

# CARIM – Consortium for Applied Research on International Migration

Co-financed by the European Union

# **CARIM – Migration Profile**

# Lebanon

The Demographic-Economic Framework of Migration The Legal Framework of Migration The Socio-Political Framework of Migration

Report written by **ANNA DI BARTOLOMEO, TAMIRACE FAKHOURY** and **DELPHINE PERRIN** on the basis of CARIM database and publications

January 2010

© 2010. All rights reserved. No part of this paper may be distributed, quoted or reproduced in any form without permission from the CARIM Project.



### The Demographic-Economic Framework of Migration

Lebanon is the Arab country with the longest history of emigration. Started in the second half of the 19<sup>th</sup> century, the first emigration flows were a response to a number of factors, in particular Christian-Muslim communal conflicts and the economic crisis in Mount-Lebanon. Emigration was concentrated in Latin America and to a lesser extent Europe and the US. Later waves during most of the twentieth century headed to the US, Canada, Australia and France (permanently) as well as to Western Africa (temporarily) and, starting from the 1960s, to the Gulf States. The Civil War of 1975-1989 meant increased emigration to all the countries and regions mentioned above and included emigrants with greatly varying socio-economic profiles.

Today, notwithstanding national efforts to slow emigration, outward flows remain significant. They are mainly directed to the Gulf countries and include a high proportion of highly-skilled individuals.

Lebanon has also a long history of immigration and is currently a destination for temporary workers coming mainly from Syria and Asia. Meanwhile, it hosts large numbers of refugees and asylum seekers, especially Palestinians and Iraqis, who today go to make up important parts of the population residing in Lebanon.

Outward migration			Inward migration
Stock			Stock
Data on the number of Lebanese emigrants and their main characteristics are fragmented and uncertain. Historical controversies over the true size of the Lebanese population give some idea of how			In 2007, foreigners (including Palestinians) represented 9.0% of the resident population (Lebanese Central Administration of Statistics, ACS).
	ceived (e.g. in 2009, UN		Estimation of the resident population by citizenship, years 1997, 2004 and 2007
	ates differed by alm n depends on whether		Citizenship 1997 2004 (*) 2007
,	ormer migrants are con		Lebanese 3,702,710 3,506,429 4,042,858
-	-		Foreign 302,315 248,605 n.a.
•	a survey carried out b		of which Syrians 44,129 n.a. n.a.
University (USJ) in 2007 the number of Lebanese emigrants (migrated between 1992 and 2007) is			Palestinians 198,258 n.a. n.a.
		,	Other Arabs 18,032 n.a. n.a.
	6,019. At that time, a		Others 41,896 n.a. n.a.
Lebanese households (46.0%) had at least one		at least one	Total 4,005,025 3,755,034 4,042,858
emigrant among its close kin.		eidenee 2007	(*) In 2004 Palestinans in the camps were not included
Lebanese emigrants by period of emigration and region of residence, 2007           Region of residence         Period of emigration 1992-96         Stock 2007           Number         %		Stock 2007	n.a.: not available Source: Estimation ACS Conditions de vie des ménages (years 1997, 2004); Estimation USJ, OURSE: L'émigration des jeunes libanais et leurs projets d'avenir 1002 2007 (unar 2007)
Arab countries	23,186 <b>42,099 97,37</b>		1992-2007 (year 2007)
Europe	<b>31,243</b> 30,546 <b>42,83</b>	<b>104,619</b> 22.4	Foreign immigration in Lebanon includes migrant
North America	<b>35,764 35,240</b> 32,26 <sup>-</sup>	7 103,271 22.2	workers, whose stay is mainly temporary or seasonal,
Australia	13,686 13,362 14,414	4 41,462 8.9	together with refugees and asylum seekers. Among
Africa	5,756 9,488 21,472	,	this second group, Palestinian refugees are
Sou./Cen. America	6,474 3,826 4,382	,	predominantly longstanding (post-1948): in mid-2009,
Others	626 512 1,46	,	the number of Palestinian refugees recorded by
Total         116,735         135,073         214,210         466,019         100.0           Source: Estimation USJ, OURSE "L'émigration des jeunes libanais et leurs			UNWRA in Lebanon was 422,188, a number which
projets d'avenir 1992-2007".			includes an unknown proportion of persons whose
Lebanese emigrants are well known for being widely dispersed. Actually, high proportions are found in the Arab countries (34.9%), Europe (22.4%) and North America (22.2%). It is worth mentioning that Australia – where Lebanese emigrants account for the largest Arab community –			ancestors found refuge in Lebanon but are currently living outside Lebanon. Meanwhile, after the occupation of Iraq by the US in the 2000's, the presence of Iraqi refugees sharply increased though current estimates are largely unreliable. According to UNHCR, in 2008 they were 50,000.

hosts 8.9% of them.

There have been frequent attempts to assess the total number of people of Lebanese descent though such estimates are often driven by politics. Frequent but unfounded claims are made for several million Lebanese in the Diaspora.

As to their gender profile, a majority of emigrants are men (60.9%) (OECD.stat). However, the recent growth in the level of women's education (and thus aspirations) together with employment dynamics (e.g. in 2007 the unemployment rate equaled 9.2%) and population trends (i.e. the declining trend of the Total Fertility Rate) may result in more women emigrating. Lebanese emigrants have on average a medium to high level of education (65.1%) and are employed in highly-skilled occupations (57.0%) (OECD.stat).

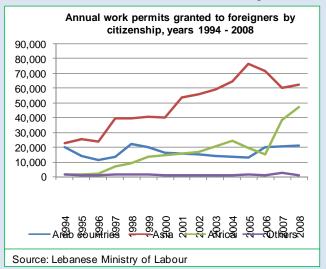
#### Flows

From 1880 to the end of WWI, around 350,000 Lebanese citizens emigrated (Issawi, 1992). During the post WWII emigration wave, these flows were less intense with peaks during the Middle-East conflicts. According to Labaki (1992) and Labaki and Abu Rjaili (2005), the annual number of emigrants averaged around 3,000 in the period 1945-1960, 9,000 between 1960-1970 and 10,000 from 1970 to 1975. Based on cross-border exits and entries data, Labaki (1992) estimated that the migration balance during the civil war (1975 – 1989) was at (-) 822,913. Meanwhile, large numbers were recorded in the post-war period.

It is worthy of note that in the last ten years (1997 - 2007) half of Lebanese who left the country went to the Gulf states (49.8%), whereas in the same period highly-skilled emigrants (with a university degree) were at about 38.9% of the total (USJ estimates).

#### Flows

Today, despite its economic uncertainties, Lebanon remains an important destination country for migrant workers. In 2008, 131,114 work permits were granted to foreign nationals. In recent years, the majority of regular recorded migrant workers were Asian. From 1994 to 2008, they were granted an annual average of 46,862 work permits. However, it is worth mentioning that after 2005, Asian inward flows were stopped and, consequently, African migrant workers, who share similar characteristics in terms of skills, covered these labor shortages.



The main limitation of these figures lies in the fact that, due to peculiar Lebanese-Syrian relations, Syrian workers have never been counted. However, it is well known that they represent an important proportion of temporary immigrants in the country working mostly in the construction and agricultural sector. Some estimates of NGOs and the media talk of hundreds of thousands and even half a million.

References: Issawi, C. (1992) "The Historical Background of Lebanese Emigration: 1800-1914," in *The Lebanese in the World: A Century of Migration*, Ed. Hourani and Shehadi. London; Labaki, B. (1992) "Lebanese Emigration during the War (1975-1989)." In *The Lebanese in the World. A Century of Emigration*, Ed. Hourani and Shehadi, London; Labaki, B. and Abu Rjaili, Khalil (2005) Jardat Hisab al-Hurub min 'Ajl 'Al'Akhareen 'ala 'ArdLubnan, 1975-1990, Beirut.

## The Legal Framework of Migration

Lebanese legislation concerning entry, stay and exit of foreign nationals (adopted in 1962) as well as access to nationality (1925 regulation last amended in 1960) dates back to the 1960s. Since this multiconfessional country is based on a fragile political balance, these issues are considered as potential sources of instability and susceptible to be politically manipulated. In the absence of consensus, regulation usually appears in an *ad hoc*, opportunist and executive/administrative manner: not as legislation. It is thus instable and linked to the different categories of foreign nationals concerned (by workers categories or by nationality). Lebanon does not commit itself to international agreements much, even avoiding fundamental texts (1951 Geneva Convention, 1990 Convention), aware that it will not be able to apply them. As for immigrants or emigrants, Lebanese legislation has been paralyzed in as much as it is politicized. Two sensitive and linked topics – nationality and election laws – are currently in discussion.

	Inward migration	Outward migration
General legal references	<i>Law of July 10, 1962</i> on the entry and stay of foreign nationals in Lebanon, and their exit; implementation decree 10188 of July 28, 1962; <i>Law n°320 of August 2, 1962</i> on the control of entry and exit from Lebanese border posts.	
	<b>1990 Convention<sup>1</sup></b> : not ratified <b>ILO</b> : 49 conventions ratified <sup>2</sup>	
	<b>Bilateral agreements</b> with Syria on employment of nationals (1994) and on common border posts (1997), with Egypt, Bahrain, among others.	
	Member State of the League of Arab States	
Circulation Entry and Exit	No Visa Requirement for nationals of Jordan and GCC <sup>3</sup> states. A free one-month visa (renewable 3 months) is delivered at airports	No formal requirement for nationals to exit.
	and frontier posts to nationals from 80 non Arab countries, and only at airports to nationals from 11 Arab states and 3 African states. 6 to 11 months visas are delivered to some categories of foreign nationals (company leader, investors, etc).	and Syria is facilitated for nationals from both countries, as well as for Palestinian refugees. Exit of foreign nationals may be
authorization of the Ministry of the General Security Direct countries whose nationals access to Lebanon. Women Guinea and Sierra Leone are work as servants. Artists' entry	Workers Entry submitted to an authorization of the Ministry of Labour and of the General Security Direction. List of countries whose nationals have easier access to Lebanon. Women from Indonesia, Guinea and Sierra Leone are not allowed to work as servants. Artists' entry is submitted to General Security Direction authorization.	submitted to a visa.
	Syrian nationals enter with their identity card.	

<sup>&</sup>lt;sup>1</sup> Convention on the protection of all migrant workers and members of their family.

<sup>&</sup>lt;sup>2</sup> Including convention C111 concerning Discrimination in Respect of Employment and Occupation, but excluding conventions C118 Equality of Treatment of Nationals and Non-Nationals in Social Security, C97 concerning Migration for Employment and C143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers.

<sup>&</sup>lt;sup>3</sup> Gulf Cooperation Council.

Struggle against			
irregular migration	Weak control over the borders. Strengthening of maritime and land borders control to combat terrorism, with help of the UN (UNIFIL) and Syria.	<i>Readmission agreements</i> with Romania, Cyprus and Bulgaria in 2002.	
	Penalization of irregular entry, stay and exit: stay prohibition, duration according to nationality and status.		
	Sanctions against employers of irregular migrants but high rate of informal employment.		
	Annual regularization of irregular migrants through labour authorization.		
Rights and settlement	Family reunification: with permit of residence. Access to Employment: annual list of professions reserved to nationals. Labour contract submitted to work authorization and a sponsor. No access to the liberal professions, except through bilateral agreements. National preference. Exceptions for Palestinians.	No political rights for emigrant Lebanese abroad. Voting has to be done in Lebanon.	
	Equal access to public services: No.		
	No access to estate ownership. <b>Nationality:</b> decree n°15 of January 19, 1925 r <i>jus sanguinis</i> by descent of a father. Women do <i>soli</i> except for stateless children born in the cou women after one year of marriage with a ma through marriage with a Lebanese woman. I naturalization processes (latest by decree 5247 and 300,000 naturalizations). Nationality Bill sind	o not transmit their nationality. No <i>jus</i> intry. Access to nationality for foreign ale citizen. No access to nationality No naturalization rules, but <i>ad hoc</i> of June 20, 1994: between 100,000	
Refugees	<b>1951 Convention</b> <sup>5</sup> : not ratified	UNHCR competence to organize	
	No national procedure. Registration, RSD <sup>6</sup> and resettlement by the UNHCR.	the return of Lebanese refugees from Syria.	
	Granting of a 6 (+3) months permit before resettlement (2003 Memorandum). In case of non resettlement, the refugee is considered an irregular immigrant.		
	<i>Protocol for the Treatment of Palestinians</i> <i>in Arab States</i> : ratified with reservation. UNRWA <sup>7</sup> in charge of Palestinian refugees.		

<sup>&</sup>lt;sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, and Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

 $<sup>^{\</sup>rm 5}$  Geneva Convention relating to the status of refugees.

<sup>&</sup>lt;sup>6</sup> Refugee Status Determination.

<sup>&</sup>lt;sup>7</sup> United Nations Relief and Works Agency for Palestine refugees in the Near East.

### The Socio-Political Framework of Migration

Lebanon's migration agenda has been sidelined by the country's entanglement in several conflicts which have overburdened its domestic and foreign policies.

Although the Lebanese Diaspora spans all continents and its size has become incontrovertible, concrete efforts aimed at overhauling emigration policies so as to channel contributions from the Diaspora communities<sup>8</sup> and counter the repercussions of brain-drain (especially brain drain in the post-1990 era) are still lacking. Notwithstanding the fact that political leaders praise the role of the Diaspora in their rhetorical discourses<sup>9</sup> or 'court' them in pre-electoral periods, sustainable initiatives that boost expatriates' participation in the homeland remain half-hearted. It is worth recalling here the controversy of the Lebanese Diaspora's political participation in its homeland. It is claimed that expatriates' votes can adversely impact Lebanon's confessional composition. There is, as yet, no agreement on the eligibility criteria defining which Lebanese emigrant can vote and which 'emigrant profile' is deemed eligible to carry internal political weight.<sup>10</sup> There is general speculation that a prerequisite for Lebanese Diaspora communities' potential participation is the reform of Lebanon's electoral law, which has relied since independence on an archaic form of mixed electoral lists.

Likewise, the country's immigration policies have so far withstood reform. Despite the increasing number of migrant workers in Lebanon, regulatory frameworks are inadequate. The rights and socio-economic status of migrant workers are generally curtailed and are contingent upon changing public policies. It is noteworthy that the Lebanese government has come under fire in the last decade for undermining immigrant rights (migrant workers and refugees). On the other hand, the Lebanese state has delayed devising clear-cut policies for refugees. A case in point is that of the Palestinian professionals who, despite their longstanding presence in the country, still face various national labour policy restrictions.

This incapacity or lack of readiness to reform policies can be explained by many factors, which are both exogenous and endogenous. On the one hand, due to the country's circumscribed sovereignty,<sup>11</sup> post-war Lebanese governments have been unable to ensure a full and efficient control of their borders and of their domestic political agenda. Moreover, the fate of Palestinian refugees (naturalisation, return, or the right to choose) in Lebanon does not only depend on the Lebanese state's political agenda but is contingent on the Arab-Israeli peace settlement. There is today a general political consensus in Lebanon that Palestinian refugees should maintain the right of return and that any future naturalisation would risk disturbing Lebanon's shaky confessional balance.

While state-led policies in the realm of migration have lagged behind, Lebanese civil society has shown increasing commitment to consolidate links with the Diaspora and to improve migrants' rights.

Since the end of the Civil War (1975-1990), Lebanon has witnessed a proliferation of transnational and Diaspora networks that have financed development projects or contributed to expanding the country's social capital. These networks have also lobbied local and foreign governments so as to boost Lebanon's derailed post-war democratic transition or to exert pressure over Syrian influence in Lebanon. Still, even if these groups are very active, they mirror in one way or another Lebanon's internal confessional and political divisions.

<sup>&</sup>lt;sup>8</sup> Two noteworthy exceptions are governmental structures' involvement in the TOKTEN and the Live Lebanon initiative which are sponsored by the UNDP.

<sup>&</sup>lt;sup>9</sup> Lebanon's new president Michel Sleiman has referred to the Lebanese expatriates in his inaugural presidential speech as Lebanon's "second wing".

<sup>&</sup>lt;sup>10</sup> In the last years, several proposals (e.g. in 2008) for a new election law draft taking into account the expatriates' right to vote have been submitted to the Lebanese government. Still no conclusive agreement was reached. In addition to the Lebanese government's claim that expatriates' lists are not comprehensive and suffer from various gaps, communal and political stakeholders in Lebanon have different – sometimes irreconcilable – views on the matter.

<sup>&</sup>lt;sup>11</sup> The Lebanese Political Party Hezbollah, commonly referred to "as a state within a state", practically controls South Lebanon and has refused to dismantle its military wing despite the Ta'if covenant's clause which stipulates the demilitarisation of all Lebanese militias after the war. Hezbollah has on various instances linked its demilitarisation with an Arab-Israeli settlement. In addition, Lebanon has not formally delimited its frontiers with Syria, and a piece of land in the South called the Shebaa farms is claimed to be still occupied by Israel. While Lebanese and Syrian authorities argue that the piece of land is Lebanese, a UN inquiry claims that it is Syrian.

Lebanon's socio-political framework (1)	Outward migration	Inward migration
Governmental Institutions	Ministry of Foreign Affairs and Lebanese Expatriates abroad	Ministry of Interior (also Sûreté générale); Ministry of Labour; Ministry of Social Affairs
Governmental Strategy	Sustain links with the Lebanese Diaspora; encourage pacific links among different Lebanese confessional groups residing abroad through what the Ministry of Emigration calls a policy of 'concord'; encourage Lebanese abroad to establish unions and associations; benefit from Lebanese potential abroad in the field of development and technology; encourage remittances and the circularity of social capital; encourage Lebanese living abroad to return regularly to Lebanon	Regulate immigration with regard to the admission, residency and work permits of foreign nationals and migrant workers; develop actions with international organisations so as to mitigate irregular and transit immigration; reduce the number of undocumented workers by apprehending, regularising and deportation procedures; identify refugees; devise action plans with regard to their presence and stay in Lebanon or with regard to their resettlement; coordinate with international organisations in respect to Palestinian and Iraqi refugees.
Civil Society Action	<ul> <li>Initiatives of migrant advocacy groups, migrant organisations, professional expatriates' networks as well as local civil society groups focusing on:</li> <li>Consolidating links among the Diaspora communities in different destination countries, and providing them with services (e.g. transnational organisations such as the World Cultural Lebanese Union, the Union of Parliamentarians originally from Lebanon, the Lebanese International Council of Affairs, not to mention local organisations promoting links with expatriates such as the Maronite League and the Hariri Foundation);</li> <li>Promoting projects in coordination with the Lebanese government and international organisations allowing for Diaspora involvement in the country's development;</li> <li>Promoting projects so as to boost Lebanon's economy (encourage tourism and increase real estate value in the country);</li> <li>Spurring the Lebanese parliament to adopt an electoral law allowing expatriates to vote in the homeland;</li> <li>Mobilising expatriates before electoral periods and encouraging them to return in order to vote (e.g. former project "Fly to Lebanon" in 2005);</li> </ul>	<ul> <li>Initiatives in the associative sector (Lebanese and non-Lebanese) aimed at:</li> <li>improving the status as well as the civil and socio-economic rights of immigrants (e.g. The General Confederation of Lebanese Workers; the Beirut Bar Association)</li> <li>disseminating information on vulnerable migrant categories (Lebanese NGO Forum);</li> <li>improving the socio-economic conditions of vulnerable migrant groups such as undocumented workers and domestic workers (e.g. The Afro-Asian Migrant Center, Caritas Migration Centre, Council of Middle Eastern Churches, Najdeh);</li> <li>raising awareness as to the human rights of refugee communities (e.g. synergy between the Council of Middle Eastern Churches and the UNHCR); lobbying the government to waive restrictions on Palestinian refugees and to improve prevailing socio-economic conditions within refugee camps (CEDAW, TADAMON).</li> </ul>

# **CARIM Migration Profile: Lebanon**

	<ul> <li>Mobilising expatriates in conflict periods so as to lobby the homeland's or the host land's governments (e.g. during the 2005 Independence <i>Intifada</i> which was followed by the departure of Syrian troops in 2005 or during the 2006 July War between Hezbollah and Israel);</li> <li>Organising demonstrations in host lands (e.g. during the Independence <i>Intifada</i> in 2005) in order to show solidarity with political movements in the homeland or attempt to provide a political and confessional counterweight to opposing political movements.</li> </ul>	
Challenges	The necessity of:	The necessity of:
	<ul> <li>Identifying and locating Lebanese Diaspora communities and their professional categories;</li> <li>Addressing controversial policy developments linked (a) to the potential political participation of Lebanese expatriates in their homeland and (b) the question of whether members of the Diaspora can acquire Lebanese nationality on the basis of <i>jus sanguinis</i>;</li> <li>Harmonising expatriates' potential political contribution with Lebanon's power-sharing system, which relies heavily on confessional representation;</li> <li>Developing a pro-active emigration policy that explores how emigration including remittances could spur development in the homeland;</li> <li>Regulating post-1975 emigration waves, which have drained Lebanon of its human resources, by remedying supply and demand failings in the labour market and imbalances between education and job opportunities;</li> <li>Identifying in which sectors there is brain drain and developing adequate policies to counter this phenomenon.</li> </ul>	- Devising immigration-related strategies which emancipate themselves to some degree from Lebanon's volatile political agenda and its status as a "rubber stamp state"; <sup>12</sup>

<sup>&</sup>lt;sup>12</sup> Expression coined by Georges Corm in "Sortir du cercle vicieux et du statut d'Etat tampon?" Confluences Méditerranée, 2005-2006 (Vol.56), pp. 99-108.

<sup>&</sup>lt;sup>13</sup> Still, this issue is part of a wider political framework hinging on the normalisation of diplomatic relations between Lebanon and Syria.

		<ul> <li>Acquiring a more prominent role in migration governance less subordinated to the region's security agenda;</li> <li>Ensuring a more active participation in regional and international migration consultative processes.</li> </ul>
International Cooperation	Enhancing cooperation with the EU (through the Euro-Mediterranean Partnership and the European Neighbourhood Policy) so as to provide for a more active dialogue in migration and mobility of people and services (see EU-Lebanon association agreement); launching a moderately active dialogue with international organisms (mainly UNDP and IOM) on the Diaspora's potential contribution to development in the homeland with a view to mobilising their competencies (UNDP through TOKTEN and Live Lebanon in coordination with the Foreign Ministry)	<ul> <li>Developing cooperative mechanisms with international organisations (e.g. IOM, UNHCR and UNRWA) so as to:</li> <li>Deal with internal migration in Lebanon stemming from the severe conflicts that have afflicted the country since 1975 (e.g. the 1975-1990 war; the 2006 July war);</li> <li>Coordinate with the UNRWA for Palestinian refugees and with UNESCO for non-Palestinian refugees.</li> </ul>
	tical framework does not claim exhaustiv	e coverage but intends rather to provide a

(1) This socio-political framework does not claim exhaustive coverage but intends rather to provide a synthetic picture of socio-political facets and policy developments shaping migration developments and governance in, across, and from Lebanon.