

Migration, Refugees and Illegal Routes in Times of Health Crisis: The Case of the Lebanon-Syria Border

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Lebanon's border management in times of conflict, and particularly throughout the Syrian crisis has been subject to multiple criticisms across policymakers, academics and the international community alike. Lebanon's post-hoc approach to tackling its border management and 'sensitive' matters of national security, coupled with the fact that it has not signed the 1951 Refugee Convention have proven to be fundamental obstacles when it comes to the country's maintenance of human rights standards in the areas of its treatment of various refugee populations within its borders. They have also proven to be fundamental obstacles to its management of illegal routes and illegal movement amid an escalating pandemic. In times of COVID-19, Lebanon's lack of preparedness, its lack of coordination between its governmental institutions could mean that their border policy will once again serve as a means to hurt both sides.

Keywords: migration, refugees, Coronavirus, borders, health, security

INTRODUCTION

With the closure of Beirut's International Airport on March 19, 2020, as well as land borders with Syria just days prior, Lebanon (along with the rest of the world) is holding its breath as it measures the extent of the damage that the Coronavirus has done within its borders, by crossing borders (Houssari, 2020). Although greeted with general relief, this measure, which came a little late according to some, does not provide any forms of reassurance at the moment. In fact, it probably does not affect the illegal crossings between Lebanon and Syria at all – as Lebanon has struggled in blocking illegal entry points into the country for years now, and the number of Syrian refugees within its borders (those registered and not) are a clear indication of this struggle and inability to counter illegal human trafficking and smuggling in all forms. As Lebanon maneuvers itself through an economic and financial crisis on the outskirts of its ongoing struggle to uphold basic human rights standards in dealing with its refugee crisis, these illegal passageways are “vital” to the average struggling citizen, and resorted to more than ever among smugglers of both people and of goods.

On March 18, 2020, Lebanon's Internal Security Forces (ISF) released a statement reporting the arrest of a truck carrying eleven tons of butter in Aramoun (Lebanese Internal Security Forces, 2020). The

owner of the goods, Lebanese and the driver, Syrian were smuggling the goods from Syria into Lebanon through an illegal entry point. The vehicle was reportedly stopped and the two individuals were arrested (Lebanese Internal Security Forces, 2020). We will never know the exact date the goods truck arrived in Lebanon, but it almost certainly took an illegal route according to security sources. The vehicle was reportedly traveling to Hermel to meet a buyer, which suggests that it had been around for a few days (Lebanese Internal Security Forces, 2020).

OPEN BORDER POLICY AND THE REFUGEE CONVENTION

But Lebanon continues to deal with crisis after crisis – some making its headlines less these days, but still very alive and well. Since the onset of the neighboring Syrian crisis, and the mass influx of refugees into Lebanon, financial and in-kind assistance, as well as expertise in monitoring Lebanese border flows, have been provided by multiple states, UN agencies and organizations, but mostly, without rigorous coordination. Security concerns regarding Lebanon’s borders originally surfaced in light of concerns regarding legal immigration, and residency.

Since Lebanon has not ratified the 1951 UN Geneva Convention (also referred to as the 1951 Refugee Convention), or its 1967 Protocol, the provision of temporary protection is favored over the recognition of formal refugee status. Nonetheless, the 1962 Law of Entry, Stay, and Exit assigns legislative capacity concerning migration management to the security apparatus, namely the General Security (Library of Congress, n.d.) This fact, coupled with ad-hoc measures prompted by other governmental bodies, paved the way for a full-scale securitization of migration and border governance in Lebanon.

Prior to the peak of the Syrian crisis, Lebanon had maintained an open-border policy, allowing Syrians to enter with ease, and legally remain for up to one year (Library of Congress, n.d.). In response to increasing attacks from Syria-based armed groups, coupled with the large influx of approximately one million Syrian refugees, the Lebanese Council of Ministers introduced new restrictive residency policies, in October 2014, with the aim of discouraging further inflows of refugees (Library of Congress, n.d.). It further increased the monitoring measures of those who stayed. Today, those unable to enter Lebanon through one of the official border crossings can exit Syria legally, cross the 12 km ‘no man’s land’ between the two states, and attempt to cross the Lebanese border illegally through the assistance of human traffickers or smugglers (NRC, 2014).

ILLEGAL ROUTES AND BORDER CROSSINGS AMID CORONAVIRUS

And it is the reiteration of this type of scenario that the average Lebanese citizen now fears once more, as they keep their sights on the illegal routes the State has never truly managed to completely control to date. The situation becomes all the more alarming due to the fact that to date, the Syrian regime remains silent on the existence of the Coronavirus on its territory as unofficial sources of information depict dozens of cases or more (Sewell, 2020). Multiple medical sources and news reports from the cities of Damascus, Homs, Latakia, and Tartus have confirmed to the Syrian Observatory for Human Rights (OSDH) that 113 new cases have been quarantined in order to prevent the possible spread of the infection to others (Petkova, 2020). However, the drastic precautionary measures currently being undertaken by the regime for a few days now, under the pretext of preventing the virus from “reaching the country,” suggest that the virus has indeed infiltrated the country – and that the regime is endangering the lives of citizens in the region if it does not document, announce and treat these cases in-line with international health guidelines (Petkova, 2020).

The official ban on the movement of people between Lebanon and Syria does not provide any form of reassurance, namely since Lebanon has been slow to close its official land borders with the neighboring country – only officially doing so on March 15, 2020 (Aawsat, 2020). Meanwhile, movement between the two countries, even if it will slow down for a few weeks has always been incessant, and in one direction more than the other. Newspaper L’Orient le Jour reports that Syria closed its land borders long before Lebanon did, a week before news of the spread of the Coronavirus in Lebanon spread according to an

analyst close to Hezbollah circles and in contact with several acquaintances in Syria (Jalkh, 2020). The source tells of a taxi driver travelling from the Beqaa region of Lebanon, who was not allowed to enter Syria. The movement in the opposite direction, however, (from Syria to Lebanon) had continued until recently, with the only form of border control carried out by Lebanese authorities being a check of body temperature, a measure which has indeed proven to be insufficient for a virus containment or detection (Jalkh, 2020).

POST-HOC POLICIES AND BORDER CLOSURES

Now that the official borders between the two states are closed, the new challenge facing Lebanese authorities is a 360 km illegal crossing route (Jalkh, 2020). There are multiple clandestine accesses into Lebanon, and this has been reported everywhere from security briefs to international organizations' reports. On several occasions, the army had closed several of these passageways by backfilling them, only to return a few days later and find them accessible again.

Interestingly enough though, Lebanon's military institution benefited from British aid for the installation of a series of watchtowers just a few years ago aimed at monitoring the border on the side of Arsal in particular (Reuters, 2016). This should permit for stricter monitoring and control illegal routes, although this does not seem to be the case. Apart from those used by Hezbollah for their own "needs of the resistance" (in particular the passage of its fighters back and forth) and which are under strict party control, all other illegal access routes should be prohibited by Lebanese authorities. And demographic figures prove ultimately, that they are not (Reuters, 2016). And whether or not the local political banter assumes passageways benefit "real mafia networks" on both sides who benefit from the protection and coverage of particular citizens of both countries, the matter of the fact is that these smuggling networks manage to traffic in goods, oil, and also people whether the Coronavirus adds insult to injury or not.

CONCLUDING REMARKS

In these increasingly difficult times and exceptional circumstances, comprehensive efforts across all the governmental intuitions need to be undertaken in order to combat the threat of this new virus – and more complexly, they need to fall in-line with international legal and human rights frameworks to protect the most vulnerable. Subsequently, although it is typically the role of the army to assume the responsibility of monitoring these permeable routes along with police forces together, this mission must be shared with local authorities, that is to say, the municipalities, for more efficiency. Whilst being faced with challenges of this magnitude, all financial and human resources must be mobilized in order to carry out this task. It is now the time more than ever to make the move towards the decentralized approach scholars, politicians and practitioners have been discussing for decades. The power needs to be granted to municipalities and their authority needs to be reinforced – particularly in the area of access to the funds which are rightfully theirs and which are consistently centralized in the Ministry of Finance.

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