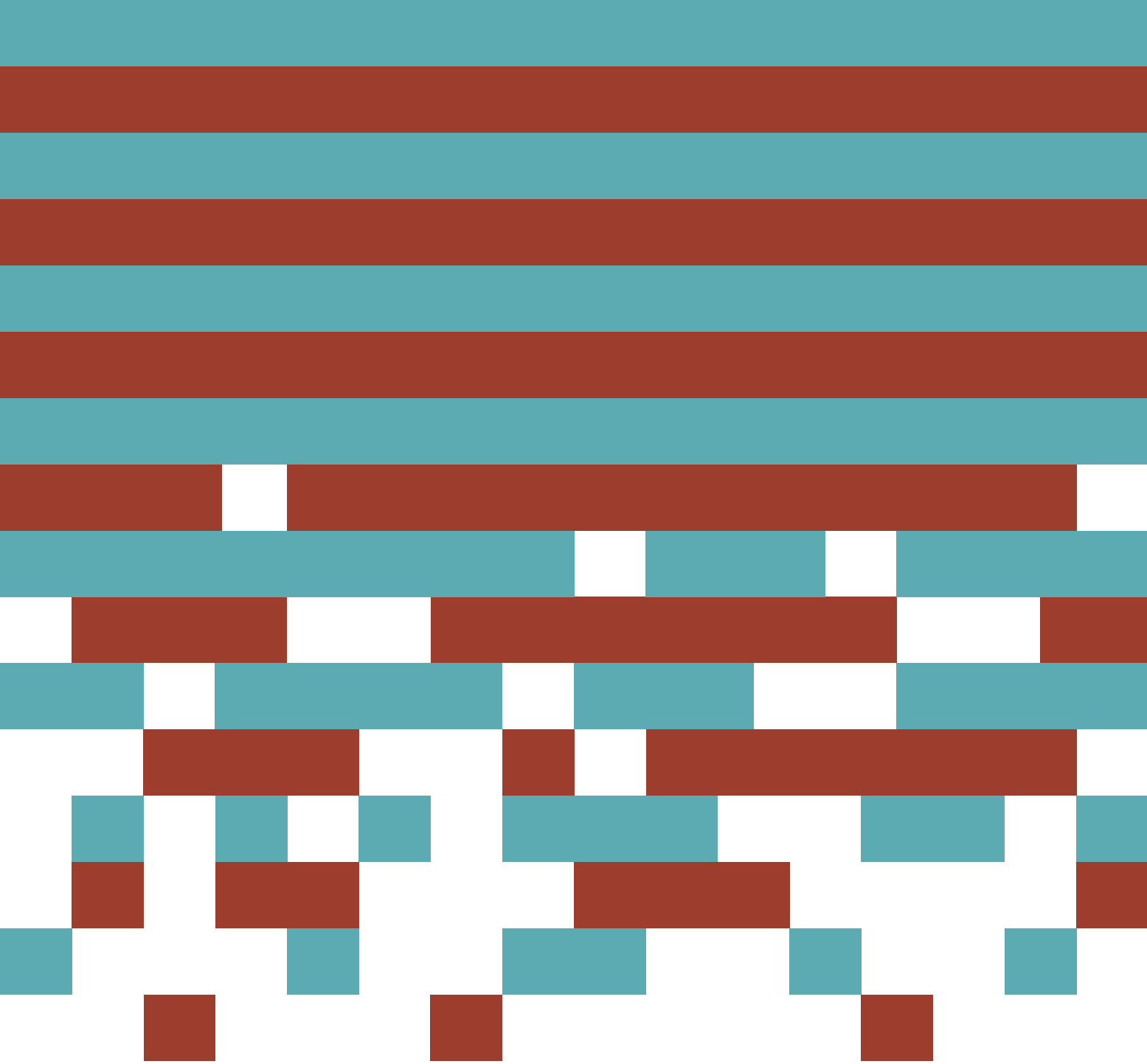

Syrian Refugees' Livelihoods.

The Impact of Progressively Constrained Legislations and Increased Informality on Syrians' Daily Lives

دعم لبنان
LEBANON SUPPORT

Syrian Refugees' Livelihoods.

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Abstract

This report examines both the historical development and current situation of Syrians working in Lebanon through the analysis of policies established and implemented by the Lebanese government. While the report is not an assessment of these policies, it nevertheless reflects on its impact on Syrians' working conditions and livelihoods. In this vein, this report notably focuses on emerging dynamics of increased informality, exploitation, and dependence.

Key words

Syria

Refugees

Employment

Livelihood

Pledge To Not Work

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1 Introduction

"We'd rather go back and die in dignity, instead of living this miserable life."[1]

Whereas some of Syria's neighbouring countries formed "an impenetrable barrier for Syrian migrants,"[2] Lebanon has, for decades, adopted an open border policy for Syrian entries. The open borders were a result of the migration-for-employment trajectories between Syria and Lebanon, specified in a series of bilateral agreements signed between the two countries, as we will see in this report. They eventually led to significant and unregulated Syrian immigration into Lebanon over the past decades.[3] Since the onset of the Syrian conflict in 2011 and the resulting influx of refugees, the estimated number of Syrians present in Lebanon increased from 300 000 to almost 1.1 million in 2016, a figure that accounts for over a quarter of the Lebanese host population.[4]

Although the Lebanese economy has a long history of relying on the presence of foreign – and especially Syrian – labour, the enormous influx of refugees since 2011 has had a significant impact on the Lebanese labour market. Before the Syrian crisis, labour market conditions in Lebanon were already grim,[5] and the labour market itself was not able to absorb new workers,[6] but the Syrian crisis has aggravated problems.[7]

In this context, the Lebanese government has adopted a set of restrictions and policies as of October 2014 with the objective to limit and control Syrian presence in the country, as well as to protect Lebanese employment. This report seeks to provide an analysis of these policies by looking at its historical emergence as well as the repercussions it holds for Syrian refugees. Indeed, the UNHCR – in Lebanon, the leading agency for the protection and support of Syrian refugees – has been providing basic means of subsistence. Yet, figures indicate that this basic provision is insufficient to meet daily expenses. In addition, an increasing number of refugees is not registered.[8] Both factors have led to an increasing number of Syrians seeking other means of subsistence to secure their livelihoods. Hence, this report seeks to highlight the challenges faced by Syrian refugees in order to secure their livelihoods. It is the second of a series seeking to analyse the impact of Lebanese government policies on Syrian refugees' daily lives.

1 Interview with Syrian woman, Beqaa, June 2016.

2 John Chalcraft, *The Invisible Cage: Syrian Migrant Workers in Lebanon*, Stanford, Stanford University Press, 2009.

3 International Labour Organisation, "Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis," 2015, p.33-34, available at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_374826.pdf [last accessed 12 July 2016].

4 European Commission, Humanitarian Aid and Civil Protection, "Lebanon: Syria Crisis," available at: http://ec.europa.eu/echo/files/aid/countries/factsheets/lebanon_syrian_crisis_en.pdf [last accessed 12 July 2016].

5 That is, government expenses increased rapidly. Although the Lebanese state maintained rather low standards of public and social services that were mainly provided by the private sector rather than by the state (Lebanon Support, "The Conflict Context in Beirut; the Social Question, Mobilisation Cycles, and the City's Securitisation," *Civil Society Knowledge Centre*, 2015, p.12, available at: cskc.daleel-madani.org/sites/default/files/resources/ls-car-nov2015-beirut_0.pdf [last accessed 4 August 2016].) government expenditures were projected to increase by USD 1.1 billion (World Bank, "Economic and Social Impact Assessment of the Syrian Conflict," Washington DC, World Bank, 2013, p.1, available at: http://documents.worldbank.org/curated/en/925271468089385165/pdf/810980LB0box379831B00P14754500PUBLIC0.pdf [last accessed 4 August 2016]), in order to "meet the increasing demand for public services, including [...] electricity, water supply, solid waste management and transportation" (International Labour Organisation, "Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile," Beirut, ILO Regional Office for Arab States, 2014, p.34). At the same time, Lebanon's incoming revenue stream decreased by USD 1.5 billion. This is because the number of private investments reduced and the trade deficit expanded, after closure of the Syrian borders – the only transit route for Lebanon. Moreover, real estate and tourism sectors declined: the two most important sectors, both highly susceptible to crisis events. In addition, the employment rate did not rise as steadily as Lebanon's economy, especially given that the modest increase in the employment rate affected mainly less productive workstations. This had significant consequences on the Lebanese economy.

6 Danièle Chehade, "L'Impact de l'Exode Syrien sur le Marché du Travail Libanais," Beirut, USJ (FGM), 2015, p.13 available at: http://www.fgm.usj.edu.lb/pdf/a1815.pdf [last accessed 22 August 2016].

7 That is, economic growth has declined "from around 8% per annum over the period 2007-2010, to 3% in 2011 to 2% in 2012" (International Labour Organisation, *op.cit.*, 2014, p.34.) and 1.5% in 2013 (European Training Foundation, "Labour Market and Employment Policy in Lebanon," Torino, ETF, 2015, p.5-7, available at: http://www.etf.europa.eu/webatt.nsf/0/33A1850E6A358308C1257DFF005942FE/$file/Employment%20policies_Lebanon.pdf [last accessed 20 June 2016].) Moreover, the World Bank projected that from 2012 to 2014 the crisis would push 170 000 Lebanese under the poverty line of USD 3.84 per day per person and reduce real GDP growth by 2.9 percentage points each year (European Training Foundation, *op.cit.*, 2015, p.6; World Bank, *op.cit.*, 2013, p.2 ; International Labour Organisation, *op.cit.*, 2014, p.38).

8 Lebanon Support "Formal Informality, Brokering Mechanisms, and Illegality: The Impact of the Lebanese State's Policies on Syrian Refugees' Daily Lives," *Civil Society Knowledge Centre*, 2016.

Methodology

This report is based on desk research and fieldwork. Fieldwork consisted of a total of 21 interviews with Syrian refugees, conducted between June and July 2016. Lebanon Support used its extensive network of workers and business owners, artists, (un)employed Syrian refugees, economic and humanitarian experts, civil society activists, and NGO workers to identify who is affected by the labour policy, and to what extent. All interviews followed a semi-structured interview guide and Lebanon Support did not provide incentives. All interlocutors provided oral informed consent to participate and were assured that their identity would remain anonymous, unless the interviewees explicitly agreed to the public use of their name. Most interviews took place in person in Beirut and other regions in Lebanon. Most interviews took place in private settings and were conducted in Arabic; occasionally, they were conducted in English. Our group of interlocutors consisted of Syrian men and women aged between 18 and 60. Preliminary findings of this study have been discussed in a multi-stakeholder meeting in July 2016, and feedback has been incorporated into the analysis.

2 Intertwined histories

As neighbouring countries, Lebanon and Syria's politics, economies, and cultures have been historically highly intertwined. Independence, which was gained at the end of the French mandate in 1943 and 1946, respectively, did not prevent nationals from both countries to move back and forth between the two. Syrian labour in Lebanon especially has a long and extensive history. While upper class Syrians invested in lucrative businesses in Lebanon, lower class Syrians traditionally worked in informal, low-paid, low-skilled, and low-protected structures. Lebanon's rather prosperous conditions of work and residence, combined with "cultural commonalities, ties of history, language, custom, and even actual family," may have encouraged Syrian migrants to settle in Lebanon.[9]

2.1 *History of Syrian migration to Lebanon*

The first wave of economic migration from Syria to Lebanon began in the 1950s and 1960s, after both countries gained their independence.[10] Every year, hundreds of thousands[11] of Syrian men – many women would eventually follow suit – voluntarily[12] left Syria to seek economic opportunities in Lebanon, especially in the Beqaa, Akkar, and the South of Lebanon.[13] At the time, Lebanon was a cultural, intellectual, and most importantly, economical hotspot, often dubbed as the "Switzerland of the Middle East."[14] With the rapid economic growth of Beirut and the building of the new harbour at the end of the 19th century, Lebanon became the main trade centre of the region. Bypassing Damascus, the agrarian reforms and nationalisation of banks, firms, and trade conducted by the leading Baa'th party in the 1960s, many Syrians from the wealthy, entrepreneurial social class moved their businesses and families to Beirut and invested in banks and real estate, bringing Syrian capital to Lebanon.[15] Moreover, from the 1950s to the early 1970s, the Syrian pound had dropped around 40% compared to the value of the Lebanese pound.[16] For this reason, Syrian migrants from the lower and lower-middle class intended to earn money in Lebanon, so as "to return home with increased resources."[17] The majority of Syrian migrants to Lebanon worked in unskilled and low-paying seasonal jobs, mainly in menial jobs such as construction, agriculture, or industrial work.[18]

In the 1990s, Lebanon had lost most of its glamour, as the country was suffering the consequences of its 15-year-long

9 See John Chalcraft, *op.cit.*, 2009, p.20.

10 The earliest traces of migration can be dated back to the 1890s. With the new harbour of Beirut in 1894, the construction of the railway and the route between Damascus and Beirut, as well as the growing interactions with Europe, Beirut gradually became a hub of trade in the Middle East. See Elizabeth Picard, *Liban-Syrie, Intimes Étrangers*, Arles, Actes Sud, 2016, p.40.

11 At some point, up to one million Syrian men came to Lebanon yearly. See Chalcraft, *op.cit.*, 2009, p.55.

12 "Voluntarily" in the sense that Syrian workers were not slaves, nor refugees. It was their own choice to emigrate – although they might have been driven by (financial) necessity. See Chalcraft, *op.cit.*, 2009, p.78.

13 Lebanon Support, *op.cit.*, 2015. p.11; Lebanon Support, *op.cit.*, 2016, p.7.

14 Chalcraft, *op.cit.*, 2009, p.15; Lebanon Support, *op.cit.*, 2015, p.8.

15 Between 1958 and 1970, they invested around 500,000,000 LPB, mainly in real estate, banks and import, contributing to the remarkable economic growth of these sectors. Moreover, being unleashed from a protectionist regime in Syria to the liberal Lebanon, these new immigrants were particularly successful due to their willingness to take financial risks; they came to be known as "learning capitalists." Between 1963 and 1969, the number of Syrians present in Lebanon doubled to such an extent that in 1971, 22 out of 70 bank directors in Lebanon were of Syrian origin. Many of them gained the Lebanese nationality in the 1950s thanks to president Chamoun's leniency. See Picard, *op.cit.*, 2016, p.140.

16 Chalcraft, *op.cit.*, 2009, p.78.

17 *Ibid.*, p.16. At the same time, in combination with the agrarian reforms and nationalisation of banks, firms and trade conducted by the leading Ba'ath party in the 1960s, many Syrian from the wealthy, entrepreneurial social class moved their business and families to Beirut and invested in Banks and real estate. Between 1958 and 1970, they invested around 500 000 000 LPB in real estate, banks and importations mainly, hence contributing to the remarkable economic growth of these sectors. See Picard, *op.cit.*, 2016, p.140.

18 *Ibid.*, p.63-64.

Civil War. Nonetheless, this did not prevent a second wave of Syrian migration to Lebanon. First of all, entrepreneurial alliances that supported the politics of the Baa'th regime in Damascus saw investment possibilities in post-war Lebanon. Along with their settlement came a significant flow of Syrian capital in Lebanon, mainly through cellular phone companies and reconstruction projects,[19] thus forging and strengthening relations between the higher social classes of both countries.[20] Similarly, the market for post-war reconstruction paved the way for job opportunities for hundreds of thousands of Syrians from the lower and lower-middle classes. These Syrian workers assumed an inferior social status and worked under harsh conditions, with little to no protection.[21] Yet, despite their dire situation, Syrians continue to settle in Lebanon until today.

One explanation for the prolonged Syrian presence in Lebanon can be traced back to the Syrian military presence in Lebanon between 1976 and 2005.[22] In May 1992, a mechanism governing the formal security and foreign policy between Syria and Lebanon was institutionalised: the "Treaty of Brotherhood, Cooperation and Coordination." In the light of this treaty, the Syrian Lebanese Higher council signed the Agreement for Economic and Social Cooperation and Coordination,[23] which regulated the relations between the two states during the Syrian occupation in Lebanon. As a result, Syrians were largely represented in the Lebanese labour market.

In addition to the treaty, the outwards-oriented Lebanese liberal economy was not only built on cheap and highly productive foreign labourers, but was also dependent on it. Although almost one third of the Lebanese labour force was "basically poor, uneducated and engaged in casual, unskilled or semi-skilled labour,"[24] Syrians were hired over Lebanese. The primary reason for this is that Syrian employees could be paid up to 40% less than their Lebanese colleagues[25] – that is, because Syrians working in the agricultural sector, which traditionally hosted large numbers of Syrian workers, were excluded from the Lebanese Labour Code, which is the leading law outlining labour protection (amongst which a minimum wage) on Lebanese territory for nationals and foreigners.[26]

19 Bassel Salloukh, "Syria and Lebanon, a brotherhood transformed," *Middle East Research and Information Project Fall 2005*, p.2, available at: http://www.merip.org/mer/mer236/syria-lebanon-brotherhood-transformed?&sa=U&ei=3skcVM3eMKfMyAP6rIDwCA&ved=0CFEQFjAJ&usg=AFQjCNFKkieMpC2zhsD70HGIZRj0BXE76Q [last accessed 19 June 2016].

20 Picard, *op.cit.*, 2016, p.135.

21 Chalcraft, *op.cit.*, 2009, p.17.

22 During the two-year-war of 1975, that served as a trigger for the start of the Lebanese civil war, the number of Lebanese refugees in Syria is estimated to be about 500,000. Because families were historically spread, some Lebanese were seeking refuge in Syria at "their families," even if they had never met before. Among these refugees, one can count a contingent of economic Syrian migrants, that discovered at that time the power of the connection between their "homeland" and Lebanon. See Picard, *op.cit.*, 2016, p.77.

23 "Agreement for Economic and Social Cooperation and Coordination," Syrian Lebanese Higher Council, 1991, available at: http://www.syrleb.org/docs/agreements/03SOCIAL_ECONOMICeng.pdf [last accessed 20 June 2016]. It should be noted that the Lebanese economy suffered from Syrian presence. Syria used Lebanon as a backyard for exporting Syrian products,without paying custom duties, charging fixed tolls for trucks on the road and requiring fees being paid by public and private companies. The total Lebanese losses during the occupation is estimated to be around USD 27 billion. See Salloukh, *op.cit.*, 2005, p.2.

24 Chalcraft, *op.cit.*, 2009, p.81-82.

25 Alef (Act for Human Rights) & PAX, "Trapped in Lebanon. The Alarming Human Rights and Human Security situation of Syrian refugees in Lebanon," 2016, p.18, available at: http://www.paxforpeace.nl/stay-informed/news/trapped-in-lebanon-syrian-refugees-in-lebanon[last accessed 2016].

26 International Labour Organisation, "A Comprehensive English Translation of the Lebanese Code of Labour," Beirut, Bureau de Documentation Libanaise et Arabe, 2010, available at: http://www.ilo.org/dyn/travail/docs/710/Labour%20Code%20of%2023%20September%201946%20as%20amended.Publication%202010.pdf [last accessed 16 August 2016].

Second, earned money was remitted to Syria, where costs were less high,[27] so their decreased wage was significantly more valuable to them than to Lebanese, and they were less likely to protest. Although daily expenses in Lebanon were significantly higher, costs were kept to a minimum, as Syrians tended to live 5 or 6 to a room, or in "shantytowns surrounding Beirut, in miserable dwellings made of old wooden boxes, tarred cartons and sheet metal."[28]

A third reason to hire Syrians over Lebanese was that after 1963, employers were – in principle[29] – obligated to register Lebanese employees in the newly created Social Security system, protecting employees against sickness, job loss, retirements, accidents, *et cetera*. For Syrians, a work permit or contract was not necessary, let alone social protection. Moreover, Syrians came to be known for their manipulability and their ability to work hard. As a result, low-paid and unorganised labour for Syrians was encouraged, as hiring them implied lower costs and less paperwork for their employers. It was reported in 1972 that Syrian workers in Lebanon "comprised at least 90% of manual labourers and around 70% of more skilled labour."[30] Although Syrians were formally obligated to pay registration fees and taxes, the Ministry of Labour, consisting mostly of Syrian loyalists, turned a blind eye.[31]

An additional factor that can be attributed to the prolonged settlement of Syrians in Lebanon is that, at the end of the mandate period, in response to several economic crises and political developments, many families spread and migrated in several parts of the Levant, which often led to the building of strong networks and solidarity beyond the border.[32]

2.2 *Bilateral agreements and their impact on the Lebanese labour market*

After the end of the Lebanese Civil War, an open border policy was rationalised in 1993 and 1994 by three bilateral agreements which, until now, govern the presence of Syrian workers in Lebanon. The first Bilateral Agreement on the Regulation of Transport of Persons and Goods endeavours to facilitate the transport of persons and goods.[33] Second, the Bilateral Agreement for Economic and Social Cooperation and Coordination provides for the freedom of person's movement, as well as freedom to stay, work, employ, and practice

27 Chalcraft, *op.cit.*, 2009, p.83.

28 *Ibid.*

29 In reality, most of the Lebanese workers do not enjoy any sort of coverage from the formal Social Security Scheme. See: Marie-Noëlle AbiYaghi, "Social Protection in Lebanon: between Charity and Politics," Beirut, Arab Watch, Arab NGO Network for Development, 2014, p.191, available at: http://www.academia.edu/11014163/_Social_Protection_in_Lebanon_between_charity_and_politics_in_Arab_Watch_Arab_NGO_Network_for_Development_December_2014._Arabic_ [last accessed 19 August 2016].

30 Chalcraft, *op.cit.*, 2009, p.79.

31 Salloukh, *op.cit.*, 2009, p.2.

32 Picard, *op.cit.*, 2016, p.234.

33 "Bilateral Agreement on the Regulation of Transport of Persons and Goods," Article 2, Syrian Lebanese Higher Council, 1991, available at: http://www.syrleb.org/docs/agreements/05PERSONS_GOODSeng.pdf.

economic activity.[34] Third, the Bilateral Agreement in the Field of Labour stresses that workers from both countries shall enjoy the other state's treatment, rights, and obligations, according to the laws, regulations, and directives applied in both states.

In practice, these bilateral agreements allowed Syrians travelling to Lebanon to obtain a work and residence visa to be issued at the border for a period of six months, renewable for another six months.[35] After this initial free-of-charge twelve-month period, Syrians could apply for another six-month residency permit, at a cost of USD 200.

The open-border policy between Syria and Lebanon led to an unconventionally free labour market between the two countries. As of then, in order to pursue employment in Lebanon, Syrians were required to obtain a work permit. Unlike other foreigners, Syrians could obtain such a permit at a cost that did not exceed 25% of the original fees.[36] Although, in principle, Syrians were required to obtain a work permit, only a small number of Syrian workers actually applied for one, especially as most Syrian labourers were still unable to meet the required fees due to low wages.[37] In addition, a relatively small number of the submitted applications was accepted.[38] An explanation for this can be found in the fact that the Lebanese government adopts the principle of preference of nationals, which only allows for work permits if no Lebanese applies.[39] Moreover, work permits ultimately have to be approved by the minister himself. Consequently, the number of granted permits can vary, depending on the minister's labour protection strategy.[40] A legal expert close to the Ministry of Labour explained:

> ***"It is very difficult for any foreigner – not just for Syrians – to obtain a work permit in Lebanon. Jobs that are perceived as non-desirable for Lebanese are jobs such as cleaning, agriculture, construction, and janitorial work. These are the kinds of jobs for which Syrians used to apply for a work permit. But the minister himself has to confirm every one of those work permits, and he refused nearly all of them. The current minister is very strict and is against Syrians working in Lebanon, so he took the decision of limiting jobs to foreigners very seriously.***[41]

34 Article 1 of the "Bilateral Agreement for Economic and Social Cooperation and Coordination," Syrian Lebanese Higher Council, 1991, available at: http://www.syrleb.org/docs/agreements/03SOCIAL_ECONOMICeng.pdf.

35 According to some, the bilateral agreement concerning labour was "for the benefit of Syria alone, inasmuch there are a large number of Syrian workers working in Lebanon, while there are very few [Lebanese] working in Syria." See: Chalcraft, *op.cit.*, 2006, p.86.

36 Christoph David Weinmann, Janet Gohlke-Rouhayem and Nada Melki, "Employment and Labour Market Analysis (ELMA)," Lebanon, Gesellschaft für Internationale Zusammenarbeit (GIZ), 2016, p.26, available at: https://data.unhcr.org/syrianrefugees/download.php?id=11220 [last accessed 28 July 2016].

37 It is noteworthy to highlight that, as in other informal structures, informality often comes to the benefit of the employer, who is not compelled/obliged to pay taxes associated with their employment.

38 Human Rights Watch (HRW), "'I just wanted to be treated like a person,' How Lebanon's residency rules facilitate abuse of Syrian refugees," HRW, 2016, p.23, available at: https://www.hrw.org/report/2016/01/12/i-just-wanted-be-treated-person/how-lebanons-residency-rules-facilitate-abuse [last accessed 20 June 2016].

39 Every foreigner wishing to work in Lebanon needs pre-approval from the Ministry of Labour before arriving in Lebanon. Initially, the Lebanese employer must submit to the department a contract legalised by a notary and a certificate from the National Employment Office describing the vacancy and proving that no Lebanese has the qualifications or wish to practice this activity. Then it is the responsibility of the Ministry of the Interior, through the Directorate of General Security, to issue a work permit for the foreign worker to enter Lebanon legally. The employer has to complete the application for a work permit within ten days of arrival from the foreign employee. Meanwhile, the employer must place an advertisement in local newspapers with the vacancy. The work permit is granted only if no Lebanese is not responding to the advertisement. Otherwise, the employer must justify his preference for a foreign worker. See Élisabeth Longuenesse, Rim Hachem, "Travailleurs étrangers, droit du travail et règlementation de l'immigration," *Les Carnets de l'Ifpo*, 2013, available at: http://ifpo.hypotheses.org/5393 [last accessed 17 June 2016]. If, after reviewing the file, the work permit is granted (which can be renewed for a maximum period of two years) and paid (LBP 400,000 in 2013), the process of applying for a residency permit from the General Security can start. The cost of work permits finally depends on the type of employment and level of qualification: the cheapest tariff is that of domestic workers, which may explain some service companies have an interest in recruiting people registered in this category rather than in that of unskilled workers. See Invest in Lebanon, "Work and Residency Permits," IDAL, available at: http://investinlebanon.gov.lb/en/doing_business/starting_a_business/work__residency_permits [last accessed 16 June 2016].

40 Longuenesse, Hachem, *op.cit.*, 2013.

41 Interview with a legal expert close to the Ministry of Labour, Beirut, July 2016.

Figures that illustrate Lebanon's policy on Syrians' legal access to the labour market before the Syrian crisis erupted, stem from 2011. According to official figures by the Department of Syrian Workers in the Ministry of Labour – the department within the Ministry of Labour that is specifically concerned with Syrian's access to the Lebanese labour market – the total number of Syrians working in Lebanon amounted to at least 300 000 at the time. Yet, only 390 Syrian workers applied for a work permit and 571 had renewed it, which corresponds to a work permit application rate of 0.3%.[42]

The conflicting policies and practices on Syrians' legal employment indicate that a large number of Syrians were unable to regularise their legal status, as their residency permit was a result of the bilateral agreements and not of the (work-related) purpose of their stay. As a result, although interlocutors repeatedly emphasised that the Ministry of Labour – despite its limited resources[43] – has shown attempts to organise the market, it allowed for an informal and un-regularised labour market.[44] From a legal perspective, however, Syrians were breaching the regulations concerning legal employment in Lebanon by pursuing informal employment.[45]

Thus, while Syrians' stay in Lebanon might have been legal, their employment was mainly informal,[46] especially in the agricultural and construction sectors. These sectors have been known to traditionally host large numbers of Syrians and rely heavily on informal employment structures, with estimated informality rates of 92.47% and 80.74%, respectively, in 2009.[47]

42 International Rescue Committee (IRC), "Overview of right to work for refugees, Syria crisis response in Lebanon and Jordan," International Rescue Committee, 2015. In 2012, the total number of granted work permits amounts to 650, including 200 workers who had their work permit renewed. See Syria Needs Analysis Project (SNAP), "Legal status of individuals fleeing Syria," Syria Needs Analysis Project, 2013, p.4, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/legal_status_of_individuals_fleeing_syria.pdf [last accessed 20 June 2016]. This trend can also be seen in statistics on work permits issued in 1998 and 1999, available at the website of Lebanon's Central Administration for Statistics http://www.cas.gov.lb/english/eng_bull/fol_pages/permis.html [last accessed 16th of August 2016].

43 That is, the Ministry of Labour is understaffed, has limited technical capacity and a low budget. Longuenesse, Hachem, *op.cit.*, 2013.

44 Although the government repeatedly insisted that work permits should be a precondition for employment, it has shown tolerance towards those without a work permit, residency permit, and unlicensed businesses in the country. See: Christoph David Weinmann, Janet Gohlke-Rouhayem and Nada Melki, *op.cit.*, p.26.

45 Nayla Geagea, "Asylum Crisis or Migrant labour Crisis?," LCPS, 2015, available at: http://www.lcps-lebanon.org/featuredArticle.php?id=42 [last accessed 20 June 16].

46 The Ministry of Labour introduced a circular in 2005, stating that Syrian nationals too were to obtain a work permit. However, after pressure of employers' organisations, the circular was never enforced in practice. See Élisabeth Longuenesse, Rim Hachem, *op.cit.*, 2013.

47 International Labour Organisation, 2015, p.26.

48 European Training Foundation, "Labour Market and Employment Policy in Lebanon," *op.cit.*, 2015, p.6.

49 Élisabeth Longuenesse, "Marché du travail et droits sociaux au Liban et au Proche-Orient," *Les Carnets de l'Ifpo*, 2011, available at: http://ifpo.hypotheses.org/1874 [last accessed 16 June 2016].

50 A Central Administration of Statistics (CAS) study of 2011 sets unemployment rates in Lebanon at 6%. A World Bank report of 2012 found a rate of 11% and other governmental institutions including the Ministry of Labour and the National Employment Office (NEO) estimate it to be between 20 and 25%. See: European Training Foundation, "Labour Market and Employment Policy in Lebanon," *op.cit.*, 2015, p.3.; Élisabeth Longuenesse, "Marché du travail et droits sociaux au Liban et au Proche-Orient," *op.cit.*, 2011.

51 That is, youth aged between 14 and 24 years old. See Lebanon Support, *op.cit.*, 2015, p.27.

52 International Labour Organisation, *op.cit.*, 2015, p.28.

53 International Labour Organisation, *op.cit.*, 2015, p.29.

THE LEBANESE LABOUR MARKET PRIOR TO 2011

Data about the Lebanese labour market are "scant, incomplete, outdated, and in some cases contradictory,"[48] which hinders the process of obtaining representative figures. Certain trends, however, can be identified.[49] In 2011 – before the Syrian crisis erupted – the Lebanese labour market was characterised by unemployment rates that varied from 6% to 25%,[50] reaching up to 34% among Lebanese youth.[51] Although the Syrian crisis added to this number, unemployment rates had already been rising. At the same time, informality rates were quite high in Lebanon, with around 50% of the Lebanese population working in informal settings. The informality rate is significantly higher in sectors such as agriculture and construction, which also points to inadequate social protection for workers.[52] Furthermore, since 1997, the Lebanese economy is characterised by high rates of emigration (32%) among skilled persons. Compared to emigration of other categories of the Lebanese population, their rate is twice as high. Women have historically had a relatively modest contribution to economic life in Lebanon. Yet, their participation was never completely absent, and is currently on the rise. Statistics on child labour in Lebanon do not exist, but anecdotal evidence suggests that it has been a persistent phenomenon.[53]

3 The new legal framework regulating Syrian labour after 2015

After the start of the Syrian conflict in 2011, the official number of Syrians in Lebanon, estimated between 300 000[54]-600 000[55] in 2011, increased to up to 1.03 million in June 2016.[56] This third wave of migration differs from previous waves in two main aspects. First, Syrians arriving in Lebanon as refugees did not migrate voluntarily, as the Syrian conflict forced most of them to leave their country. Second, the migrants' demographic composition shifted considerably; while Syrians arriving in Lebanon primarily consisted of males of working age, this section of the population is currently the most underrepresented.[57] One explanation for this discrepancy could be that migrant workers already residing in Lebanon prior to 2011 brought their families after the onset of the conflict, and they, in turn, registered as refugees.[58] This hypothesis seems to be confirmed by our fieldwork. Another explanation could be that newly arrived male refugees deliberately did not register as refugees.[59]

It is estimated that two years after the outbreak of the conflict in Syria, Syrian workforce in Lebanon increased between 30 and 50%,[60] comprising about 14% of Lebanon's total workforce.[61] Given Lebanon's pre-existing high unemployment and informality rates, it may not come as a surprise that the Lebanese government remained noticeably cautious in observing Syrians' right to work[62] after the outburst of the Syrian conflict. Likewise, some media reports and politicians raised concerns about rising competition among Syrians and Lebanese in the labour market, and the need to protect Lebanese employment. A series of interventions targeting Syrian displacement have thus been adopted in October 2014 in an attempt to formalise, control, and reduce the presence and labour of Syrian refugees in Lebanon.

This was done in three steps. First, Syrians' access to the labour market is not – and has never been – outlined by law, but by ministerial decrees, orders, and circulars. Minister of Labour Sejaan Kazzi announced that – in principle – all work and professions that could be done by Lebanese, should be done by Lebanese.[63] Yet, as of February 2, 2013, exceptions for Syrian labour in certain sectors are announced on a yearly basis. Currently, the access of unregistered Syrian nationals to the labour market is constrained[64] to the agricultural, construction, and environmental sectors.[65]

54 World Bank, "Economic and Social Impact assessment of the Syrian Conflict," *op.cit.*, 2013, p.83; International Labour Organisation, *op.cit.*, 2015, p.34.

55 Syria Needs Analysis Project (SNAP), *op.cit.*, 2013, p.4.

56 The actual number is 1 033 513. See: http://data.unhcr.org/syrianrefugees/country.php?id=122 [last accessed 26 July 2016]. Yet, the actual number of refugees is estimated to be around 1.5 million, as many Syrians are not registered at the United Nations High Commissioner for Refugees (UNHCR), the UN refugee agency responsible for the registration of (non-Palestinian) refugees. See Lebanon Support, "Formal Informality, Brokering Mechanisms, and Illegality," *op.cit.*, p.7.

57 International Labour Organisation, *op.cit.*, 2015, p.35.

58 Christoph David Weinmann, Janet Gohlke-Rouhayem and Nada Melki, *op.cit.*, p.26.

59 This, in order to remain eligible to work, as registered refugees with the UNHCR are requested to sign a pledge to not work. See Christoph David Weinmann, Janet Gohlke-Rouhayem and Nada Melki, *op.cit.*, p.40.

60 World Bank, "Economic and Social Impact Assessment of the Syrian Conflict," *op.cit.*, 2013, p.4; Lebanon Support, *op.cit.*, 2015, p.27.

61 International Labour Organisation, *op.cit.*, 2015, p.35; Lebanon Support, *op.cit.*, 2015, p.27. It should be noted that this number is based only on registered refugees, who - until the 2015 policy came into effect - were allowed to work. Moreover, it does not take child labour into account.

62 See above: Box "Trends in the Lebanese labour market prior to 2011," p.11.

63 The Ministry of Labour has the prerogative to exclude jobs and professions available to foreigners. See Longuenesse, Hachem, "Travailleurs étrangers," *op.cit.*, 2013. A list of these professions entails: administrative positions; banking; insurance and educational work of all kinds; chairman; director; manager; deputy manager; employees' manager; treasurer; accountant; secretary; typist; public notary; archive keeper; computer operator; commercial representative; marketing representative; works supervisor; warehouse supervisor; vendor; jeweler; tailor; fabric mender with the exception of carpet repair; electrical wiring specialist; mechanic and maintenance worker; painter; glass fitter, gatekeeper; guard; driver; waiter; barber; electronic works; chef (oriental food); technical professions in the construction sector and related fields such as tiling, the securing and installation of various metals including aluminum and iron, as well as wood and similar décor materials; teaching at primary, intermediate and secondary levels, with the exception of teaching foreign languages where necessary; engineering work in its various fields; metalwork and upholstery; nursing; work of any kind in pharmacies and medical storerooms or laboratories; weights and measure work; cosmetics – and in general all work and professions, and teaching work, that could be done by Lebanese. See Council of Ministers, Resolution 1/197, 16 December 2014, cited in Nayla Geagea, "Asylum Crisis or Migrant Labour Crisis?", LCPS, 2015, available at: http://www.lcps-lebanon.org/featuredArticle.php?id=42#_ftn1 [last accessed 20 June 2016].

64 Constrained in the sense that Syrians are allowed access to these sectors, but at the same time are limited to them.

65 With the category "environment," the ministry alludes to occupations such as garbage collection and domestic work. It a literal translation of *bee'a*, that actually means cleaning and maintenance. See regulation number 1/218 by the Ministry of Labour, available at: http://www.labor.gov.lb/_layouts/MOL_Application/Cur/%D9%82%... [last accessed 6 July 2016].

Second, as of January 2015, unregistered Syrians who wish to work within these constrained sectors have to obtain a "pledge of responsibility" by a Lebanese sponsor (*kafeel*), who is then held accountable for the Syrians' legal (and thus, criminal) acts.[66] The pledge of responsibility can be signed by a Lebanese national, or by an employer.[67]

Third, Syrian nationals who are indeed registered with the UNHCR[68] and who appeal to the UNHCR's services are denied complete access to the labour market in Lebanon. That is, they are obligated to sign a pledge to not work, upon renewal of their biyearly registration. Spouses, on the other hand, are not requested to sign the pledge to not work. This pledge should be signed at a notary public and serves as an official and binding agreement, stating that the individual does not have any intention of pursuing employment in Lebanon.[69]

LONDON CONFERENCE

In January 2016, a conference was organised in London by the United Nations and co-hosting countries,[70] raising over 11 billion USD in pledges for the support of Syria and the region. As was put forward in the Statement of Intent, the Lebanese government sought ways to review existing residency conditions and work authorisations. This would include a "periodical waiver of residency fees and simplifying documentary requirements, waiving the 'pledge to not work' requirement for Syrians, and, by so doing, to ease the access of Syrians to the job market in certain sectors where they are not in direct competition with Lebanese, such as agriculture, construction, and other labour-intensive sectors."[71] Furthermore, the Lebanese government proposed a series of interventions to improve economic growth that would create an estimated total of 300 000 to 350 000 jobs, 60% of which could be for Syrians. Regarding Syrian's legal access to the Lebanese labour market, the interventions included projects at municipal levels to create job opportunities,[72] but also – and especially – the Subsidized Temporary Employment Programme (STEP). This programme mainly aims to stimulate businesses to create new permanent jobs for Lebanese workers and temporary jobs for Syrians.[73] Furthermore, the interventions included allowing Syrian workers to collect social security contributions that will be distributed upon the completion of the programme and their safe return to Syria, or their resettlement to a third country.[74] Although the progress of the STEP programme was to be tracked and reviewed during the World Humanitarian Summit, little information is available to the public.

66 Lebanon Support, *op.cit.*, 2015, p.23.

67 An employer can sponsor more than one Syrian and his/her family. For short visits, a pledge of responsibility from an employer will allow for a residency permit of maximum one month, free of charge. For six-month stays, a pledge of responsibility and a fee of USD 200 per person aged 15 years and above are required.

68 Before the policy came into effect in January 2015.

69 Lebanon Support, "Formal Informality, Brokering Mechanisms and Illegality" *op.cit.*, p.12.

70 That is, the United Kingdom, Germany, Kuwait and Norway.

71 See London Conference, "Lebanon Statement of Intent," Presented by the Republic of Lebanon, February 2016, available at: https://2c8kkt1ykog81j8k9p47oglb-wpengine.netdna-ssl.com/wp-content/uploads/2016/02/Supporting-Syria-the-Region-London-2016-Lebanon-Statement.pdf [last accessed 2 August 16].

72 Such as the World Food Programme's "Purchase for Progress" (P4P) programme, which connects smallholder farmers to markets.

73 Yet, as a UNDP representative explained, there are very few people that were informed with details about the STEP programme.

74 See London Conference, *op.cit.*

4 Dynamics resulting from the new legal framework

The existing regulatory framework led to challenges for regularising Syrian refugees' legal stay, as well as their access to the labour market. Furthermore, our research indicates that increased formalisation has contributed to informality and illegality, and induced different types of challenging dynamics affecting daily life and livelihood more specifically. In this vein, this section seeks to highlight the main identified consequences.

4.1 Challenges inherent to the new regulatory framework

In January 2015, the General Directorate for General Security (GSO) – the intelligence agency governing among other tasks foreigners' entry, residency, and departure – introduced classifications on the basis of which Syrians can regularise their residency. Today, there are mainly two options available for Syrian refugees who seek or wish to maintain long-term residence in Lebanon.

The first possibility is on the basis of a UNHCR registration. However, since May 6, 2015, UNHCR Lebanon has temporarily suspended new registration upon the government's request. Those who were already registered are requested to sign a pledge to not work that excludes them from the labour market. As compensation, 65% of the refugees receive monthly food vouchers distributed by the World Food Programme (WFP). These food vouchers are highly dependent on funding, and vary from USD 13.50 to USD 27 per person per month, depending on the refugees' vulnerability.[75] Besides food vouchers, the only other assistance is multi-purpose cash assistance. This assistance amounts to USD 177 per household per month and is granted to 17% of Syrian refugees.[76]

This compensation is offered by international donors, although it is worth noting that so far, international support for the livelihood sector has been very minimal, resulting in refugees receiving only succinct compensation for being excluded from the labour market. Despite the good intentions that were put forward during the London conference, only 12 million USD have been mobilised in 2016.[77] This amount accounts for 9% of the overall response of 143 million USD, which makes the livelihood sector the second lowest funded sector. Similarly, only 1.7% of the total funding received by the Lebanese Crisis Response Plan in 2016 is reserved for livelihoods.[78] One interlocutor from a major local NGO explains:

75 Lebanon Support, "Formal Informality, Brokering Mechanisms and Illegality", *op.cit.*, p.7; World Food Programme, "Situation Report February 2016," World Food Programme, 2016, available at: https://data.unhcr.org/syrianrefugees/download.php?id=10410 [last accessed 28 July 2016]; Human Rights Watch, *op.cit.*, 2016.

76 Inter-Agency Coordination, "Syrian Refugee Livelihoods," UNHCR, 2016, available at: http://data.unhcr.org/syrianrefugees/download.php?id=11059 [last accessed 19 June 2016].

77 This number is even less than the USD 21 million that was received around the same time in 2015. See: *Ibid.* p.2.

78 *Ibid.*

> ***One of the main reasons that international support has been nominal is the Lebanese government's reluctance to allow Syrians to work. This drives many donors who are interested in investing in refugees' livelihoods in Lebanon to explore other possibilities, for instance in Turkey and Jordan. So what you see is that the same donors work on protection in Lebanon, but work on livelihoods in Turkey.***[79]

As a result, the UNHCR's vulnerability assessment of Syrian refugees indicates a stark decline of living conditions,[80] as 70% of the registered refugees fall below the Lebanese poverty line of USD 3.84 per person per day.[81] Those who do desire irregular, part-time or full-time employment opportunities, have the choice to work illegally, or to deregister from the UNHCR. Deregistering from the UNHCR, however, also means losing access to various services and forms of assistance provided by the UNHCR and partner organisations in the realms of healthcare, protection, and livelihood.[82]

Experts remain sceptical about the introduction of the pledge to not work and the extent to which it has protected the Lebanese labour market, as "the market for Syrian workers has always been informal and flexible, until suddenly – without any form of notice – it became very restricted by a government that does not have the resources to restrict it in the first place. So why 'regulate' it now?"[83] Moreover, experts emphasise that the sectors Syrians work in are regarded as undesirable by the Lebanese, suggesting that Syrian labour does not threaten Lebanese employment. They also point out that the Lebanese labour market is, in a way, benefiting from Syrian labour. That is, a big influx of refugees has increased demand, created an inflow of aid money, and led to increased productivity, as Syrians are a cheaper workforce that Lebanese employers do not have to pay taxes nor social security for.[84] A renowned professor in Economics that our team has interviewed for this report also highlighted that, "in addition, Syrians that opened businesses may have contributed to market competition with lower prices, but lower-middle class Lebanese also benefit from this." He added that:

79 Interview with a representative from local NGO, Beirut, August 2016.

80 UNHCR, WFP, UNICEF, "Vulnerability Assessment of Syrian Refugees in Lebanon," 2015, available at: https://data.unhcr.org/syrianrefugees/download.php?id=9645 [last accessed 20 June 2016].

81 World Food Programme, "Situation report Lebanon: Syria crisis response," World Food Programme, 2015, available at: https://www.google.nl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwiqu42uw8_MAhVLVhoKHcPTAH4QFggIMAE&url=https%3A%2F%2Fdata.unhcr.org%2Fsyrianrefugees%2Fdownload.php%3Fid%3D9670&usg=AFQjCNEGl_hjeEXVvmfVaUpIwa4_L9Ah3w&bvm=bv.121421273,d.d2s [last accessed 27 April 2016]; Human Rights Watch, *op.cit.*, 2016, p.2.

82 UNHCR, "New entry & renewal procedures for Syrians in Lebanon (Q&A)," UNHCR, 2016 available at: https://www.refugees-lebanon.org/en/news/35/qa-on-new-entry--renewal-procedures-for-syrians-in-lebanon [last accessed 16 July 2016].

83 Interview with a human rights advocate, Hazmieh, July 2016.

84 He also pointed out that the Syrian crisis reduced tourists' and investors' confidence, but that this effect has been minimal.

> ***A massive refugee inflow puts pressure on the environment, local infrastructure, resources, and security. But refugees' impact on the economy has not been negative. On the contrary: it has been positive.***[85]

At the moment of writing this report, the head of GSO spread a memorandum to all GSO offices – June 7, 2016 – stating that the pledge to not work was to be replaced by a "pledge to abide by Lebanese laws," after 18 months of advocacy from the local and international communities. This replacement was not officially confirmed by the GSO, but several interlocutors informed us that the measure has already come into effect, although this was not systematically done by every GSO office. Yet, the main actors operating on the field and who have been interviewed for this report seem to remain cautious about the impact of lifting the pledge to not work. A UNDP representative explained:

> ***The pledge to not work did not have a very strong impact on the ground; refugees were working informally nonetheless. It was more of a symbolic measure on behalf of the Lebanese government; they explicitly do not want refugees to work, and they needed more support for livelihood, both for the host community and the refugees. So lifting the pledge is a symbolic gesture.***[86]

A representative from the UNHCR confirms:

> ***Lifting the pledge to not work is very important at policy level because it was illegal: refugees are allowed to work and there is nothing in the Lebanese law that denies them – or any foreigner – the right to access the labour market. But replacing this pledge with a pledge to abide by Lebanese laws seems superfluous: people are to abide by the Lebanese laws anyway, also without a pledge. If the pledge should still be signed at a notary public - which is costly for refugees – I'd say that not much will change for the Syrians. But this is difficult to assess right now.***[87]

For Syrians wishing to legally enter the labour market, abiding by the Lebanese laws includes obtaining a work

85 Interview with an associate professor in Economics at the American University of Beirut (AUB), Beirut, July 2016.

86 Interview with a UNDP representative, Beirut, June 2016.

87 Interview with a UNHCR representative, Beirut, July 2016.

permit. As argued before, only a small number of work permits is granted annually. A legal expert close to the Ministry of Labour explained:

> ***"The minister hardly ever grants work permits to Syrians because the ministry assumes that they are lying. They say they work in the environmental sector, but they all work in the black market to make more money."***[88]

This practically leads to a vicious circle: the Ministry of Labour refuses to give Syrian refugees work permits, because they are all in the informal "black market." Similarly, Syrians are in the informal sector, because they cannot obtain legal work authorisation. Another interlocutor added that, even if the ministry is not actively pursuing a policy on work permit restrictions, the work permit system seems to accommodate only a small number of foreign workers. Increasing the number of granted work permits to hundreds of thousands of would not only require reinforcement of the capacity of the Ministry of Labour, but also a revision of the work permit system, as it is likely that the system is not ready yet for such a change.

Interlocutors further explained that they were requested by the General Security to find a *kafeel* when caught breaking the pledge to not work. Yet, it is not clear what the consequences of violating the pledge to abide by Lebanese laws would be.

The second option for long-term residence for Syrian refugees is via a pledge of responsibility, signed at a notary public at a cost varying from LBP 30,000 to 50,000[89] by a Lebanese national or employer – a *kafeel*. If the *kafeel* is the employer, the pledge of responsibility entails *kafeels* shall "obtain a work permit according to regulations, and assume responsibility for [the Syrian] and [his/her] activities and work that might cause harm to others or have security implications, as well as guaranteeing to take the necessary measures for [his/her] medical treatment and accommodation."[90] Yet, the pledge of responsibility does not include any reference to the Syrian's labour rights regarding payment, working hours, working conditions, or dispute resolution.

88 Interview with a legal expert close to the Ministry of Labour, Beirut, July 2016.

89 Interlocutors informed us that the costs vary between several notary publics, this seems to be confirmed by notary publics that we have contacted. Although there are costs involved for *kafeels* concerning their employer's deposit, insurance, work permit, and residency permit, a representative from the General Security confirmed to us the only costs involved for Syrians are the renewal costs of USD 200. Yet, it is important to notice that Syrians can only request a *kafeel* when they *enter* Lebanon, and not when they are already residing in the country.

90 Nayla Geagea, "Asylum Crisis or Migrant labour Crisis?," LCPS, 2015, available at: http://www.lcps-lebanon.org/featuredArticle.php?id=42 [last accessed 20 June 2016].

Furthermore, a work-based pledge of responsibility ties the Syrian's legal status to his or her employment. This situation makes the worker not only dependent on the *kafeel*, but also highly vulnerable to abuse and exploitation.[91] The *kafala* (sponsorship) system, formerly applied for migrant domestic workers, has already been previously highly criticised by human rights advocates, as it creates room for exploitation of workers, as well as for shifting the burden of state responsibility to NGOs and civil society actors responsible for protection.[92] Yet, the system has now expanded, given that it also applies to Syrian nationals.[93] A legal expert close to the Ministry of Labour explains:

> ***"It's mainly a way to maintain tight control over Syrians. By imposing the* kafala *system, the General Security can obtain all the needed information about Syrian workers. Imposing this system also means that a Lebanese national is legally responsible for them [Syrian workers]. No Lebanese will accept this responsibility if he or she has any doubts about the Syrian person they're serving as a* kafeel *to."***[94]

It should be noted that an employer serving as a *kafeel* has to do so within the realms of the sectors described by the ministerial decrees. In 2016, these are mainly the sectors of agriculture, construction, and environment. Interlocutors have also pointed out that well-educated Syrians are also equally constrained to these sectors, which does not provide them with the opportunity to unfold their maximum potential. They also emphasised the rather *ad hoc* character of these decrees, which leads many Syrians to register under one of the categories, whilst having (informal) occupations in other sectors. However, closer scrutiny suggests that the decrees were not the result of an intentional approach by the government, as they seem to be broadened to sectors that have historically been hosting Syrian workers nevertheless.[95]

Syrian refugees wishing to obtain long-term residence in Lebanon can thus do so by registering either with the UNHCR or with a *kafeel*. Not only do these two options create difficulties for Syrian refugees, but their very classification seems to be problematic, as well. As the Lebanese

91 See Lebanon Support, *op.cit.*, 2016.

92 See Kathleen Hamill, *Policy Paper on Reforming the Sponsorship System for 'Migrant Domestic Workers': Towards an alternative Governance Scheme in Lebanon*, Kafa. Enough Violence and Exploitation, January 2012, available at: http://www.kafa.org.lb/studiespublicationpdf/prpdf47.pdf [last accessed 28 July 2016].

93 See Lebanon Support, "Overview of Gender Actors and Interventions in Lebanon; between emancipation and implementation," *Civil Society Knowledge Centre*, 2016, p.21; Lebanon Support, "Formal Informality, Brokering Mechanisms and Illegality" *op.cit.*, p.9.

94 Interview with a representative from the Ministry of Labour, Beirut, June 2016.

95 That is, in 2013, exceptions were made for Syrian nationals in a limited number of occupations, mainly in the construction sector: technical professions in the construction sector, commercial representative, marketing representative, warehouse supervisor, mechanics and maintenance personnel, gatekeeper and guard, tailor, works supervisor, and metal work and upholstery (See: Resolution No. 1/19 of the Ministry of Labour in LCPS, available at: http://www.lcps-lebanon.org/featuredArticle.php?id=42#_ftn1 [last accessed 20 June 2016]). In December 2014, their labour was constrained to the (broader) sectors agriculture, construction, and cleaning. Currently, the sector cleaning has been replaced by environment, which can be regarded as a broader sector than cleaning.

96 Interview with a UNHCR representative, Beirut, July 2016.

government did not ratify the 1951 Convention on the Status of Refugees nor its 1967 Protocol, an official refugee status does not exist in Lebanon. People who are registered with the UNHCR, and who in other countries would be considered as refugees, are referred to as "displaced people," or – since the UNHCR is no longer allowed to register new cases – "people of concern." Since the new entry and residency categories came into effect, refugees who are working in Lebanon are considered as migrants. A UNHCR representative clarified:

> ***"The policy states that refugees should not be working. This means that if you are working, then you are not a refugee – especially if you are a Syrian in Lebanon, in the light of the historical migration."***[96]

There is a significant difference, however, between refugees and migrants. These terms should not be used interchangeably, as doing so carries significant consequences on refugees' legal status, their right to work, and their protection. That is, those wishing to enter the Lebanese labour market must ultimately obtain a legal status as migrant, meaning that they lose access to various services and forms of assistance provided by the UNHCR and other aid organisations. On the other hand, those who choose to maintain their "UN refugee" status and concurrent protection are excluded from the labour market. This policy presents Syrians with the difficult choice between access to livelihoods or access to (insufficient) protection and assistance.

Many experts we interviewed emphasised that all Syrians fleeing war and persecution and entering Lebanon after 2011 should be considered refugees, regardless of their legal status.

Refugees *are people who have left their country of origin because of fear of persecution, conflict, violence for reasons of race, religion, nationality, membership to a particular social group or political opinion. For safety reasons, returning to their home country is not an option. Because they lack protection in their own country, they require international protection from other states. Their legal status is defined by the 1951 Convention on the Refugee Status and its 1967 Protocol, and they are protected by the principle of* non-refoulement*, which prohibits expelling or returning refugees to situations where lives or freedoms are under threat.*[97]

Migrants *are people who seek asylum in other countries in search of better opportunities. This can be in terms of work, education, family reunion, but also to alleviate hardships caused by natural disasters, famine or extreme poverty. Although reasons to leave their home country might be compelling, migration often implies a voluntary process. Returning to their home country might be challenging, yet, their safety is not at stake in such a way that it prohibits their return. Migrants are subjected to the prevailing laws of their country of destination and don't enjoy a specific legal status. Apart from the human rights law, they are not protected under international law.*[98]

By linking refugee protection to migration management, states have restricted access to asylum and reduced the basic rights protection of refugees. Moreover, entry and residency procedures do not always consider mixed motives that have sent people into (in)voluntary migration, leading to the unjust denial of access to territories and protection.[99]

4.2 *Backfired formalisation: Increased informality and illegality*

Our fieldwork has shown that the residency restrictions and work authorisations did not contribute to more formalised residence and work conditions for Syrians; rather, they have helped to expand the dynamics of illegality and informality. As mentioned earlier, refugees who are registered with the UNHCR and who are thus excluded from the labour market are offered compensation in the form of food assistance (USD 27 per person) and multipurpose cash assistance (USD 175). Taking into account that only 14% of the refugees receive both food and cash assistance, this implies that 86% are compensated by a lower amount, or not at all. At the same time, refugees who are not registered and are working earn an average of USD 177 per month. The United Nations Inter-Agency research shows that a family living at the poverty line has expenses that account for USD 604 per month.[100] Evidently, neither the amount of

97 UNHCR, "Refugees and Migrants (FAQs)," 2016, available at: http://www.unhcr.org/news/latest/2016/3/56e95c676/refugees-migrants-frequently-asked-questions-faqs.html [last accessed 21 July 2016]; "Immigrants vs. Refugees," available at: http://www.diffen.com/difference/Immigrant_vs_Refugee [last accessed 21 July 2016].

98 UNHCR, *op.cit*, 2016, available at: http://www.unhcr.org/news/latest/2016/3/56e95c676/refugees-migrants-frequently-asked-questions-faqs.html [last accessed 21 July 2016].

99 Johannes van der Klaauw, "Refugee Rights in Times of Mixed Migration: Evolving Status and Protection Issues," *Oxford Journals*, Vol. 28, Issue 4, Oxford, Oxford University Press, 2010, p.59-86, available at: http://rsq.oxfordjournals.org/content/28/4/59.abstract [last accessed 28 August 2016].

100 Inter-Agency Coordination, *op.cit.*, 2016.

food and cash assistance nor the average salary earned by refugees' or even the combination of the two can cover for all the living expenses. In addition, a significant amount of money is associated with signing a pledge to not work at a notary public (around LBP 40,000[101]) or renewing the residency (USD 200).[102]

As one of our respondents said: "people who want to be legal cannot work."[103] Together with the inevitable need to work, this has led to a labour market dominated mainly by illegality and informality. A representative from the Ministry of Labour estimates that 90% of the Syrians are working in illegal structures in Lebanon. According to our fieldwork, most Syrians as well as their Lebanese employers rely on a huge informal sector for fake working contracts as well as fake *kafeels*. Therefore, attempts to be legal – be it as a worker or as a refugee – are often based on illegal premises, as evidenced in our previous research.[104]

Interlocutors further explain that companies that do not wish to resort to the informal sector's black market are forced to "fire employees who don't have a residency."[105] In addition, many respondents have mentioned that the inability to obtain or maintain a residency or work permit makes it difficult for most Syrians in Lebanon to move on legal grounds out of fear to cross checkpoints. Having no residency does not only imply that job opportunities are being taken away from Syrians; many interlocutors recall having been forced to decline jobs for this very reason, which is particularly harsh for those in urgent need of money. As one of our interlocutors, a Syrian daily worker explained:

> ***"I used to work in all regions of Lebanon but as I don't have a residency permit due to the new regulations, I'm not quite as mobile or free to move around as I used to. There are a lot of checkpoints, and if I get caught without legal documents, I'll end up in prison for at least a week. So I try to avoid checkpoints whenever I can, but this also means that I'm very limited in my movement. If there's any checkpoint on my way to work, I can no longer go. So a lot of work opportunities were – and still are – slipping away. But I really can't afford to not work, because I cannot feed my family otherwise.***[106]

101 UNHCR, "New entry & renewal procedures for Syrians in Lebanon (Q&A)," *op.cit.*, 2016.

102 Since January 2015, residency can be renewed for six months, at a cost of USD 200 per person aged 15 and above.

103 Interview with an NGO worker, Beirut, July 2016.

104 Lebanon Support, *op.cit.*, 2015; Lebanon Support, "Formal Informality, Brokering Mechanisms, and Illegality," *op.cit.*, p.7.

105 Interview with a Syrian worker, Beirut, June 2016.

106 Interview with a Syrian worker, Mansouriyeh, June 2016.

Although it has not been officially confirmed nor implemented, NGO workers informed us of the possibility to have special identity cards for refugees. Although these ID cards would not replace residency permits, they could be regarded as supplemental to them, helping to enhance refugees' freedom of movement. Yet, some issues remain unclear:

> ***We don't know whether the Ministry of Social Affairs is able to issue 1 033 513 ID cards. We don't know if these ID cards will be only for registered or unregistered refugees. Ideally, we need to work towards a solution where this ID card can maybe be some form of permit to work at least in the sectors of agriculture, construction, and the environment.***[107]

It should be noted that resorting to illegality can also be a conscious decision. As one Syrian business owner explained:

> ***I opened a business with my cousin. He is Lebanese and I have a Lebanese wife, so in principle, it should be easy to have a legal business. But we still didn't register with the authorities. Had we done so, we would have to pay half our income to taxes.***[108]

Illegality, including its consequences, was for most of our interview partners the most challenging issue that has changed their lives drastically within the past two years. As one of our interlocutors described it, her "life has changed upside down."[109] This not only negatively affects refugees, but also NGO actors. As a representative from a local NGO argues:

> ***There are many Syrian and Lebanese NGOs that got established recently to cover the needs of the refugees. They used to hire qualified Syrian employees, but most of the Syrian employees have left Lebanon now. If they cannot be legal and cannot work, how can they survive here? Our NGO work was highly affected by the residency restrictions, not only because our employees had no choice but to leave, but also because qualified Lebanese don't like to work for local NGOs. It's easier and makes more financial sense to work for international NGOs. But the authorities should real-***

107 Interview with an NGO worker, Beirut, July 2016.
108 Interview with a Syrian business owner, Beirut, June 2016.
109 Interview with a Syrian artist, Beirut, June 2016.

ise that 'we, the local actors' are bearing a big burden that should be borne by them, in terms of organising Syrians' stay in Lebanon. They should also understand that blocking local actors like this will not solve the problem; it will only make it worse.[110]

4.3 *Increased dependency*

Second, increased formalisation leads to increased dependency within work relations. This has been mainly expressed to us in relation to three main figures of "authority;" the landlords, the *shaweesh*, and the *kafeel*. Our fieldwork has shown that most of the money earned by refugees is spent on rent. Interlocutors explained that rents are lower in tented settlements, especially when the "ground is bad."[111] They also described that landlords tend to increase the rent when they know the tenants are Syrian. Most Syrian refugees who work do so on an irregular basis,[112] which adds to the burden of paying rent and the fear of losing their house, and forces them to live in substandard housing. A janitor in Beirut explains:

> ***I was working in construction in Syria and sometimes in Lebanon, even. But working in construction now is not as easy as it used to be: I might work for one day and stay without work for a whole month. So I started working as a janitor. I only earn USD 300 per month, but it's much better, because even though my whole family lives in one room, at least I don't have to pay the rent. This is the most important as well as highest expense.***[113]

Furthermore, our respondents emphasised that landlords, particularly in informal settlements, exert power when rent cannot be paid, as camp residents often have no other place to move to. As a result, refusing a landlord's request is not an option for refugees, and landlords benefit from this situation. As an NGO worker states:

> ***Refugees who live in tents have to pay a monthly rent to the landlord for the space of the tent. But sometimes, they cannot pay rent. Occasionally, when this happens, landlords force refugees to work for them for free, and if they don't, they kick them out. At the***

110 Interview with a representative from a large, local NGO, Shatila, July 2016.

111 Interview with a former NGO worker, Beirut, July 2016.

112 Inter-Agency Coordination, *op.cit.*, 2016.

113 Interview with a Syrian janitor, Beirut, July 2016.

> ***same time, when these families want to buy food, the landowner sells it to them from his shop on the land. If they cannot pay, he makes them sign a promissory note. So refugees end up having to pay for renting a tent, they work for free, and on top of that, they are in debt. And who benefits? The landlord.***[114]

Second, many of our respondents described the problematic role that the *shaweesh* has within informal settlements. The *shaweesh*, who can be Lebanese, but is more often a Syrian refugee, acts as a mediator between the landowners, refugees, NGOs, and security services.[115] On the one hand, interlocutors describe him as a person who forces people – including children – in the camp to work by hiring them out to nearby restaurants, shops, or farms. In this case, residents do not pay rent but their salary is paid through the *shaweesh*, who in return gets a share of their salary. An old female worker described:

> ***The shaweesh of the camp is the one who is sending us to the farms. He made a deal with the landlord to let us do agricultural work there. Our daily allowance is about LBP 8,000 . The shaweesh gets our money and takes LBP 2,000 to cover for rent. At the end of the season, he gives us up to LBP 6,000 per day multiplied by the number of days we worked. He also has a small shop inside the camp, so when we need to buy food or other commodities, he gives us what we need and at the end of the season, he deducts this amount from our salary and gives us the rest.***[116]

Two female Syrian agriculture workers added:

> ***In this camp, we are able to choose how we want to work, whether through the shaweesh, or with the landlord directly. But it's all the same in the end. If we work through the shaweesh, we'll get paid at the end of the season after he deducts the rent of the tent, plus what we owe for food, water, electricity etc. We only get paid if there's still any money left. If we work with the landlord directly for one week for example, then we get paid for two days.***[117]

114 Interview with an NGO worker, Beirut, June 2016.

115 Lebanon Support, "Crisis & Control, (In)Formal Hybrid Security in Lebanon," *Civil Society Knowledge Centre*, 2016.

116 Interview with a Syrian worker, Beqaa, June 2016.

117 Interview with two female Syrian workers, Beqaa, June 2016.

On the other hand, the *shaweesh* is also often the only authoritative figure able to protect many Syrians against being fired or not getting paid, while also being responsible for aid distribution from NGOs. NGO workers explained that although most refugees realise that they cannot be forced to work, because the *shaweesh* is "someone like them," they also emphasised that NGO protection is not enough, or that they cannot find jobs without the *shaweesh*.[118] A worker explained:

> ***It's safer to work through the* shaweesh *than through a landlord, because there are a lot of landlords who make people work for the whole season. Once the time comes for people to get paid, they kick the workers out without paying them anything.***[119]

This double-role makes the *shaweesh* an ambivalent "authoritative" position that creates dependency relations between himself and other camp residents.[120]

The third figure of dependency is the *kafeel*. Our respondents underline that there is a power discrepancy when they have a work-based pledge of responsibility. First, because their legal status and their employment relies on the *kafeel*. Second, because a *kafeel* can withdraw his sponsorship at any time. This makes Syrian workers highly dependent on a *kafeel* in several ways. Interlocutors also described difficulties in finding a *kafeel* in the first place. This is due in part to the kafeel's legal responsibility towards Syrian refugees and their families – which obviously is a deterrent for many – but also because finding a *kafeel* is highly costly. Most interlocutors maintain that *kafeels* can ask for exorbitant amounts of money in order to sign a pledge of responsibility, ranging from USD 200 up to USD 1000. A respondent explained:

> ***The contractors I work for didn't agree to help me with the* kafala. *So I took my daughter's medical report – which states that she has cancer – from the hospital and went to the General Security to apply for residency, reasoning that my daughter is getting treatment in Lebanon. But they didn't accept it, saying that we need to find a* kafeel *or register with the UNHCR. I***

118 Interview with an expert on residency issues related to Syrians, Beirut, June 2016.

119 Interview with an old Syrian worker from Hasakeh, Beqaa, June 2016.

120 At the same time, workers also emphasised that some *shaweesh* have sincere intentions towards camp residents, but that landlords exert pressure on them.

> ***tried to explain that the UNHCR is no longer registering Syrian refugees, that it didn't make any sense. I cannot pay to get a*** kafeel, ***as some other people do. These days, it costs anywhere between USD 600 and USD 800 per person to obtain a*** kafala.[121]

Not only are these costs problematic for most Syrians, but the biyearly residency renewal cost of USD 200 also poses some difficulties:

> ***My family and I don't have legal papers. We could renew our residencies for USD 200 each, but we can't afford to, and my employer didn't help me cover the fees. Even though he offered to be my*** kafeel, ***I need to pay the fees myself. So my problem with the residency renewal issue is the fee, not the*** kafeel. ***And if I want to obtain a residency, I have to pay at least USD 500 for me and my wife, as there are additional costs for requested documents and transportation.***[122]

In addition, *kafeels* appear to get away with forced labour, exploitation, and harassment. Respondents point out that a *kafeel* has the power to pay lower wages, or none at all. At the same time, he or she can restrict the Syrian's freedom to pursue employment elsewhere. One injured worker described:

> ***I came to Lebanon during the summer. I found a*** kafeel ***and was working 9 hours per day, for USD 15 per day, Then winter came, and my*** kafeel ***said that he doesn't have work during the winter. He asked me to go back to Syria, but of course I could not and cannot. So I rented a small room. Then, my wife gave birth to another baby. I couldn't pay the costs of both the delivery and the rent, so the landlord kicked us and our newborn out. I went back to my*** kafeel ***to ask him for work, or a place to stay, but he kicked me out, too. Then, my friend found me a job and accommodation in an agricultural family farm. Two guys came and paid my debt to the shop where I was buying in debt from, and took me with my family to the farm to work and live there. A few days later my*** kafeel ***heard that I was working for someone else, and***

121 Interview with a Syrian worker, Mansourieh, June 2016.

122 Interview with a Syrian professional in a glass and aluminium company, Beirut, June 2016.

he came to us and asked us to leave this farm arguing that we cannot work for anyone else except him, since he is the official* kafeel. *The family in the farm told him that they paid my debt and transportation, and that if he wants to take us, he has to pay them their money, but the* kafeel *said he didn't have any money and took us by force… The next day, the family kidnapped me and shoved me in an empty room. They tortured me for a whole day with water and electricity. In the end, they shot me in the foot with a hunting rifle and took my ID card and my entry card. They said that if I don't pay them their money – a total of LBP 400,000 – they would not give me back my documents. Then they threw me on the street. The neighbour had to take me to the hospital.[123]

Dependence has also often been described to us in relation to increasing debts arising from the fact that many people work for low wages and receive very little compensation by UN agencies and aid organisations. The average household debt is estimated at USD 940, as most families live below the poverty line.[124] Interlocutors explained that debtors were often the *shaweesh*, landlord or *kafeel*, who threaten to take away their legal papers if they don't pay the debts.[125] Experts we interviewed assume that about 90% of Syrian refugees in Lebanon are in debt[126] and emphasised the negative impact this has on the Lebanese economy, as refugees don't pay taxes or social security.

4.4 *Harsh and precarious working conditions*

Not only did the new regulatory framework contribute to illegality and expanded dependence, the lack of legal presence, the unregulated right to work, and the dependency on a *kafeel* or *shaweesh* makes Syrians highly vulnerable to exploitation, especially in the work realm. A worker states: "We have to accept the unacceptable."[127] Most respondents explained that they were working in informal working structures, without a work permit and an official contract. A team leader in construction explains:

> ***"I have a work contract with the company, but it's not an official one: it's just between me and the company. We usually wear a uniform, but sometimes the Ministry of Labour comes to check on the compa-***

123 Interview with an injured Syrian worker, Beqaa, June 2016.

124 Inter-Agency Coordination, *op.cit.*, 2016.

125 Interview with Syrian workers, Beqaa, June 2016.

126 This seems to be confirmed by literature, see Alef (Act for Human Rights) & PAX, *op.cit.*, 2016, p.28.

127 Interview with two female workers, Beqaa, June 2016. An NGO worker explains that Syrians are vulnerable for exploitation by anyone, and not just by authoritative figures or debtors: "I'm working on a case of a Lebanese who is the head of one of the most important human rights organisations in Lebanon. Despite the fact that he organised a special project to defend Syrian labour, he is building a house and hires Syrian workers for half the common salary." Interview with an NGO worker, Beirut, June 2016.

> ***nies. Then, we change our clothes and say that we are working 'daily,' on a freelance basis. If we don't do this, the company risks facing many troubles because we don't have a work permit.***[128]

Furthermore, interlocutors described irregular and long working hours, without building post-retirement funds. Their wage consists of "almost half of what Lebanese would earn"[129] and sometimes even LBP 5000 to 8000 per day, with irregular paydays.[130] Refugees working in agriculture stated that they get paid only at the end of the season.[131] Like most daily workers in the informal sector, none of our respondents mentioned having access to insurance or benefits. Informality also paves the way for abusive behaviour by employers. Workers are often beaten or forced to work, even in the case of injury and sickness. Due to informal work structures, most respondents described having no authority to turn to in case they experience abuse or rights violations. An NGO worker reported:

> ***"I know a girl who works in a factory; her hand got severely injured while she was working, but no one cared about her. Her supervisors put alcohol (medical ethanol) on the wound and bandaged it, but then her injury got much worse. I also know a girl who was working in a canned food factory. She was severely beaten for saying she'd spotted insects inside the cans.***[132]

A female Syrian agriculture worker added:

> ***"A few months ago, all the people in the camp got scabies. A few NGOs came and gave us medication. Then they found out that it was caused by the pesticides we use in the farms. We still had to go to work even though we were sick, regardless of how bad the situation was, because if we miss one day, the*** shaweesh ***might give our job to someone else, or even kick us out of the camp.***[133]

4.5 *Underlying and induced dynamics*

Lastly, the new policy and the precarious working conditions show multifold underlying dynamics affecting the daily lives of the Syrian population. First, the policy is based on

128 Interview with a Syrian professional in a glass and aluminium company, Beirut, June 2016.

129 Interview with Syrian workers, Beqaa, June 2016.

130 Interview with two agricultural workers, Beqaa, June 2016.

131 Interview with Syrian workers, Beqaa, June 2016.

132 Interview with an NGO worker, Beirut, June 2016.

133 Interview with two Syrian agricultural workers, Beqaa, June 2016.

underlying class dynamics. Fieldwork shows that mainly lower and lower-middle class Syrians, who are struggling to secure their living, are affected by the negative repercussions described above. Syrian workers who are considered as "experts" in certain fields are often able to find a *kafeel*. One respondent explained:

> ***I asked the company I was working for to be my kafeel. At first, they postponed it, but I told them I'd quit if they refused to help me. That's when they took me seriously. I'm a professional and they make an exception for professionals like me. At the same time, there's some kind of trust, because I was working there before the war started, and they know me very well. But many other Syrians in the same company were refused, because some of them are new, or because they're unskilled workers.***[134]

Many experts were also often able to negotiate their salary, which is significantly higher than an unskilled worker's salary, as it amounts to a maximum of USD 850. In addition, they got paid regularly, including hours worked overtime. Although they did not benefit from medical insurance, they trusted their employer to pay for the necessary medical care, as well as to issue them a salary during their absence. In general, many middle and lower-middle class interlocutors did not encounter abusive behaviour. An artist explains that "intellectuals are accepted in Lebanese society, even at checkpoints: they see that we dress well and are eloquent."[135]

All middle class Syrians we interviewed described being aware of the fact that they were "special cases," and that other, poorer Syrians were treated differently. Still, many described that the general feeling of desperation and lack of perspective makes them think about leaving Lebanon, as evidenced in the emigration of many Syrian civil society actors over the past year. A Syrian business owner explained:

> ***I used to work with diamond and gold markets, but here in Lebanon I own a mini market. I have a Lebanese wife and enough money in my bank account,***

134 Interview with a Syrian professional in a glass and aluminium company, Beirut, June 2016.

135 Interview with a Syrian artist, Beirut, July 2016.

so I got the residency. I kind of live in peace here, but honestly, I don't plan to stay here. I cannot practice my profession here, and nobody knows when the situation is going to explode.[136]

Another Syrian man added:

> ***"I don't see any future here. I'm just waiting until the situation gets better in Syria, so I can go back home. Lebanon is a temporary refuge for me."***[137]

Second, the new policies induce different gender dynamics. Respondents underline that whereas the Syrian workforce in Lebanon traditionally consisted of men, women are now increasingly participating in the economic life, in part because the spouses of registered refugees were never requested to sign a pledge to not work, but also because their husbands' freedom is restricted due to fears to cross checkpoints.[138] NGO workers explained that for this reason, women and even children "are forced to play the role of men by finding help from NGOs and providing income."[139] Although women also informed us that they initially started with initiatives to sell homemade food, this did not provide them with enough money. One woman from a tented settlement emphasised that "once people know that these meals come from the camp, they immediately refuse the food, even if it's a good deal or good quality." As a result, women have to join the workforce through more traditional modes of employment. They, too, face harsh working conditions during work, often with wages that range between LBP 2000 and 3000 per day.[140] They emphasised that, especially in agriculture, employers prefer to employ women, because they would make for cheaper labour. Additionally, men prefer to work elsewhere, as they would earn more money working across other sectors. Two female workers have stated:

> ***"Our daily allowance is somewhere between LBP 6000 and 8000 and we get paid at the end of the season. But many landlords don't pay us. Last season, I worked for three months and I got paid only LBP 100,000. My friend worked for several months***

136 Interview with a Syrian business owner, Beirut, June 2016.

137 Interview with a Syrian professional in a glass and aluminium company, Beirut, June 2016.

138 Restrictions on men's mobility and employment are reportedly increasing violence rates in the households as some NGO-workers voiced: "Men are becoming [increasingly] aggressive because they cannot move or work." Interview with an NGO worker, Beirut, June 2016.

139 Interview with an NGO worker, Beirut, June 2016.

140 Interview with an NGO worker, Beirut, June 2016.

and when she asked for her money, which should have been LBP 700,000, the landlord told her: 'I don't owe you anything.'[141]

Moreover, NGO workers stressed that women are often forced to endure harassment and even sexual assault,[142] and are consequently forced to quit their jobs. Female-headed households appear to be more vulnerable to abuse and those women cannot always leave their job, which forces them to accept work under any condition. An NGO worker explained:

> ***"One woman literally told me: 'Find me a job, please, or I will have to do whatever my employer wants me to.'***[143]

Yet, sexual harassment proves to be a sensitive subject, as women are often ashamed to talk about it. Moreover, they are not sure if authorities would undertake action, or they fear revengeful abusers. Another NGO worker explains:

> ***"I documented 15 rape cases in the area of Wadi Khaled alone, many of which occurred in the work-place. Some landowners take the beautiful women and children as slaves to work and do whatever they want with them. And none of the victims dare to talk about it.***[144]

Third, women are not the only ones who are affected by the new policy; it is increasingly affecting children, as well. Consequences for refugee parents – including limited movement due to the lack of legal papers, or having little or no access to the labour market – force them to diversify their livelihood sources.[145] Respondents explain that when job opportunities are taken away from parents, and school tuition and even transportation fees are too expensive, parents are often left with no choice but to send their children to work, especially as children account for over 50% of the Syrian refugee population.[146] In 2013, the Lebanese Government launched the National Action Plan in an attempt to limit the worst forms of child labour – which already existed prior to the eruption of the crisis – by 2016.[147] However, the development of the Syrian crisis has

141 Interview with two Syrian female workers, Beqaa Valley, June 2016.

142 In addition, there is no jurisdiction in Lebanon that explicitly addresses sexual assault and harassment in work settings. Human Rights Watch (HRW), *op.cit.*, 2016.

143 Interview with an NGO worker, Beirut, June 2016.

144 Interview with an NGO worker, Beirut, June 2016.

145 The percentage of households depending on one livelihood source decreased from 20% to 5%. (UNHCR, WFP, UNICEF, *op.cit.*, 2015, p.37.

146 Since 2011, data shows an increase of Syrian children and adolescents' migration to Lebanon, resulting in more than 50% of the refugees being younger than 24 years old. (International Labour Organisation, *op.cit.*, 2015.)

147 Although Lebanon has ratified key international conventions concerning child labour – such as the International Labour Organisation Minimum Age Convention, the ILO Worst Forms of Child Labour Convention, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC) – these conventions still require governments to protect children from exploitation or hazardous work. (International Labour Organisation, *op.cit.*, 2014.)

not allowed for an extensive implementation of this plan, which propelled the Ministry of Labour, together with relevant agencies,[148] to revise the National Action Plan in July 2016.[149] In addition, although UNICEF and other NGOs are concerned with preventing and reducing dropout numbers, interlocutors argue that more and more children aged between 10 and 16 – sometimes even younger – drop out of school because their parents need their help financially. An NGO worker illustrates:

> ***A few months ago I heard that 25 children from the camp quit the school and started working in agriculture. When I asked them why, they told me that they needed to help their families because they don't have enough income anymore. This is what happens when families don't have enough money to eat. Of course they have to send their children to work.***[150]

Sometimes, children take the initiative to help their parents financially. One interlocutor explained:

> ***My neighbour's daughter is 14 years old and has left her secondary studies to start working in the farms. She is not getting a proper chance to study, because she wants to help her family get some money.***[151]

Although parents have also emphasised that they initially refused to ask their children to do so, figures like a landlord or a *shaweesh* play a significant role in sending children to work or to beg. One NGO worker adds:

> ***We have documented several cases where the* shaweesh *would not allow children to go to school unless the children were able to compensate for the amount of money the* shaweesh *would have made had the children been working for him, rather than attending classes.***[152]

Not only are children forced to work under harsh conditions – both physically and mentally – but they are also deprived of their basic right to education. One of our interlocutors warned that "a complete generation will be illiterate if they

148 Such as the National Steering Committee, the International Labour Organisation and the General Security.

149 In particularly decree 8987, that defines hazardous forms of child labour will be revised, as a representative from the Ministry of Labour explained during the National Livelihoods Working Group meeting, Beirut, 30 August 2016.

150 Interview with an NGO worker, Beirut, June 2016.

151 Interview with two female Syrian workers, Beqaa, June 2016.

152 Interview with NGO worker, Beirut, August 2016.

153 Interview with two female Syrian workers, Bekaa, June 2016.

keep ignoring Syrian children's right to education."[153] Experts have raised concern about the increasing dropout rates:

> ***I fear that child labour will increase, because now, most children are between 0 and 9 years old. But the more the Syrian crisis is protracted, the older and more 'ready' to work these children become.***[154]

At the same time, interlocutors described different initiatives in the urban contexts, as some women organised projects for children to teach them basic reading, as well as how to clean and prepare vegetables for sale. Interlocutors have also informed us that some parents resort to sending their daughters into early child marriage because it is "one less mouth to feed," as some of our interlocutors explained.[155] An NGO worker illustrates:

> ***I know many early marriage cases. Once, there was a young girl who got married for a while. When her husband divorced her, she tried to come back to her parents in the camp, but they didn't let her in because they couldn't take care of her. So she went to another camp. Luckily she found a nice lady who took her in.***[156]

NGO workers we have interviewed underline that child labour is especially problematic because children often face a double exploitation: the first takes place at work, since child labour is per definition exploitative; the second at home, when their parents (or *shaweesh*) confront them if they did not bring home enough money.[157]

The above-described effects are contributing to the emergence of so-called negative coping mechanisms. These are short-term strategies to handle stressful situations in a detrimental manner. Respondents explained to us that in order to deal with poverty, Syrian refugees resort to all sorts of dire "solutions," such as the black market, child labour, and early child marriage. Other negative coping strategies include survival sex (as a conscious choice, or as sexual slavery)[158] and illegal migration. One respondent explained:

154 Interview with an NGO worker, Hazmieh, July 2016.

155 Norwegian Refugee Council, "A Future in the Balance: Lebanon," Norwegian Refugee Council, 2016, p.7, available at: https://www.nrc.no/globalassets/pdf/reports/a-future-in-the-balance-lebanon.pdf [last accessed 10 August 2016].

156 Interview with an NGO worker, Beirut, June 2016.

157 Interview with an NGO worker, Hazmieh, July 2016.

158 In April 2016, a prostitution network of 75 Syrian women held captive as sexual slaves was discovered in Jounieh. See Kareem Shaheen, "Dozens of Syrians forced into sexual slavery in derelict Lebanese house," *The Guardian*, 30 April 2016, available at: http://www.theguardian.com/world/2016/apr/30/syrians-forced-sexual-slavery-lebanon [last accessed 20 July 2016].

> *"I have been living here for six years. I am married and I have three little children. My wife and my children often came to visit from Syria, but since last year's happenings, haven't been allowed to come here, so I got in touch with a smuggler to bring them across the border illegally. I paid a lot of money and now they are here with me, though illegally without any papers. Two of my children are studying in a governmental school despite being illegal. I pay a bribe to the school amounting to 100 thousands LBP per month. I'm forced to break the law because the Lebanese government didn't give us another choice."*[159]

In addition, NGO workers report an increasing network of Syrian and Lebanese who are involved with human trafficking, organ selling or trading, and the smuggling and usage of weapons and drugs.[160]

159 Interview with a professional in glass and aluminium company, Beirut, June 2016.

160 Interview with an NGO worker, Beirut, June 2016.

5 Conclusion

This report specifically focuses on the existing regulatory framework and implemented policy measures of the Lebanese Government targeting Syrian refugees' and its consequences on refugees' livelihoods. Fieldwork points to a confused use of the terms "migrants" and "refugees." Not only are these terms not interchangeable, this mix-up is leading to a confused setting and bears consequences for refugees' legal status, their right to work, as well as their protection. In addition, offered food and cash assistance is not sufficient to make a living, and neither is the average wage of those who work. On the contrary: even the combination of both does not seem sufficient. Consequently, having little to no self-reliance adds to the dependency on authoritative figures. A lack of legal status – and therefore legal redress, and restricted or no access to the labour market – has pushed many Syrians into illegality and informal structures. As a result, Syrians are subjected to harsh and precarious working conditions, thus creating opportunities for abuse and exploitation. Lastly, this report seeks to highlight underlying and induced dynamics, affecting mainly lower and lower-middle class Syrian refugees, as well as women and children.

In sum, we can conclude that while recent policy measures were adopted in an attempt to formalise and control Syrian presence in the labour market, they have mainly added to the existing unstable and informal setting. Our research findings show a vicious circle emerging from these policy measures, which reinforces existing structures of informality, dependence, and exploitation. In terms of a long-term perspective, experts unanimously call not only for a proper, organised market and job creation – in which Lebanon would benefit from tax money and Syrians from protection – but especially for a more human rights-based approach.