terms of how to position themselves, and the Syrians just became the overall symbol of issues with migration and asylum in Europe, and then obviously brought a lot of negative dynamics. (NGO 7)

Interviewees argued that the poor management of the refugee influx, for example, the television images of irregular crossings which reflected the failure of European states to manage the movement of people effectively, led to a rise in a negative discourse on migration by populist and nationalist actors in many countries across Europe. Furthermore, they saw the European media discourse on immigration as a negative factor, which played a significant role in perceiving refugees and migration as a threat:

The media, the different elections that have occurred, the battle with the non-state actors like ISIS, NUSRA... all of it has been instrumental in shaping the public opinion of the European citizens – the EU ultimately is a representation of the European countries. (NGO 6)

Immigration fear highlighted the media attention, it started to spark some heated political controversies in Europe. Then what happened is we started to see also some kind of activation of the anti-immigration [movements/policies] because of the convergence of the media, and then the political speech, and slowly we started having this immigration fear in some part of the population. And this definitely opened the way to some clearly anti-immigration populism. (NGO 8)

Stakeholders argued that the refugee crisis in Europe has been instrumentalized by populist groups to promote their views and to win elections. And while the battle did seem to reflect a split between the left and right, both sides used this fear-based form of political mobilization, while at the same time the opposition had often been weak:

Since 2012, Europe has witnessed an evolution and a lot of shifts towards the right in many countries which started to really dominate public opinion, and where any issues related to migration and refugees became very polarized and very pronounced. This of course led to a situation that even governments that had a mix composition or that were maybe even a little bit more left leaning had to pay tribute to a lot of polemics and public pushes that were more on the conservative camp. (NGO 7)

The negative discourse on migration and refugees was used by populist and nationalist actors in some European countries to instigate fear and rejection of migrants and foreigners and to increase their support at the elections. (GO 2)

At some point we have seen also left-wing governments or left-wing political parties running for elections or winning elections on the basis of not very friendly migration policy. (NGO 1)

Nevertheless, anti-migration positions were confronted with counter-movements, and this depends on “who was in the governments in Europe at that time and on having the right-wing extremist populist and people who are against refugees and against bringing in so many foreigners into the countries” (GO 1). This reality was a factor in the difference in the reception of refugees being taken and given asylum in European countries:

The rise in the populist and far-right movements in Europe triggered the Vatican in particular to convene a conference around “Xenophobia, Racism, And Populist Nationalism in The Context of Global Migration” in Rome on September 2018 that was attended by 1,000 figures and a high-level debate occurred where participants said that they want to face this wave. (GO 3)

The same stakeholder added that although there was clearly a rise in nationalism and populism across Europe, there was also “a counter wave which was evidenced by the results of the elections of the EU whereby not more than 33 percent was allowed for the extreme right. Though higher than previous elections... [they] were not able to take full control and make radical change to the migration policies set by the EU” (GO 3).

Stakeholders also highlighted Germany as an outlier in the way they treated refugees despite political differences internally in a time when many countries started closing their borders in 2015-2016:

You see that Germany is increasing its support in Lebanon but at the same time opening up its borders in Germany to refugees to a certain extent. But inside Germany you would also see the differences between the areas. I remember very well visiting Germany, visiting some of the places that were hosting refugees. If you look at “Likesik” it is a small community that decided that refugees should be part of the community and they started asking for more refugees. If you see what happened with Merkel in couple of years back you would see how opening up the borders has reflected negatively inside Germany, in the attacks that were there on the government. The same way that we have our own populist racist politicians [in Lebanon], this is there inside Europe. The difference is that for us the refugees are here to deal with, for them the refugees are considered as a potential risk. (GO 1)

The fact that Germany is huge [and] it was able to absorb bigger numbers [of refugees], it kind of meant that Germany was really standing out. The rest of Europe was kind of leaning back and watching Germany and saying let’s just wait until you regret your decision, but I still think that Germany is doing ok even though it kind of had to adjust its position. (NGO 7)

Stakeholders expressed different opinions on whether the rise of negative discourse in Europe influenced the EU’s policies and attitudes. A group of stakeholders stated that Europe is “inclined to defend human rights” (GO 2) and has “a good position in not letting extremism and populism take full control” (GO 3). For instance, in the case of the UK, one stakeholder mentioned that although the negative political discourse did affect the UK government’s attitudes around migration and refugees, “the officials were trying to remain somewhere else than that.” However, “the environment [and its negative discourse] ... allows for anti-migration policies to be accepted” (NGO 4).

Another group of stakeholders mentioned that the right-wing populist discourses seen in Europe may have influenced decisions which ruled out longer term and durable solutions:

Usually when there is a rise in the number of the refugees or immigrants, inevitably we see that it does trigger some populist reactions, and in the context of Europe mainly [of the] right-wing [variety]. And this again would have a direct impact on something like for example the resettlements where we have seen in the past year very low resettlement numbers for Syrian refugees in Europe and I think that there is a direct link between the two. (NGO 8)

It reduced the ability of the EU to speak from the position of ... moral authority. I think when you are considering Europe’s position on refugee flows — whether it is pushing boats back, or whether it is reducing asylum seeker capacity to claim asylum in any given country — it kind of reduces the ability of the EU as a political institution to push on rights issues of people who were made immobile in camps in Jordan, or whether they were forcibly deported from Lebanon. I would say that shift politically in the EU also reduced their ability to speak in good conscience about rights issues in neighboring countries. (NGO 9)

Others described the position of the EU as racist. In fact, they argued that the populist reactions towards refugees and immigrants are old developments and dynamics that have been there well before the Syrian crisis:

This is nothing new in the European discourse, it is nothing new in the EU members states. The Syrian crisis in a way just kind of pushed up the figures, but it did not change the quality of discourse. And even before that the discourse on asylum and immigration in Europe was already coupled with quite a bit of Islamophobic voices, it was always focused on people coming from the Middle East or from North Africa. So that hasn’t really dramatically changed with the onset of the Syrian refugee crisis, I think. (NGO 7)

The extreme right always had this discourse towards refugees and towards immigrants in the country. The main difference is that it is not anymore, a shameful discourse. Now, the difference is that those political parties are either elected or they are now representing a very high proportion of the votes in those countries. So, it is a discourse that is commonly accepted. We do not consider anymore that they reflect discourses violating human rights, it is being accepted to say in these countries that refugees are a threat [to] security and that we should keep them away. (NGO 5)

Populism and right-wing ideology in Europe, primarily that of Christian groups come to dominate the perceptions of the EU, whereby the views toward refugees are become overly racist and this is shaping the foreign policies of the EU by preventing refugees from coming in and to lay the major burden of refugees and hosting refugees on other third world countries. (A 1)

Finally, according to interviewees, the EU were still pushing to support the hosting countries and the role played by the European Commission showed “a genuine commitment to supporting Syrian refugees [where they are] but within the political constraints they face” (NGO 4). For example, the messaging that “the London conference in 2016 was playing publicly came as that wave of popular support for refugees, and there was a much greater understanding within the British public and also the European public around the need to help refugees” (NGO 4).

It was, for example, noted that the EU took a leading role in seeking to provide humanitarian assistance:

The coarsening of politics surrounding refugees in Europe to a certain extent kind of led toward more positive relationships and more positive donor principles [with convening the London Conference and the Syria Brussels Conferences] ... a way of Europe galvanizing broader donor interests in the plight of hosting countries and neighboring countries to Syria. (NGO 9)

As... the European Union in general they were really pushing to have something that is concrete, that is a place where they can support the host countries with keeping back in everybody's minds that it is not out of the humanitarian perspective as much as it being out of “we do not want all of those people to come to our countries”. This was very clear in the discourse that was taking place between different European countries and in the way that they were approaching Lebanon. (GO 1)

I still believe that to a large extent the European citizens are still more open to the refugees and to the refugees' stories and to the legal aspect of it more than other countries including Arab countries, the US, the Latin America. It's been now nine years since the start of the Syrian crisis, but at least, you can still see from the European Union this effort to keep the Syria and Syrian refugee crisis on the radar for example like the different Brussels conference which was an initiative from the EU to get everybody on the table to get people to talk about this. (NGO 6)

3.4 The reasons for the shift in EU policies and actions towards refugees and migration in 2015 and convening the international pledging conferences to support Syria and the region

There were three main reasons for this shift in EU policies and actions towards refugees, which led them to put the pledging conferences together, according to interviewees. First, migration reached new levels in 2015 that witnessed a substantial rise in migrant deaths – particularly the shocking moment a migrant boat capsized in the Mediterranean in April 2015, leaving hundreds dead. Shaken by these events, EU governments prioritized the crisis:

The Syrian crisis and the images of Syrian refugees, women, children, and elderly fleeing conflict that emerged appealed to... European society, known as the biggest donor and the most liberal continent in the world, in their sense of wanting to provide humanitarian assistance in a crisis. (GO 2)

The European Agenda on Migration was adopted only one month later and made clear references to the European Council statement of 23 April 2015 and the European Parliament Resolution that was issued a few days later of the Mediterranean tragedy. (NGO 3)

In 2015-2016 there was a popular movement against anti-migration policies that gave cover to politicians who really wanted to push more progressive policies and there was a greater political cost for politicians who wanted to maintain hard line anti-migration policies – a positive thing when we saw governments then stepping up to increase resettlement places such as in Germany. (NGO 4)

Second, there was a realization that refugees are not returning to Syria anytime soon. In this context, the feeling in Europe was that “there is a risk at its own borders that refugees might now not stay in the hosting countries where Europe was trying to convince the host countries to keep them” (GO 1). Other interviewees concurred:

Though the dawning of that realization did take time over those early years of the crisis as the conflict dynamic was shifting, it was arguably clear from 2013 probably, but it took time to understand the way dynamics in Syria were going to influence refugee flow and refugee stay and then make its way back into the international policy dialogue. A primary response was the need to face the facts that refugees were not going to be able to return to Syria. (NGO 4)

There was internal pressure from their own member countries and the realization that the Syrian crisis is not ending in 1, 2 or 3 years and if the refugee situation is going bad in the Middle East, whether Jordan, Lebanon and Syria, refugees' first destination would be Europe. (NGO 6)

Since hosting refugees is politically unsuitable for Europe and is very costly, their policies aimed to avoid the cost of hosting them even if it is through paying a few billion dollars to Jordan, Lebanon and Turkey to host them. (GO 2)

With that realization, the refugee conferences started taking place by the end of 2014 when “Germany took the initiative with the Berlin negotiations, and then it spread all over, with Europe taking all of these initiatives to make sure that there is support to the refugees in their host countries” (GO 1). Pledging conferences also started with the London Conference in 2016, as noted by one stakeholder:

If we look back at the history of the conferences, it was the London conference that was the first to attempt to address the policy environment and to look, in a long-term way, at the quality of life of the refugees, beyond the Helsinki and other pledging conferences. It was the UK government that played a role in saying that we need to look at the future here. (NGO 4)

Third, the need to maintain stability in Europe. The migration crisis threatened Europe’s stability and “has created a fear that the social contract is no longer fair,” as noted by one stakeholder (NGO 1):

There are people that are coming to this country that are benefitting, but they are not productive for the right wing, or they are not really participating in the solidarity of the community or others. This has created a big tension, initially. [...] We can clearly see that this instability has started to affect Europe: we have seen Brexit, we have seen right-wing parties increasing, we have seen more people being skeptical—what we call Euroscepticism—so all that is because the stability has a bit weakened. (NGO 1)

The ideological disagreement is just a small part founded by social and economic concerns related to how the benefits of the system will be distributed i.e., tax revenues, how are you going to spend on public with the presence of migration. In the context of migration, government’s expenditure increased, and taxpayers considered that their taxes are going to immigrants who do not belong to the economic/business cycle that they work for. Therefore, the disagreement is essentially economic but is being marketed as ethnic-based because it is easier. (GO 4)

The stability of Europe’s neighborhood, particularly the Mediterranean, and its safety which also a concern. The crises and economic conflicts between the EU and the US, as well as China, in addition to the turmoil in countries bordering the EU, notably Libya and Egypt, and the implications of Iraq, Turkey and ISIS “all impacted the EU foreign policies and dealing with the issue of refugees” (NGO 2). There have been drastic changes related to EU neighborhood policies that were reflected in EU relations, as noted:

Before the EU elections, the commission used to address partnership, solidarity and supporting development through trade. When the EU elections happened amid the Syrian crisis, the neighborhood commissioner submitted a proposal to the EU parliament with a completely different agenda characterized by less solidarity, less exchange, and more security – a critical juncture in EU policy adopted by the EU parliament that determines the stances of EU in relation to neighborhood policies. (NGO 2)

A Safer Mediterranean is essential for Europe, either for trade or for tourism. You have around 17 European countries that all rely on the safety in the Mediterranean. If the Mediterranean is unsafe there would be no tourists in Southern Italy, Spain, Portugal, Southern France, Côte D’Azur, or Croatia. (NGO 1)

3.5 The main objective of EU policies and actions is to limit the influx of refugees to Europe and to contain the refugee crisis in the main host countries

Stakeholders were asked if they agree with the statement that the main objective of the EU’s policies and actions is to limit the influx of refugees to Europe and to contain the refugee crisis in the main host countries. According to interviewees, ‘to act as a buffer towards further migration flows’ is one of the objectives of the increased financial support, as noted:

Probably this is a more explosive question for Turkey than it is for Jordan or Lebanon for instance. [...] There is a real politics in terms of stemming the tide of migration from an EU policymaking perspective, but I think there is also the kind of neighborhood policy and the kind of foreign funding and development policies which drove a lot of these bilateral agreements with neighboring countries. (NGO 9)

It is not being said this way when it comes to the different Brussels conferences, but I think that we would all understand that this is part of the vision that if there is a certain level of dignity provided to refugees in the neighboring countries then they wouldn’t be coming to Europe. This is indeed not really taking into consideration that people are also leaving for other reasons. But I think that this is the case. (NGO 5)

Instead of addressing the political root causes of the crisis, the main concern of the EU is limiting the influx of refugees to Europe:

Europeans view people of the third world country as a colonial subject and as a threat to the demographic Christian hood. Despite the fact that they claim secularism, they play very religious politics most of the time. And their attitude is that to limit migrations from refugees from third world countries to the most possible, and support programs such as those they do in Lebanon, Jordan, and Turkey, whereby the main burden of hosting refugees is placed on the third world countries. (A 1)

The cost of having a refugee in Europe is higher than that in non-European country because they are provided with rights of protection and welfare and puts a lot of burden. So, Europeans are committed to help the refugees, but they don't want to host them – which constitutes ambiguity and violates the freedom of movement. (NGO 2)

The main concern of most of these policies is not necessarily to protect refugees from the threat of genocide or to hold responsible government and states, especially in Syria with Bashar al Assad — like bring him to be prosecuted in an international court, but rather the predominant thinking of the EU is how to prevent refugees from coming into Europe. This is a legitimate issue that has overwhelmed the agendas of the different conferences. (A 1)

Another stakeholder commented on an incident that shows that Europe want to keep refugees in Europe:

During the Brussels Conference in 2018, so it was at the pledging on the last day, and there were some representatives of the ministry of foreign affairs of some eastern countries. One thing they were saying for example is that they were committed to deliver visa for Syrian students to come and get their university degree in their countries. But then they were saying during the donor conference that: "We will make them sign on a pledge that this is conditional to their departure immediately after they complete their university degree." So "we show that we want to support you, but we will never integrate in our society" - somehow kind of speech. (NGO 8)

Nonetheless, interviewees did identify other objectives for this increased donor support to neighboring countries and organizing the international pledging conferences to support Syria and the region. First, stakeholders pointed out that "these [hosting] countries needed assistance, and the EU was the one offering it" (NGO 1). In addition, another stakeholder highlighted "It was [essential] in terms of preserving stability of Lebanon and Jordan when receiving such a huge influx of refugees and having fairly diminished national systems to cope with that already" (NGO 9). As a number of stakeholders argued:

The purpose of the pledging conferences was about setting up longer term funding agreements and better leveraging the funding for policy gains at the host countries' end. It is not a problematic aim if it is done the right [way by pursuing] ... policy change leverage at the host governmental level. What has been so problematic is the one-dimensional nature of the international support in this context. (NGO 4)

The EU's political agenda coincides with its humanitarian agenda. Therefore, the initial rationale of EU is along the humanitarian thinking rather than avoiding a migration wave. (GO 2)

"I think that the European Union and the European countries do still have this legal touch in a sense where they believe that the issue of refugees and the issue of Syrian crisis is a collective responsibility and not only the responsibility of Lebanon, Jordan or Turkey [...] I think that there is a humanitarian dimension and which is in a sense actually global, with globalization, with being able to travel, with social media with all the technology advances. (NGO 6)

With the European states starting to have to deal with the question of refugees, and immigration and having to deal with all of these issues with their media and their citizens, I think that this is why we started also to have the EU-Lebanon global compact that is basically covering 2016-2020. The hypothesis behind it, I think, is also about how the EU could make sure that we are able to deal with the refugees in the host counties rather than seeing them coming to Europe. I think, myself, that yes there is a direct link between those two events that occurred. (NGO 8)

Second, an update of the Official Development Aid (ODA) definition happened that counted all humanitarian, security, and military aid as part of ODA, provided that their aim is to preserve stability – assuming the latter is a necessity for development. This update occurred in tandem with the London conference, which was "partly done to manage the issues of human trafficking and smuggling triggered by the early stages of the Syrian crisis" (NGO 2).

The pledging conferences that took place using the new ODA concept and developed countries considered the humanitarian assistance, security spending in host countries and in their countries, and military assistance that they spend internally to host refugees, as part of ODA. (NGO 2)

Third, since European states were not successful in achieving a political solution, they needed to demonstrate that they were still willing to take some form of action at the international level.

Europe saw it as an opportunity to show that they were doing something at the international level since they were not doing it at the national level, and the role they played at the EU-Turkey deal is also coming at the

same time. Basically, when you are not able to do something internationally you go externally, so you go into foreign affairs. Also, other countries were not so willing to be that involved as well, unfortunately. It is also due to politics around Syria, because at some point the US played a less important role. (NGO 5)

Europe's role was weak in terms of putting pressure on the Syrian regime and conflict partners (Russia, Iran and Turkey) and those who fund the conflict. They also pulled back from playing a political role in conflict resolution. (NGO 2)

3.6 The intersection between the Lebanese government's stances and the agenda of the international pledging conferences

Stakeholders mentioned that it is not a necessity for the Lebanese government to be completely converging with all agendas of the conferences but at least "a threshold of dignity to be preserved in all interventions on the Lebanese territory" (NGO 6). However, they also noted that this was impossible since "Lebanon has no public policy to deal with refugees in the first place, so how can it converge with the policies of the EU?" (GO 3).

According to stakeholders, Lebanon's hosting of refugees was seen by elites as a "way to gain money" (GO 4):

The Lebanese government worked to extort money and hailed the refugees responsible for all the country's problems when these problems are actually due to bad governance. We don't have electricity not because Syrians are taking these 200 MW. These 200 are out of 1400 that we want, why aren't you giving 1200 to us? (GO 3)

The way the Lebanese government was looking at it was very much of a pragmatic approach and a bit of an opportunistic approach in saying that they could leverage the EU assistance to actually improve the current situation in Lebanon, at a time when the EU were in need also for having the refugees being hosted with decent conditions. So, I think that there was some converging between the two agendas. Now, we need to look at the results and if this assumption that it would work for everybody actually did work for everybody in the end. (NGO 8)

The fact that humanitarian assistance was going to UNHCR and NGOs, and not directly to the Lebanese government, was perceived as a problem by the Lebanese government.

After the intervention of the international community, it turned out that the funds are going directly to the refugees and the Lebanese government is not profiting from it, and there was a shift in the Lebanese government's position to not wanting refugees anymore and calling them to return to the safe zones in their country which was highlighted in Brussels III. (NGO 2)

As a result, at Brussels III, the third conference of the 'Supporting the Future of Syria and the Region' series, which took place in March 2019, the then Lebanese Minister of Foreign Affairs, Gebran Bassil, started opposing the humanitarian assistance and the entire international process surrounding it. This group "was telling the EU that we don't want refugees in the country and telling them not to help them with humanitarian aid in our country, help them return to their homeland and help them there" (NGO 2). In contrast, the then Prime Minister Saad El Hariri, despite this opposition, did go to the Brussels conferences (III and IV), and made a statement against forcing refugees to return, while asking the EU "to help the refugees in the country and to commit more money for this" (NGO 2).

If you look at Brussels III particularly, we can clearly see also another time where basically Gebran Bassil [was] saying: "Maybe we shouldn't commit to funding, maybe we shouldn't go to the conferences and not get international aid because if we do not get international aid, we won't be obliged to make commitments". (NGO 1)

The public speeches of Gebran Bassil in the international conferences were not matching the purpose. I think that systematically the prime ministers who have been to the four Brussels conferences were in their public discourse referring to the German solution, to the LCRP, the monetary framework of the Brussels conference. They were sharing the right talking points they were meant to share, but with clear differences from one year to another, because we had two times new governments who came in just before the Brussels Conference. But I would say that in general they were sharing the right talking point. (NGO 5)

Also, one commonly stated argument by the Lebanese government is permanent settlement (*tawtin*), which was believed to be the end goal of the conferences by some political groups:

We went to the conferences with two parallel agendas. Our interest was not in aligning our agenda but rather in explaining our concerns to the international community and reaching a common understanding, which we sometimes did on some issues and on others we didn't. [...] I attended Brussels II, III and IV as the representative of the Ministry of Foreign Affairs and our agenda was to ensure that no agreement is done whereby, we end up with refugees staying in Lebanon. (GO 2)

One group from the Lebanese arm were spreading information about a settlement conspiracy behind the international conferences' agenda. The EU have a public policy to support human rights and they understand that integration is not possible in Lebanon, but the political figures used this as tool to fuel the conspiracy theory. (GO 3)

Because of the historical political attitudes that were inherited since 1949, the government stretched the paranoia of settlement of displaced Syrians a lot to the point that even job opportunities were seen as a step toward settlement. It didn't differentiate between medium to long term residency. (GO 4)

There were also tensions between the different Lebanese political parties represented by different ministers and prime ministers on the one hand, and the EU's direction and demands, on the other. Allowing Syrians to work legally in Lebanon related to key points discussed at the London conference. For the EU this was perceived as a way "to reduce the burden of humanitarian aid" and they also felt that it would "lead to some sort of integration and reduce tensions between the two communities" (NGO 1). However, due to the high unemployment rate among Lebanese, the government rejected this proposed legal change, as noted:

This was reflected in the document released by Camille Abousleiman, Minister of Labor in that time and which showed strict enforcement measures related to the employment of foreign workers in some jobs, particularly Palestinians and Syrians... [which] blocked the way for Syrians to work. In order to work in these jobs, the Syrians need to have a permission and in order to do that they need a guardian who typically need to pay a sum of money so ultimately it was almost impossible for Syrians to work. (NGO 1)

Stakeholders also noted the international community's toughening stance from one conference to another:

In the first one or two conferences it looked like the international community was pushing and asking the Lebanese to have any position or any preparation whereas in the last couple of conferences things went better because the representatives of the Lebanese governments were a bit more prepared, Lebanese civil society was more present. (NGO 6)

With Brussels II... the partnership paper, under the auspices of EU Lebanon compact, that was agreed was one example of an attempt to develop an update on the policy statement embedding policy agreements from the government of Lebanon, as well as funding agreements from the donor member states so that was a really important thing to be negotiated. However, because there wasn't alignment between the different parties in Lebanon around the right thing to have negotiated, the EU and UN, the following year, were too concerned to do another partnership or a restatement of the policy commitment because they genuinely did not think that they would get as progressive policy commitment as have been negotiated the year before because of concerns about the backlash. (NGO 4)

"You get to Brussels III and Brussels IV where you see countries saying: "Ok, we have been spending so much money. Now you are in a drastic economic situation. We have been giving so much money for you to strengthen your systems and to do your reforms, but you have not done this." (GO 1)

Finally, interviewees compared Lebanon's approach in those conferences to that of Jordan:

Lebanon often did not have any high-level representation... [present] whereas Jordanians had a pro team that were always ready to go, lobbying on the hill the whole time. (NGO 4)

Definitely, the Jordanians were way better in using the right talking points, marketing their country plan and so on. Having being involved in the negotiation of those compacts we could see that the influence of the governments was coming quite late, they had other things to take care of. (NGO 5)

The stance of the Lebanese government has always been reactive rather than proactive. This is one [of] the main issues, we have always been going out with shopping lists instead of going out with concrete policies and concrete ideas that are actually implemented. The Lebanese discourse at the time used to always be the same thing: "We are four million Lebanese and two million non-Lebanese living in a very small country. We are over burden: the electricity, the water..." (GO 1)

3.7 The design of the EU-Lebanon Compact

Stakeholders described the EU-Lebanon Compact as "fairly weak" in the sense that "it doesn't have a great level of granular details, making it hard to regulate the implementation" (NGO 9). The rules and terms included in the Partnership Priorities and the Compact are "no different from previous action plans of Lebanon" (NGO 3), but also does not include "everything related to the LCRP nor Brussels conference" (NGO 1):

The EU Lebanon Compact — this agreement that is signed between Lebanon and the EU — doesn't cover anything about the refugees. [...] Basically, the partnership priorities – promoting growth and job creation, fostering local governance and socio-economic development, promoting rule of law, and enhancing security and countering terrorism – are essentially... related to the discussions around the stability in the Mediterranean. Lebanon has to remain stable; this is the big title [of the EU-Lebanon partnership priorities and compact], and we have to put mutual priorities, mutual commitments in order for Lebanon to remain stable. (NGO 1)

The same stakeholder mentioned that the compact is a “misleading EU term” for the case of Lebanon:

What Lebanon has [unlike Jordan and Turkey] is not a compact but rather an association agreement with a single support framework, and with partnership priorities that are agreed upon which are common since 2006 between Lebanon and the EU and are revised every couple of years in line with the European Neighbourhood Policy. Effectively, there is no EU-Lebanon compact. (NGO 1)

Yet, according to interviewees, it is easy to criticize the compact as insufficient and inadequate as an international response, but “we need to be careful not to ‘throw the baby out with the bathwater’ because at least there has been an attempt to link financing and policy discussion which I think are really important” (NGO 4). In terms of how the framework was put in place, it involved EU officials working under the Commission, technical experts, and Lebanese political actors, as well as civil society who were involved in humanitarian work in Lebanon. A government actor said:

The Ministry of Foreign Affairs was leading the whole process and there were several rounds of negotiations involving all the relevant ministries, each on their part of the compact. (GO 1)

While NGOs were involved from the very beginning, the consultations were perceived by the civil society interviewees as “very superficial” (NGO 8) and “limited” (NGO 6) in terms of the impact that they had:

The Lebanese civil society and international NGOs did seek to inform the compact, but I don’t think we ultimately did really. I think it was a much more exclusive document. (NGO 9)

Probably the consultations were very intense with the governmental bodies and the ministry lines, and definitely I think that donors would have also had worked closely with the EU, and I am specifically thinking about European institutional donors. But back then it was really very little input or just a bit of validation from the civil society. At least this is how I perceived things. (NGO 8)

Civil society’s involvement became more visible in the Brussels conferences:

From the very beginning we were involved as NGOs, and I would say it improved from one year to another, but we also had some NGO colleagues at the Brussels level who were supporting in the negotiations. So, I think that there was a level of involvement of the civil society from the beginning which is a good qualitative improvement from Brussels I to the last Brussels conference, with some pros and cons, but we were involved. (NGO 5)

We started to be much more consulted and way more involved after the London Conference. So in between London Conference and the first Brussels Conference things changed. This is when we started to have more rigorous and frequent consultations with the EU, with the Prime Minister office. (NGO 8)

In terms of how inclusive the compact was in its design, stakeholders saw that “the compact has not been developed with an inclusive process, like many of the programming tools of EU, there is clear lack of inclusive, participatory dialogue process” (NGO 3). The EU failed to directly involve affected communities (refugees and host communities) in “the process of design, implementation and monitoring of the compact – beyond representation by larger/formal NGOs and INGOs” (NGO 4). This led to an absence of Syrian voices:

We can say that civil society was involved in the consultations, and civil society do represent their beneficiaries’ [voice]. Yes, but I would say partially because again it is not the direct voice of the refugees or the vulnerable Lebanese. (NGO 8)

Another stakeholder noted that, although the compact covers a vast array of commitments, including laws, job opportunities, government, rule of law, etc., it addresses only “20- 25 percent of the problems and the system is trying to come up with plans for the rest” (GO 2).

3.8 The EU-Lebanon Compact’s role in answering the recent calls for international solidarity, cooperation, and equitable responsibility-sharing between EU and hosting countries

There was a consensus among stakeholders that “despite the EU’s significant convening power around the conferences and its significant donorship which are extremely important” (NGO 9), there has not been an equitable responsibility-sharing between the EU and the hosting countries neighboring Syria. Stakeholders noted that “on paper,” the Compact assumes that “the responsibilities are [in some ways] shared.” However, in practice, the main burden of hosting Syrian refugees is left with Lebanon (NGO 3), and this was reflected in the way the global compact of refugees was presented as well:

We know from figures that it is basically low and middle-income countries which are hosting the majority of refugees, and not high-income countries. (NGO 5)

If you are talking about the sheer number of hosting, then clearly not. If you look at the per capita hosting numbers, then certainly not. If you look at what was maybe a spike in resettlement places just after 2016 and

then the ... resettlement places in the last three years, I would say it is clearly the case that the EU hasn't taken its share of responsibility and hasn't maintained a commitment to all of the durable solutions. (NGO 9)

The same wave of migration that we were talking about obviously then sparked the international negotiations that went on around the global refugee compact and the global migration compact. I think absolutely this was a recognition that there was not equitable responsibility sharing in place. Though some small moves forward have probably been made through that dialogue, we still see there is no equitable responsibility sharing in place if you are looking from a global perspective, not just EU in relation to the Syrian crisis. (NGO 4)

Stakeholders put forward three main points which could achieve a degree of responsibility-sharing between the EU and the hosting countries: (a) resettlement of refugees, (b) financial assistance, and (c) political solutions. In terms of resettlement, the EU was seen as capable of doing more in terms of "at least ... taking on board some of the refugees even if it is not a permanent asylum, but rather a temporary asylum until their countries are able to take them back" (GO 1). Yet, another stakeholder commented that resettlement may not be an achievable goal for the EU:

Europe could have played a much bigger role, but Europe was very busy in ensuring that refugees don't go to their countries. Even if they see that refugees are not in the best situation in host countries. They understand probably that host countries are doing much more than they can, even though in many places we were able to do much more, but we didn't. But Europe has not acted up. Even the Compact, if you go through it, you would see that the Compact aims at making Lebanon able to better respond to the needs of the refugees. It doesn't say in any place that they share the burden, it is not about that. (GO 1)

The EU cannot do resettlement as an institution, so it is not really correct. What EU did was say that it is a responsibility-sharing, but when it comes to resettlement it is a domestic policy for... for each member in Europe. So, we cannot actually point it out as a form of responsibility-sharing. (NGO 1)

A government actor argued that resettlement is not sufficient and a political solution in Syria is needed:

We have been telling them that since 10 years. Stop the war in Syria, the crisis will stop. (GO 3)

In terms of financial assistance, although the EU are putting in a lot of resources, it is difficult for stakeholders "to quantify it" (NGO 9 and NGO 6) because Lebanon hosts the highest per capita proportion of refugees in the world, therefore "no matter the amount of money being sent to Lebanon, it does not compensate with hosting of refugees on their territory" (NGO 1). Others added:

The environmental impacts of having all these informal tented settlements, all the problems related to WASH, all the problems related to wastewater management to solid waste management the impact on the forest, the impact on all natural resources this is something that cannot be quantified. This is something that no matter how much money you put it is something that we will be feeling, the country will be feeling, and the people will be feeling. (NGO 6)

3.9 The monitoring of the financial and budgetary procedures of the Compact and its accountability mechanisms

It was noted that very few of the stakeholders know about the monitoring framework and accountability mechanisms of the Compact:

Very... [few] people actually know about the Compact. Those who know about it are the ones like me and some of the other people in the ministries who worked on it. Other than that, you never hear any of the ministers talking about it. No one is referring to it. The EU even forgets about it many of the times. It was more one of those others documents that came out that should have set the pace in a certain way. (GO 1)

The Compact doesn't have a mechanism for monitoring the financial and budgetary procedures, however the various humanitarian projects that the EU contracts under the Madad fund, EU Regional Trust Fund in Response to the Syrian crisis, contains a comprehensive and effective monitoring and evaluation mechanism. Through this mechanism, the EU supervises all aspects of the implementation, accessing effectiveness of the project and continuously re-evaluating projects. The Madad has created a public platform whereby any individual can have access to Trust Fund projects' general characteristics, rotations, and updates. (GO 2)

One stakeholder described how meetings were held to monitor the priority actions of the EU-Lebanon Compact that were built on the priorities that were included in the LCRP, as well as those presented by the Lebanese government in the London conference:

In these follow-up meetings between the government counterparts and the EU, they would take each of the pillars and from those pillars they will go and do these meetings where they go over what has happened, and what is happening. (GO 1)

From the EU's side, they have their own financial instrument to monitor bilateral aid and it played a key role in drawing on this framework to steer governance outcomes:

The EU officials played a key role in the governance spaces within the response. For example, a substantial amount of funding went into "Reaching All Children [with] Education" [RACE] which then was administrated by the Program Management Unit [PMU] in MEHE [Ministry of Education and Higher Education]. The EU played a leading role in the RACE executive committee, which was the governance body that was set up between

donors and MEHE. So, that was alongside EU member states as well as other donors who were in that space but with the EU really trying to steer those conversations. (NGO 4)

Nonetheless, one stakeholder noted that the EU's monitoring and evaluation framework needs a lot of improvement because "it relies on reporting and not on observation" (GO 3). Additionally, it relies on the projects that are done by NGOs in the communities, irrespective of whether these projects were needed. These communities might need different projects that are beyond the capacity of NGOs.

Furthermore, there have been calls to enhance mutual accountability mechanisms during the revision of the ENP framework. The latter is the overarching framework that guides the EU's relations through relevant bilateral agreements, such as the Partnership Priorities and the annexed EU-Lebanon Compact. The overarching theme of the ENP is the need to focus on stability and increase resilience. The ENP monitoring framework was subject to criticism by the civil society representatives:

Lebanon under the new Association Council Agreement has very light obligations. The new ENP watered down obligations on Lebanon. [...] One of the things the European Neighborhood Policy dropped in the new format is 'more for more, less for less.' This principle as part of the European Neighborhood Policy which is the more you do on human rights, the more you do on reforms, the more fund[s] you get; and the less you do on reforms, the less you do human rights, the less you get aid. This conditionality was amazing for us. (NGO 1)

There are no concrete mechanisms to hold EU accountable in this mutuality. Yearly progress reports and indicators developed have been limited, mainly monitoring what partner countries are doing, rather than how EU policies at the level of trade, aid, development impact the conditions. (NGO 3)

For the host side, interviewees presented their efforts in trying to adopt a better monitoring framework:

We ... sought to push for the Brussels monitoring framework, which is a more discrete list of identifiable policy commitments from the government and also commitment from the donor side as well. There are much more specific and granular details around ensuring the commitment of Lebanon towards building a safer and more effective asylum space for refugees in Lebanon. There are some commitments within the Compact, but we found as the INGOs community that the monitoring framework which make those commitments much more granular are much more effective as advocacy tools for us than the overarching Compact. (NGO 9)

Few years ago, we have proposed from the civil society side a monitoring and accountability framework and eventually through a whole lot of painful advocacy with different ministries, we ended having it adopted by the EU, the UN and the government of Lebanon. An update from the monitoring framework was submitted to one of the refugee compacts meetings in December led by the UNHCR. A mechanism like that was kind of mutually agreed to process. (NGO 4)

It is worth emphasizing that the funds under the Compact do not go directly to the Lebanese government. Usually, when any type of funding – a loan or a grant – goes directly from the EU to the government, "it has to go through the Council of the ministers for approval, and then through the Ministry of Finance for everything else" (GO 1). An actual financial monitoring system is then implemented by the Ministry of Finance followed by a general accountability mechanism done by the Parliament, "even though the Parliament is on a different planet than this" (GO 1).

The money was coming to Lebanon from the EU through UN agencies and through NGOs and through everyone else — so not directly through government. It is all monitored by the United Nations, so by OCHA and the RCHC [the Resident Coordinator and Humanitarian Coordinator Office]. So, this kind of money goes into the humanitarian funding tracker, and this is where people know about where funding is coming [from]. (GO 1)

Almost all of EU money directly goes to NGOs and UN agencies. The only ministerial projects that get funds are the RACE program of MEHE and one electricity project with MOEW [Ministry of Energy and Water]. (GO 2)

However, interviewed stakeholders questioned the ability of the civil society to achieve accountable governance:

Regarding the coordination between agencies that received funds, I wonder if we tackled comprehensiveness as much as competitiveness. In this crisis there should be no room for competitiveness but more room for comprehensiveness and planning. (GO 3)

A bit more than two years ago, all the stakeholders developed a monitoring framework that was validated by the Lebanese government and was presented in Brussels in 2017 or 18. The issue is that little was done on the implementation side of it, and in terms of accountability, I don't think we have been able to fill in or to properly input on the monitoring framework. (NGO 8)

Furthermore, stakeholders described the need for a more accessible and transparent monitoring and evaluation framework as the tracking of commitments from one year to another are not being published:

We [as governmental authorities] are unable to get a complete breakdown of the expenses to enable us to have a clearer picture of how the money is spent, which percentage goes to people, what gets paid in salaries, projects, which is where the bulk of the funds goes to. (GO 2).

There is a lot also in terms of question marks on how that money was used. It is a jungle, it is a jungle no matter how you turn it around, whether it is from Europe side or from Lebanon side. (GO 1)

Every year we are struggling to get the figures because of the reporting and so on. I think that as for all humanitarian pledging conferences there are challenges, but the gross figures are there and are presented every year, but it should definitely be improved. (NGO 5)

While it's true they were saying that they are giving services to both refugees and host communities, but can we see percentage? This needed more investigation. (GO 3)

There was much more interest in "development of funding where that would normally go through a multi-year management... [by] ministries with much strong[er] involvement of the government and all its arms in terms of entities on the ground" (NGO 7). It is unsurprising that government actors had concerns regarding the system, though one argued that they could be more involved without directing the finances:

The Lebanese government is in a better position to identify its priorities because we do have the full picture. Whereas NGOs are most of the times issue-oriented. We are better suited to prepare a full national agenda, and this is what the LCRP directed by MOSA is doing largely by coordinating the needs of all ministries and stakeholders in Lebanon to address humanitarian concern[s]. We understand that they do not want to channel the money through Lebanese state; however, they should trust our capacity to identify our priorities. We should have a better oversight to what is happening. (GO 2)

Similarly, it is unsurprising that NGO interviewees were less sympathetic to this point of view:

I think there is an ongoing complaint that has been a little bit to say: "Well we need to have a stronger grip on what is actually happening with that money. You need to more closely coordinate with the government. We need to play a bigger role." At the same time — and this is a longstanding governance issue that Lebanon has — they were not able to convince the big donors and especially the Western donors that they can actually guarantee the proper implementation of funds. That's also the same reason why very little developmental money has been to Lebanon for many years. (NGO 7)

More generally, stakeholders stated that the monitoring and accountability mechanisms of the Compact were "not well-thought" through in the design and was perceived as "insufficient" (NGO 4). Also, it is not clear if they took into consideration "the loopholes and the political dimension in the Lebanese governance" (NGO 6) and importantly the absence of policy.

From a civil society perspective, if you look at the policy commitment we made within the context of the funding conferences, there was no multi-stakeholder governance and accountability process that was adequate in order to really monitor the changes on the ground. (NGO 4)

The government gave up its responsibilities and didn't manage these funds. At the same time directing the funds to civil society without a comprehensive plan yielded duplication of services, discrepancies in programs and no monitoring and evaluation — only reporting. (GO 3)

Given that this approach (NGOs, not government as the recipients of funding) was partly motivated by corruption concerns, the lack of monitoring was highly problematic. One stakeholder commented on the work of a broadcast journalist that publicly showed that the monitoring mechanism was non-existent:

I am not sure how things were happening but having an investigative journalist... open one of the files and show how bad it was handled is a proof that the mechanisms should be better. For example, all the visibility work that has been done in terms of education has been so much questioned by this TV episode. (NGO 6)

Ultimately, the humanitarian assistance was seen as necessary to keep refugees far away from Europe, and this was considered more important than monitoring and accountability:

At the beginning it was more of let's flood Lebanon with money, let's not ask a lot about how that money is being spent, let's ask for reforms and even if the reforms are not done it is ok. It is not because they love Lebanon so much, it is not because they love the refugees so much, it is not because of human rights as much as in the background you have [a] concept that: "we are under so much pressure from our people in order to maintain the status quo, and not have an influx of refugees." (GO 1)

One of the major kind of challenges within the LCRP is that the governance body, which included ministers on the government of Lebanon's side and included donor representation, itself never had any real kind of oversight, all it does is sign off the LCRP each year, but there was never any real attempt to hold to account actors who were receiving funds and to really analyze policy commitments and measuring progress against them. Even if the EU want to put a specific process in place for the EU-Lebanon Compact, that should exist within internationally-led response. (NGO 4)

In addition, the absence of a comprehensive national policy to deal with refugees made the process of monitoring the changes inapplicable by the different actors on the ground, "including civil society actors who have access to communities and can spot these things in the design," as noted:

When you have some kind of vague policy commitment that is being made in the context of the Compact, how is that actually monitored? And that was very much a fault of the EU as well as the lack of adequate processes within the internationally led response and a rejection of that attempt from the government of Lebanon that created that vacuum. (NGO 4)

One stakeholder emphasized that there hasn't been any consideration for human rights in the accountability framework of the EU-Lebanon Compact, and commented on an incident:

When working with ISF [Lebanon's Internal Security Forces] on countering terrorism what do you put in place so that you make sure that the programs are actually advancing human rights rather than aggressing human rights? For example, we have a problem with what is happening in Aarsal and people who have been tortured even to death a couple of years ago. How do you work with an agency that can kill people under torture with no punishment? Do you continue with the program because you care more about counter-terrorism than how these agencies protect human rights? (NGO 1)

3.10 Lebanon's ability to achieve and sustain the rules and terms of the EU-Lebanon Compact when they were put together

According to some interviewees, Lebanon simply did not have the ability to achieve the rules and terms of the Compact with the EU:

There is no governance in Lebanon. None of criteria of governance set by the World Bank are available. The EU did not adapt the goals to the capabilities of the Lebanese government. Their programs target local communities and municipalities without a comprehensive plan. (GO 3)

Other than the 2014 October policy, there was no national policy framework that had emanated from the state. This is where the Compact is coming from. We as international actors have tried to say look: here is your framework to a certain extent, here is your policy changes, but that was never matched or there was nothing to pin that onto in terms of adhesive policy agreements at the cabinet level. So, I think that was a major barrier. (NGO 4)

Other interviewees however saw several wasted opportunities to "change Lebanon's policy and implementation on legal residency," as one key commitment of the Compact (NGO 7). At the same time, they had low expectations, mainly considering the lack of comprehensive policies, political will, capacity, in addition to the multiple issues in Lebanon that go way beyond the Syria refugee crisis, including "some dysfunctional ministries, that could have implemented the necessary plan... [and a general] lack of reforms" (NGO 8):

Clearly there was a technical capacity from the Lebanese government whether the security apparatus or the different levels of state institutions that deliver legal documentation services to refugees, and now we are witnessing a decline in legal residency, it was a delinquency on the side of the Lebanese government at a time when they maintained the capacity. (NGO 9)

Promotion of investment, aiming at growth-oriented development and security sector reform are not new. Mutual commitments on migration and mobility are light, with no clear/concrete actions. This being so; their implementation is not a challenge. (NGO 3)

A protection expert commented on a couple of incidents of lost opportunities, particularly when there was an administrative court decision of the *Conseil d'Etat* in 2018, which declared the decisions/circulars on all Syrian refugees staying in Lebanon completely unconstitutional:

That would have been the moment at the very latest for the government to say that, well we now need to change the policy and move. So, there are a lot of opportunities passed and worst than that there was nothing that obliged the government to start deporting Syrians to Syria, that also had a very negative impact on the entirely Syrian community of development. (NGO 7)

Stakeholders noted that there was a recognition at a later date that the aspirations of the Compact were off-target, such as the number of children in education, livelihoods, and the ability to absorb refugees into the job markets, given the recent economic decline:

I think we [as NGOs], the UN and government actors, that were involved in some of these discussions after the conferences, were talking about ways to walk back from the really high targets that were set. [...] It was always too ambitious for the reality of the way things were moving in Lebanon. (NGO 4)

Nevertheless, taking into consideration that international assistance is key for Lebanon, particularly given its financial and economic struggles with a rentier economic model, including systematized bargaining between sectarian groups and related corruption, it would also be wrong to downplay the role of EU financial assistance in providing refugee response in the country. However, this funding should be within frameworks that are focused on human rights and development needs. (NGO 3)

3.11 The level of commitment to the rules and terms of the EU-Lebanon Compact from both sides

While the Compact's main focus is to improve the living conditions of refugees, interviewees argued that the problem was that the commitments were not addressing the root causes of the crisis, and also were not directed towards the needs of the vulnerable Lebanese, as noted by stakeholders:

The problem is you already have so much vulnerability in Lebanon that it needs support, and you added a new vulnerability, the Syrian refugees, so at this point you are just doing some band aids, you are just trying to avoid having fires everywhere. (NGO 6)

If these processes were being negotiated with more understanding of how the country was going to move, there should have been an earlier focus on supporting vulnerable Lebanese in a more prioritized way because that then became a fought line between the government. (NGO 4)

Most of the support was coming in a humanitarian form and does not necessarily lead to "reforms" (GO 4). Another interviewee added:

Many of rules of the Compact were just translated into a very programmatic things that have to do with supporting projects instead of it being through a policy. They even did not translate the results of the Compact into a policy that goes hand in hand with the political, social, and diplomatic thing. (NGO 10)

In addition, stakeholders described how measuring the government's commitments to the Compact's terms is difficult and, to a degree, "unfair" (NGO 6) due to the deteriorating situation since the agreement was signed in 2016:

I would say it is hard because the Compact was developed in a substantially different context with a lot of different given assumptions about the context and the ability of Lebanon to sustain in hosting a significant number of refugees. I think in 2020 that metric has really shifted. (NGO 9)

The circumstances have changed drastically since 2016 when the Compact was adopted. Lebanon is facing an unprecedented social, economic, and financial crisis and a total collapse of the state. For this reason, the EU-Lebanon Compact needs to be oriented towards strengthening the economic resilience of Lebanon and the host communities. (GO 2)

The Lebanese authorities did not achieve the Compact's targets, and the failure to do so was attributed to the resistance from the government and the multiple consecutive crises that Lebanon went through in the past couple of years. One government actor emphasized the attempt to comply had been made:

Lebanon and the EU are strongly committing to that statement. We have been trying to improve registering Syrian refugees, the regulatory framework in relation of registration and residence permits as described in the Compact. With relation to other commitments mentioned under the four core aspects of the Compact, enhancing stability, security and counter-terrorism, government rule of law, fostering job and opportunities, migration and mobility, both parties have yet to meet those commitments. Lebanon needs to enact certain necessary financial, sectoral and economic reforms to benefit further from these commitments. (GO 2)

Another government actor argued that the efforts were tokenistic:

There are parts about the rule of law, governance... There were a couple of different things that were requested that have to do with the governance. I remember that we worked a lot on the issue of municipalities. They can go back and say that: "we have done this." On the part that had to do for example with job opportunities and growth, they can say "we tried." But if you look at the end results, no matter what they say, we already know that none of this was actually achieved. (GO 1)

An NGO actor argued that there were efforts made regarding employment and immigration status reform:

From a humanitarian perspective, I will tell you, no, Lebanon did not much commit to it. From a legal perspective, I would tell you that Lebanon has tried to at least because they have taken different steps at the ministry of labor and the ministry of social affairs to clarify what are the jobs the Syrians can take, what are the jobs Syrians cannot take and what are the regulations. I think there has been some facilitations from the regulations at the General Security Office I think there has been some work on this perspective. (NGO 6)

Mostly, it is because there has not been a political opening and the failure of the establishment to have a coherent policy across the Lebanese government that has led to the failure to ensure a proper provision of the minimum requirements for hosting refugees:

The nature of Lebanese politics and the nature of agreeing on cabinet decisions is one of the major barriers. If you had a whole of government approach that took on board the commitments within the Compact and then shifted the policy in a way to enable those commitments to be met, there might have been a chance that more progress could have been made. (NGO 4)

In Jordan you would have seen a rehabilitation of the WASH infrastructure and systems in generally poor Jordanian areas that were major hosting areas for refugees, but you are investing in broad-based service provision which can serve both communities [...] In Lebanon there is an absolute push-back against that. A lot

of [financial aid] that was spent on water trucking and desludging in informal tented settlements could have been spent on rehabilitating water systems and sanitation systems which could have served both refugee settlements and neighboring host communities, but that clearly just wasn't the case. Even rehabilitation allowing for temporary connections to those refugee settlements was a political taboo which means that Lebanon lost out in the ability to harness those investments as a state-building enterprise. (NGO 9)

On the point of legal residency, “there was zero progress” (NGO 7) hence no possibility to account for implementation or government commitment:

There was this situation in 2017, when the government came up with the residency fee waiver which was too narrow on paper, and even narrower in practice, that it hasn't produced almost any positive effect. And this has been a main point of controversy between us NGOs and also UNHCR. (NGO 7)

Interviewees argued that in some cases, the situation got even worse. For example, in terms of the percentage of legal residency permits for Syrians over the years, “it has gotten really worse and worse” (NGO 7), as noted:

The commitment was to allow more Syrians access to legal residency, but it hasn't happened, and it is still not happening. It is a massive problem. We are now in the neighborhood of 80 percent of people being illegal in the country without being able to change that ... and that in itself is definitely bad news. And I can't see on any scale how that would change. (NGO 7)

With regards to improving access to the labor market, the same interviewee argued that it has always been a complicated point and “closely linked to legal residency” (NGO 7):

The entire labor market in Lebanon is so heavily informal, especially in the sectors of agriculture and construction where multiple Syrians are working there informally. The thirteen-page policy that the Ministry of Labor came out with in June 2020 for all of us was really going in the wrong direction and not really offering any solutions whatsoever. So, on that front I really fail to see any progress. (NGO 7)

If the Lebanese government could have made possible legal residency that would have also helped access to the labor market, but as we also know the labor market situation in Lebanon is so much more than the Syrian issue. (NGO 7)

Others emphasized that it is not the first time that the Lebanese government fails to meet its commitments:

I think there has been both kind of a “won't and can't” from the government of Lebanon on different kind of components within the Compact. (NGO 4)

The fact that recurrent commitments of the government were not met when it comes to reforms, human rights framework and so on, goes way beyond the Syrian crisis and the Compact. (NGO 5)

3.12 The EU-Lebanon Compact's contribution to the protection of refugees' rights

Interviewed stakeholders argued that the Compact could have contributed to basic rights related to health, education, shelter, and legal residency, because “these were key indicators of shifting to a more protective environment” (NGO 4) that, if met, “refugees would live with more dignity” (NGO 5). In practice, there was a “real refusal from the government of Lebanon to shift on that” (NGO 4). The question is whether more could have been achieved in terms of pushing Lebanon to take it seriously if there “was conditionality by the EU” (NGO 1). Other stakeholders said that the Compact did not *directly* affect the status of refugee rights because it was “requesting general things as everyone else was requesting when it comes to refugees” (GO 1). It did not put any pressure on the Lebanese government to abide by any refugee protection protocol:

There is no systematic means for the protection. The refugees are very vulnerable to arsenal, to attacks. Even security agencies — Army, General Security, ISF — are mostly controlled by Hezbollah. They spy on the refugees to make sure that they don't activate any anti-Assad activities. They keep them subjugated and vulnerable; they attack them left and right everyday, and no one comes to their rescue. They don't even make the news. So, the protection of Syrian refugees in Lebanon is a joke. (A 1)

In Lebanon, the rights of refugees are not protected, they are under discrimination, subject to curfew, hindered from accessing job market and healthcare services. The only protection Lebanon gave to the Syrian refugees is deportation although Lebanon is signatory of the convention against torture which doesn't allow deportation of a refugee to another country at the risk of getting tortured. (GO 4)

According to interviewees, the EU-Lebanon Compact contributed indirectly to protection of the most vulnerable and especially the Syrians in two ways. First, by “opening up more discussions on the refugees” (GO 1), and by “putting some pressure on Lebanon to provide the basic needs for decent living for Syrian refugees” and “to some extent in forcing Lebanon to respect the basic pledges and to abide by the international law” (NGO 2). Second, by “covering the costs of international aid either through NGOs or international organizations, not necessarily through the Lebanese government because they don't have a lot of trust in them” (NGO 2). Although NGOs are well funded, ultimately, they were limited in what they could do:

A lot of the funding was received by civil society actors, namely local organizations, which have mostly been the ones addressing protection issues. We did not fulfill a full protection and full safety net for the refugees, and if we want to look at it from the other side, we are neither able to provide this for the Lebanese. So that's why it is very complex. We have a care-giver [sic] government that forgets about having anything in terms of reforms, or anything in terms of safety net or better protection. (NGO 8)

Interviewed stakeholders had different views on whether Lebanon's non-signatory status in relation to the Geneva Convention could have interfered with the Compact. According to a governmental official:

Lebanon offers the displaced better benefits than what is mentioned in the 1951 Geneva Convention. The main reason why we never adhered to the 1951 convention is the fact that it entails granting citizenship to refugees. The other concern was allowing them unhindered access to the labor market which the Lebanese economy cannot absorb, be it for 500k Palestinians who came in the 1950s or for the 1.5 million Syrian displaced who arrived since the Syrian crisis. (GO 2)

NGO stakeholders were notably more critical, arguing that the Geneva Convention would have provided the legal basis for protecting refugee rights rather than relying on "ad-hoc initiatives or regulations" (NGO 3). The core principle of the Convention is *non-refoulement*, but "Lebanese politicians' discourse has, especially since last few years, focused on return of refugees to 'safe' areas in Syria, noting that the Syrian regime welcomes them," even though people fled their houses because they felt unsafe and feared for their lives (NGO 3):

The fact that Lebanon is not a state party to [the] 1951 Geneva Convention and its Protocol reflects the lack of political will towards prioritizing the protection of the refugee rights. (NGO 3)

Others noted that having not ratified the Convention "doesn't necessarily preclude its ability to provide a protective environment to refugees" (NGO 9) or making positive choices regarding "existing Lebanese legislations (NGO 4). Prior to the economic situation deteriorating in Lebanon, the fundamental elements of protection such as legal residency, proper documentation, birth certificates, registration of deaths and marriages, "could still be provided by the Lebanese State to refugees in lieu of its ratification of the refugee convention" (NGO 9). However, it was the lack of political will that hindered this:

The processes are in place for example, residency process was in place, the ability to access services, so for all of these things you can find enabling legislation in place and then it was about policy decisions being made and what we saw was something of an absence of policy decisions. (NGO 4)

Although they had the means to ensure that processing of the residency could be substantially improved, policies circulars could be submitted there, there could have been a way, the numbers were substantially increased under the annual residency fee waiver, however the sponsorship system was never established, there were policy changes at a practical level on the ground, the implementation was not improved to the extent which it could have been. This was a way the Lebanese government saying, no we are not going to abide to all the rules and terms. (NGO 4)

The failure to ensure the basics of good governance and economic management is probably going to result in even greater failure to provide a protective environment more broadly [compared to not being a signatory to Geneva Convention]. [...] The punitive policies like the punitive application of the labor law and the failure to provide a legislative framework to kind of protect the rights of refugees. I think that also accounts for a failure to provide a protective environment regardless of the ratification of the refugee convention or not. (NGO 9)

Another argued that "the absence of the convention is a minor detail when we are talking about legal obligations and actual capacity of the government of Lebanon to extend protection to Syrians on its territories" (NGO 7). They said that most of the protection issues (deportation, *non-refoulement*, birth registrations, etc.) that Syrians are facing have to do with the general human rights law and all the other human rights treaties and conventions (ICCPR and the Convention on the Rights of the Child) that Lebanon has ratified "but we seriously knew its commitments" (NGO 7) and "we don't need the Geneva Convention to provide protection for refugees" rights. And they continued:

The part where it is a little bit trickier is Lebanon's relationship with UNHCR. Like other countries that are not members of the 1951 Convention this [i.e., the status of asylum seekers] is regulated through MOUs [(Memorandum of Understanding)]. The MOU between Lebanon and UNHCR goes back to 2003 so that is a problem because that doesn't strictly apply to the Syrians. And UNHCR was trying to have a new memorandum I think in 2013 but it is not in place. So that might be a practical limitation for UNHCR to play out its role. (NGO 7)

One government advisor mentioned that the political conflict in dealing with refugees and the absence of an official agreement with UNHCR protected, to a degree, Syrian refugees from deportation, though it did not secure their rights:

For example, the sheikhs and religious groups would create lobby group to support against deportation of a refugee. [...] Since INGOs play a big role in Lebanon it created a de facto role. (GO 4)

3.13 The relations between the Lebanese government and the governments of Syria's other neighboring host countries in the context of refugees and migration

Most interviewees perceived no change in the relations between Syria's other neighboring host countries. Instead, the countries were cooperating to manage a "joint concern" given that they were suffering from the socio-economic, financial and political costs of this crisis (GO 1). The general perception was that each country would promote their own case to the international community to get more money:

It never really affected the relations neither negatively nor positively, except that when they are talking with each other you would see that [there was a particular discourse]:" We understand each other, we share the concerns, we agree that this is unacceptable and this is too much of a burden, and that people are not giving us enough." (GO 1)

For example, prior to our crisis, the former government [(PM Hariri's government)] had discussed hosting a tetra-lateral summit in Lebanon between Lebanon, Jordan, Iraq, and Turkey to try to shift the paradigm and focus on the return in cooperation with UNHCR and international organizations. We didn't have to see eye to eye on each issue because each one had different priorities, but we had the same goal. We are coordinating on how to do it in the most proper and efficient way, however the events in Lebanon and the Covid-19 pandemic have stopped this process. (GO 2)

According to stakeholders, Syria's neighboring host countries were unable to coordinate properly "in order to make the best of the situation" (GO 1). They noted a pervasive lack of mutual solidarity:

You could expect that these countries would have come together and have a real power of negotiations with the EU when it comes to hosting refugee. But in practice when you are looking at it, you have the EU-Turkey Deal (they don't care about the other neighboring countries), the Jordan Compact; they were put all together into the 3RP... [Regional Refugee Resilience Plan] and so on. But when it comes to consistency between the different countries there are very big differences which I think it goes beyond the Syrian crisis. It is about geopolitics. (NGO 5)

Three different countries, having three different approaches to the refugee question. Each is manipulating the refugee issue to their own opportunistic interest, while the refugees are being increasingly turned into a political tool while being vulnerable and unprotected by international law. So, there is no real coordination. (A 1)

There has also been "a competition" between Turkey, Lebanon and Jordan over accessing the funds for refugees, because originally the funds were earmarked (GO 4). This was clear in the difference of the discourse between host countries in the international pledging conferences, as noted by stakeholders:

Jordan has approached the issue in a smart way. They had a fundraising strategy which was successful in dealing with the issue and they knew how to present their cases in order to get more funding, whereas the Lebanese foreign policy was very stupid in dealing with the international community. (NGO 2)

Furthermore, there are unequal power dynamics, for example Turkey vs. the other countries, as noted:

Turkey can leverage the threat of releasing the boats to Europe as a way of levering increased donor support whereas Jordan and Lebanon don't necessarily have that leverage. (NGO 9)

Lebanon's relations with Turkey changed during the Syrian crisis, as noted by one government advisor, especially because of "Erdogan's position in the Syrian war and how he exploited it for his own political interests":

Before 2011, the relations were different. Erdogan helped Hariri in [the] election campaign. In 2011, Erdogan was close to [the] Saudis but in 2016 Erdogan claimed that... [they] sponsored a coup d'état against him. (GO 4)

One stakeholder said that the relations between Lebanon and Jordan became stronger:

We can see that Lebanon and Jordan are negotiating together the EU Compact[s], and that the EU is offering rules of origin facilitation to both countries, more permits for both countries. There are a lot of common things in the agendas. (NGO 1)

3.14 Future of the EU-Lebanon Compact

The conditions have drastically changed in 2020 and 2021. There is a rapid deterioration of socio-economic and political context in both Syria and in Lebanon simultaneously. Regarding Syria, there is "no sign of political will for ending the Syrian crisis" (NGO 3). For Lebanon, there is a dollar shortage; the situation is not only bad economically but also in "the ability of Lebanon to make political decisions, and if there were divisions in the Lebanese policy, this will increase even more" (NGO 2). Lebanon is facing a financial

crisis and with it, extreme social hardship:

About 50 percent of the Lebanese population are living below [the] poverty line. The EU-Lebanon Compact needs to accommodate this grim reality on the ground by accelerating the implementation of the commitments mentioned in the Compact that targets the host community and the general well-being of Lebanese economy, while at the same time working on a safe and dignified return of refugees to safe areas in their homeland. (GO 2)

The money from INGOs to Syrian refugees is the one of the few fresh dollar money coming into Lebanon. (GO 4)

The burden is no longer sustainable in Lebanon, as noted by a government official:

Whatever is being spent cannot cover the cost of the presence of refugees and the EU understands that. (GO 2)

Yet, the same stakeholder stated that Lebanon's political views on return are divided:

For some who think along the humanitarian lines say those people do not have the living conditions to return to their homeland, we can work with the EU and international organizations to provide refugees with conditions of return. While for others, it is a political decision of not wanting them to return out of various reasons and this is what worries us because the issue of refugees can be instrumentalized by some political parties to increase their support in the polls. (GO 2)

Regarding Europe, some perceived an evident bias among EU policymakers towards return because "integration is politically unpalatable in Lebanon and not possible based on the Lebanese constitution, the political reality and also just the fact that it is a tiny country as well" (NGO 9). A civil society representative who works on durable solutions also noted that, for the short term, the direction of the EU will be to ensure that "the host governments respect the principle of *non-refoulement* and maintain their commitment to protect refugees" (NGO 4). However, for the long term, the EU's willingness to maintain the containment in host countries as well as "to keep pumping money into specifically a refugee hosting context will wane over time":

The more dominant focus of the EU would be on ensuring that refugees would return, under appropriate conditions, and as conditions in host countries worsen and as the narrative shift back to encouraging refugees to return. (NGO 4)

Gradually, we would [expect to] see more funding shifting to early recovery and possibly reconstruction projects in Syria and they will expect refugees flows to move as the funding shifts. (NGO 4)

The future of the Partnership Priorities and the EU-Lebanon Compact is dependent on whether "migration and [the] refugee crisis can remain a top item in the EU populist actors' agenda" (NGO 3):

Recent polls show corruption, living standards, housing, unemployment, and health as important as migration for European voters. These problems became clearer amid Covid-19, and European politicians will have to deal with them, rather than simply developing negative rhetoric on migrants/refugees to support their positions. (NGO 3)

Hosting refugees is politically unsuitable for them, very costly and a good part of integration process has not succeeded as much as Europeans have hoped for. Keeping them where they are is most suitable for them. We have seen how well they rewarded Turkey financially to make sure their borders are tightly closed and how they rewarded Jordan, though a bit less, to make sure they are in line with the process. (GO 2)

In addition, it depends on how the EU views the legitimacy of the Lebanese government:

These agreements are in jeopardy given the turbulent situation in the country and the difficulties of dealing with a government largely accused of rampant corruption. So, there is serious questions about how to sustain these funds and programs, and under which mechanism. (A 1)

Improvisation, demagoguery, populism, and politicization are what characterize the decision-makers in Lebanon. There is no evidence-based planning, and proactiveness and until we are able to have a political class that is ethical, competent, independent and free, we can't discuss the future of EU-Lebanon Compact because the future of Lebanon is on the brink. (GO 3)

As it stands, the country's foreign policy is also unclear, as "the current government is not making any kind of diplomatic efforts for anything" (GO 4):

The foreign minister is almost non-existent, and it is not clear who decides our foreign policies. The rhythm of our foreign policies is decided outside the scope of the political institutions. Therefore, Lebanon has no foreign policy that ideally should be transparent and liable to accountability and in this case, we can't make any discussions about international commitment and specifically EU-Lebanon Compact. (NGO 2)

The interview responses broadly outlined three different scenarios for the Compact. The first is that the EU will "relaunch the

negotiations to assess the Compact, to assess what has been done and what has not been done” (GO 1) and try “watering down the commitments on Lebanon, but... [in doing so] risk... giving legitimacy to the government of Hassan Diab” (NGO 1). At the same time the Ministry of Foreign Affairs will look for ways to “renew the Compact without relooking into reforms or anything else” (GO 1).

The second scenario is that the EU will go into a “steady period;” it will delay doing any negotiations or new single support framework considering the fact the country is in such turmoil (NGO 1). The third scenario will depend on “how the EU will react towards the lack of reforms” (GO 4), risking a justification to end humanitarian assistance:

The donors, some EU countries as well as the EU body will not be giving more financial assistance if they do not start seeing reforms. (GO 4)

This is really out there now. You hear this: “Compact or no Compact, this is the current situation.” People even hesitate about giving money for the refugees because they are not seeing reforms. (GO 1)

Finally, interviewed stakeholders presented several recommendations for new approaches that take into consideration the Covid-19 crisis, “rising negative feelings among Lebanese towards Syrian refugees, and the exacerbated economic conditions,” the political deadlock, and the Beirut explosion (NGO 6). Taken together these have added an additional burden on refugees and host communities and made them more vulnerable (NGO 3). Broadly, there were four recommendations. First, the need to tackle the root causes by responding not only to humanitarian needs but also the political root causes. Government actors linked this to the question of return:

Treating humanitarian only will lead to a disintegration of refugees’ identity from their origins and a disintegration of host communities because of the economic, social, and cultural clashes that will lead to social tensions and then one will have to leave. Generally, the hosts are the ones who have assets to leave, not the refugee. (GO 3)

Continuing cooperation with neighboring countries, facilitate safe and gradual dignified return of refugees to safe areas in their homeland where they can return. (GO 2)

Second, interviewed stakeholders stressed the need for the EU-Lebanon Compact to have “a revised international platform in terms of engagement with the Lebanese state related to humanitarian funding in the region” (NGO 4) and the need for the EU to shift from the “security-migration nexus to development-migration nexus in its policymaking and implementation process” (NGO 3):

The financial support provided should consider several key issues including localization, developmental needs and challenges put on them. [...] Any financial assistance provided within the partnership should be embedded within a long term, comprehensive and rights-based national development planning, which Lebanon lacks. (NGO 3)

The financial assistance should be conditional on adopting a public policy. (GO 3)

Third, instead of relying only on the civil society, the EU should work on establishing a mechanism for engaging private and public sectors as well, in addition to ensuring community participation while designing and implementing the EU-Lebanon Compact, including the Palestinian refugees, who have a longer history in Lebanon, as noted:

Engaging stakeholders, including civil society, in transparent, participatory and inclusive processes would support developing better policies and setting commitments down that put rights at the forefront. (NGO 3)

There is a political opportunity should the political deadlock break in Lebanon, and a slightly more technocratic approach is taken towards at least in the short term, to bolster inclusive national systems so that they can support both communities [refugees and host population] whereas [before it] was politically unpalatable [for specific sectors]. (NGO 9)

Lastly, governing Syrian refugees’ temporary stay should be done using “rights-based policies” that respect, protect and fulfil the rights of refugees, and “with Covid-19 and the economic crisis in Lebanon, [the] right[s] to health, education [, etc.] of refugees should be considered... priority” (NGO 3).

4 CONCLUSION AND RECOMMENDATIONS

This report has analyzed Lebanon’s policies in dealing with Syrian refugees, the political environment and the discourse in Europe surrounding migrants and refugees and its repercussions on the EU policies and initiatives. It looked closely into the EU-Lebanon Compact in terms of its design, application of its rules and the level of commitment to them, monitoring and accountability frameworks, as well as its contribution to the protection of the rights of migrants and refugees.

The EU and Lebanon adopted the partnership priorities and a compact, which outlined mutual commitments and priority actions through which both sides, the EU and Lebanon, will fulfill the pledges they made at the London Conference on supporting Syria and the region in February 2016. The Compact focused on investing in the economy to trigger growth and business expansion, assumed to indirectly lead to job creation for both Lebanese and Syrian refugees, in return for the government’s facilitation of

access to residency and employment in certain sectors for Syrian refugees. In practice, however, the compact's reality has not delivered the required results. Four years after the adoption of the Lebanon compact, the situation has drastically changed. In 2019, nationwide protests erupted over the country's poor public services crisis and widespread corruption. Since then, politicians have failed to address an economic crisis and currency lost more than 90% of its value⁵, poverty nearly doubled from 42% in 2019 to 82% in 2021⁶, marking Lebanon's worst financial crisis in decades and hitting the most vulnerable Lebanese and refugee families the hardest. Moving forward, the EU would need a revamped approach of resilience building that accounts for the multi-layered crisis and refugee politics.

Based on the analysis of the conducted interviews, the research team formulated a set of recommendations.

- Approach the Syrian Refugee crisis as a forced displacement or a refugee movement rather than a migration crisis, i.e., develop long-term humanitarian and developmental participatory policies rather than short-term geo-politically driven strategies at the regional and international levels.
- Define the next steps of the EU-Lebanon Compact that set up a clear design that adopts a participatory approach throughout, and establish mechanisms for implementation including the responsibility endured by each of the EU and Lebanon.
- Identify an effective and regular Monitoring and Evaluation approach for financial and budgetary processes of the Compact and the accountability mechanisms in place that also maintains engagement of the Lebanese state related to humanitarian funding in the region.
- Establish a mechanism for engaging and fostering momentum between all local actors associated with the EU-Lebanon Compact from the public sector, private sectors, as well as the civil society in Lebanon.
- Bring in the principle of good governance by shifting from a "policy of no policy" to a "national comprehensive policy" to govern issues of refugees and migration in general in Lebanon, and the Syrian refugees in specific, particularly in light of the current series of economic and financial crisis in the country and the impact the former has had so far on both Syrian refugees and host communities at the humanitarian, societal, and economic levels.

⁵ Azhari, T., Bassam, L., and Saad, M. (2022). Lebanon's healthcare on brink of collapse amid crisis, says minister. *Reuters*. <https://www.reuters.com/world/middle-east/lebanons-healthcare-brink-collapse-amid-crisis-says-minister-2022-01-20/>

⁶ United Nations Economic Commission for West Asia (ESCWA). (2021). Multidimensional Poverty in Lebanon (2019-2021), Painful Reality and Uncertain Prospects. https://www.unescwa.org/sites/default/files/news/docs/21-00634-multidimensional_poverty_in_lebanon_policy_brief_en.pdf



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