Non-Palestinian Refugees in Lebanon. From Asylum Seekers to illegal migrants.

Mohamed Kamel Doraï, Olivier Clochard

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An emigration country for a long time, Lebanon has also been – since the end of the civil war from the beginning of the 1990s – an immigration country, receiving important flows of Arab and non-Arab immigration, some 600,000 persons at the present time.[1] The Lebanese manpower being estimated at 1,4 million, migrants are thus numerous on the Lebanese labor market.

In addition to these migrant workers and the presence of 250,000 to 400,000 Palestinian refugees,[2] increasing amounts of refugees and asylum seekers have been registered since the end of the 1990s. Non-Palestinian refugees emerged as an issue on the Lebanese scene, as a consequence of the growing flows of Iraqis seeking refuge in Lebanon, as well as nationals from Sudan, Somalia, Sierra Leone. The number of claims for political asylum more than doubled between 1996 and 2000,[3] even if these migrants are generally in transit in Lebanon, where they wait for an opportunity to depart ultimately to Europe, Australia or the United States.

The study of this refugee population is relevant in the context of analyzing the question of the status of populations seeking asylum in a non-signatory country to the Geneva Convention, which, moreover, collaborates only scarcely with the United Nations High Commissioner for Refugees (UNHCR). As a consequence, asylum seekers and refugees, in the absence of clear legal status, are considered *de facto* as illegal migrants, whether or not they have entered the Lebanese territory illegally, which is the case for a majority of them. Thus, the classical distinction carried out between asylum seekers, refugees, economic migrants and illegal migrants – which

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1. Primarily from neighbouring Syria (estimated at 400,000 people, a majority of them without papers) and to a lesser extent from Egypt (20,000). A growing number of migrants, predominantly coming from Sri Lanka and the Philippines, but also from Ethiopia, Madagascar, and Sudan entered Lebanon for employment purposes. It is estimated that more than 100,000 Sri Lankans reside in Lebanon, a majority of them as domestic workers, in addition to 30,000 Filipinos and 15,000 Ethiopians. The figures are quoted from Ray Jureidini (2003).

2. There are different estimates of the number of Palestinians in Lebanon: the figures of the residents in the country or of the persons registered at UNRWA.

3. Respectively, 1852 and 4112 claims, according to UNCHR figures.

nowadays is increasingly criticized in academic literature on migration[4] – does not fit migration patterns accounted for in Lebanon since the beginning of the 1990s.

Indeed, by the networks they create and their know-how, the migrants circumvent state borders. Their situation of legal, political and economic precariousness leads to the emergence of new categories and labels, at the intersection between refugees, migrant workers and illegal migrants. As a consequence, the various mobility patterns of non-Palestinian refugees rest on dynamics generated by the refugees themselves and lie upon migratory networks set up on local and family bases. Moreover, the case-study of non-Palestinian refugees in Lebanon illustrates the way migration and refugee issues can intersect with domestic, regional and international constraints. The policies applied to them are strongly influenced by the specificities of the Lebanese nation-building process and its outlook on the Palestinian issue, as well as by its role on the wider regional and international geopolitical scene. Lebanon is indeed a transit country within the Euro-Mediterranean geopolitical space, where the migration issue plays an increasingly prominent role in politics. Thus, it can be said that studies on non-Palestinian refugees in Lebanon could contribute to the growing interest in integrating refugee studies to the wider field of migration theory.[5]

This paper is structured as follows. First, we will present an overview of the legal situation of the non-Palestinian refugees in Lebanon. Second, we will present different migratory itineraries collected during various fieldwork trips in Lebanon.[6] Third, we will explore, in a theoretical perspective, the usefulness of analyzing the diversity of migratory refugee experiences and the building of transnational networks, in order to resituate policies within politics.[7]

NON-PALESTINIAN REFUGEES IN LEBANON, DATA AND OVERVIEW OF THEIR LEGAL STATUS

Data on non-Palestinian refugees in Lebanon

Iraqis form the largest group of refugees in Lebanon. Several thousands entered the country during the 1990s and their numbers dramatically increased, first at the end of the decade, and then after the war in 2003. Many of them were granted the status of refugee by UNHCR. Following the collapse of Saddam Hussein's regime,

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4. This point will be elaborated on in the last chapter.

5. See Koser, 2002.

6. These are preliminary results of a joint research conducted since December 2003 in Lebanon, on non-Palestinian refugees and more specifically on the Sudanese.

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the Lebanese authorities deported – or voluntarily resettled, an euphemism often used by certain state and non-state actors – several thousands of Iraqis citizens back to their country of origin, taken as being stable at the time. As for the amount of the Sudanese in Lebanon, it is also difficult to evaluate. According to the work permits granted to them during the 1990s and early 2000s, there could be 400 to 500 legal workers. This figure remains largely underestimated, though, since it is necessary to add the students as well as the illegal residents to it.

For the same reason, the following data emanating from the UNHCR are generally underestimated, as they only take into consideration the refugees and asylum seekers registered at the UNHCR office in Beirut, while there is a high proportion of non-registered population. Still, the figures reflect the increase in the numbers of asylum seekers and refugees in Lebanon since the beginning of the 1990s (**Table 1**).

Country	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Iraq	527	611	981	1385	1901	2270	2522	1817	1828	1756
Sudan	20	75	167	214	273	413	552	421	521	621
Somalia	60	93	109	127	151	154	159	136	159	136
Sierra Leone	-	-	-	-	-	28	24	41	66	64

Table 1: Main countries of origin of refugees and asylum seekers in Lebanon (1993-2002). Source: UNHCR Statistical Yearbook, 2002.

Data indicate a sharp increase in the number of refugees and asylum seekers in Lebanon. However, the country being a non-signatory of the Geneva Convention, Lebanese law only provides scarce instruments of care and protection for this population.

The refugees, out of the Lebanese legal framework

The term "refugee", in the Lebanese law, only appears coupled with the word "Palestinian" or in the law of July 10, 1962, which regulates entry to, residence in and exit out of the territory. In part 8 (articles 26 to 31), lies the definition of the concept of political asylum:

> *"Tout étranger objet d'une poursuite ou d'une condamnation pour un délit politique d'une autorité autre que libanaise, ou dont la vie ou la liberté sont menacées pour des raisons politiques, peut demander l'octroi du droit d'asile politique."*[8]

The commission in charge of ruling on the claims, chaired by the Minister of Interior, is composed of senior officials from the Justice Department, the Foreign Affairs Department and the General Security. However, the commission does not

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8. *"Any foreigner, subject to a prosecution or sentenced for a political offence by an authority other than Lebanese, or whose life or freedom are threatened for political reasons, can claim to be granted the political asylum."* (unofficial translation).

seem to be the authority in charge of granting the refugee status, but acts in specific situations for ruling on the claims of particular political personalities.

What potential protection for refugees and asylum seekers?

In the absence of legal instruments suitable for defining the right of asylum in Lebanon, several legal arguments can however be thought about, since in an indirect way, they could – or have been able to – constitute a recourse for certain asylum seekers. The first one, though it has never been used in practice, is the preamble to the Lebanese Constitution that specifies:

> "*[Le Liban] est membre fondateur et actif de la Ligue des États arabes et engagé par ses pactes; de même qu'il est membre fondateur et actif de l'Organisation des Nations unies, engagé par ses pactes et par la Déclaration universelle des Droits de l'Homme. L'État concrétise ces principes dans tous les champs et domaines sans exception.*"[9]

Moreover, Article 14 of the 1948 Universal Declaration of Human Rights states that:

> "*Facing persecution, any person has the right to seek asylum and to profit from asylum in other countries.*"

Consequently, the right to asylum should be recognized by the Lebanese authorities. In addition, Lebanon is a signatory of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (December 10, 1984), which stipulates that:

> "*no State Party shall expel, turn back or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.*" (Article 3, §1).

Law n°185 of May 24, 2000 transposes this provision in the Lebanese law. This last article, thus, should make it possible not to expel an asylum seeker or a refugee, to whom the above mentioned criteria can be applied.

For the first time in the case of a Sudanese citizen, a judgment given in 2003 by a Lebanese court acknowledged the enforcement of this law, although the refugee entered the Lebanese territory illegally. This, according to the provision of the Lebanese law, should lead to the expulsion of the sentenced person. The reason put forward was that the person, if expelled, would be in great danger of persecution and torture, for he belonged to a religious minority. In addition to this acknowledgment, by a Lebanese court, of a certain form of territorial asylum – the non-expulsion of a person in danger –, the court mentions, in its judgment, the fact that the UNHCR granted this person the status of refugee. Moreover, the judgment also stated that UNHCR was responsible for finding a durable solution for the refugee, in other words,

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9. "*[Lebanon] is a founding and active member of the League of Arab States; it is accountable for its treaties; it is also a founding and active member of the United Nations Organisation, accountable for its treaties and for the Universal Declaration of Human Rights. The State implements its principles in all fields and domains with no exception.*" (unofficial translation).

a resettlement in a third country. Somehow, this judgment can, thus, be taken as an indirect recognition of the status of refugee granted by the UNHCR.

A former judgment, given in 2001, had already made it possible not to proceed to the expulsion of an Iraqi acknowledged as a refugee by UNHCR, who was waiting for his resettlement procedure. If this judgment does not refer to the Lebanese law previously mentioned, it marks a recognition, for the first time, of the activities of UNHCR's offices in Beirut.

These two judgments remain exceptional. Nevertheless, they prove that the Lebanese law, even if it does not acknowledge the status of refugee in an explicit manner, can be pushed to implement the decision of not deporting a refugee to his country of origin, under the "pressure" of UNHCR, as well as of NGOs.[10]

The Restricted role of UNHCR in Lebanon

In September 2003, a memorandum was signed between UNHCR and the Lebanese General Directorate of the General Security that aimed at clarifying the role of UNHCR in Lebanon. This document emphasizes that Lebanon is not a signatory of the Geneva Convention of the 28 July 1951 and its 31 January 1967 Protocol. The document states the following:

> *"Whereas Lebanon does not consider itself as an asylum country due to several social economic and demographic considerations, in addition to the problem posed by the presence of Palestinian refugee population on its territory;*
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> *Whereas Lebanon is not an asylum country and the only viable durable solution for refugees recognized under the mandate of UNHCR is the resettlement in a third country, the term 'asylum seeker' shall mean, for the purpose of this Memorandum, 'a person seeking asylum in a country other than Lebanon'."*[11]

Lebanon cannot be considered as an asylum country, but only as a transit country, where refugees are allowed to claim asylum at the regional office of the UNHCR during a period of two months following their entry on the Lebanese territory. If they are granted the status of refugees, they register at the General Security. A temporary residence permit is then issued and given to them. Refugees acknowledged by the UNHCR since the signature of the memorandum are given a six-month residence permit, awaiting the resettlement in a third country.

The protection given by this agreement remains very precarious. Lebanese authorities do not recognize the right to asylum. Refugees accepted after September 2003 are the only ones protected against deportation. Other refugees and asylum seekers on the

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10. The action of ACSRA (Ad Hoc Committee for the Support of non-Palestinian Refugees in Lebanon) can be mentioned. This NGO has acted as legal adviser for asylum seekers in order to enhance their probability to get the refugee status and help recognised refugees against deportation.

11. The quotations are taken from: *Memorandum of understanding between the Directorate General of the General Security and The Regional Office of the United Nations High Commissioner for Refugees concerning the processing of cases of asylum seekers applying for refugee status with UNHCR's office*, September 9, 2003 (English version).

Lebanese territory can be arrested and deported at any time, because they entered and/or reside illegally in Lebanon. It can thus be stated that UNHCR action is strictly circumscribed by the Lebanese authorities.

Experiences of non-palestinian refugees: some salient facts

The provisions of the law, as well as the precarious nature of the asylum seekers' situation in Lebanon is reflected in the paths followed by some Sudanese and Iraqi migrants interviewed in Lebanon.[12] Resources mobilized in order to circumvent these difficulties and to implement the process of entering and surviving on the Lebanese territory, also appear in these accounts of migration itineraries.

Lebanon, a Transit Country

The migratory experience of J. is rather traditional. The major part of the Sudanese who are currently in Lebanon passed initially through Syria, as this country does not require citizens of Arab states to hold a visa to enter its territory.

> *"I left south Sudan because of the insecurity which prevails there. I moved initially to Khartum. I could not stay there because it was impossible to find a job, and because of the discrimination we face. Then I decided to leave. Egypt had hardened its immigration policy and it was not easy for us to cross the border to get there. Thus, I took a plane ticket for Damascus, as Syria does not require visas for Sudanese. Once in Damascus, I found other Sudanese already leaving. As there is no work in Syria, one advised me to go to Lebanon. They said the wages there are better, and Sudanese find work there rather easily, especially in the sanitary sector. I crossed the border illegally, by paying a smuggler and I arrived in Beirut."*

Syria is the first asylum country, for various reasons: first, it is an Arab country that does not require other Arabs to hold an entry visa; second, life is quite cheap and accommodation is easy to find for Sudanese (they mainly stay in hotels near Marjeh Square (*Sahat al Merjeh*) in central Damascus); third, many Sudanese reside there, who facilitate the arrival of newcomers; fourth, Damascus is very close to the Lebanese border, which can be crossed relatively cheaply and easily via mountain paths that remain only partially controlled.

In general, border crossing is one of the main difficulties faced by the Sudanese asylum seekers. The itineraries mapped out by migrants thus aim at overcoming these obstacles, in order to be able to claim asylum from UNHCR's offices. The procedures are long and obtaining the status is difficult. The search for a source of income thus quickly becomes a priority for the asylum seeker. Middle Eastern countries are perceived as a first step before the resettlement in a third country, in Europe, in the United States or in Australia. The choice of the country of transit for provisional settlement is thus crucial, since it partly determines the possibilities to later emigrate to a third country. In spite of the very constraining legal context for refugees and

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12. See footnote 6.

migrants in Lebanon, this country, beyond its easy access from Syria, presents many opportunities for the Sudanese.

Accessing these opportunities is facilitated by the migrants' networks set up by the Sudanese in Lebanon, who over the years have organized themselves in various associations, or participate actively in already existing structures, such as religious associations.

> *"It is rare that a Sudanese arrives here without knowing anybody beforehand. It is one of the main reasons why they come to Lebanon. When somebody seeks to leave the Sudan, he contacts people whom he knows are living abroad. We explain to him how to emigrate. After his arrival, we help him find an employment and accommodation. For employment, our employers usually ask us whether we know compatriots who are looking for a job. For housing, it is the same. We help newcomers, and then we share the same flat."*

When asked about their future prospect, all the Sudanese interviewed expressed their wish to leave Lebanon. A part of the refugees, who were politically involved in South Sudan, said they intended to return to their country of origin, when a peace agreement is implemented between the belligerents. Refugees acknowledged by UNHCR were on standby for a procedure of resettlement in a third country, most often a Scandinavian country. As for some of the non-acknowledged refugees and those who are considered migrant workers, they leave Lebanon illegally to go to Western Europe. It is however very difficult to evaluate the number of those who managed to reach Europe successfully. A Sudanese, well aware of the fate of Beirut's Sudanese community members and having lived for a long period in the southern suburbs of the town, reported tales about clandestine emigration to Greece, without having himself come across any case of success in this experience.

Precarious Job Opportunities

Only a few asylum seekers obtain the status of refugee, as well as some assistance from the Middle East Council of Churches (MECC) and/ or Caritas Migrant, the two main religious organizations that help this category of migrants. Being illegal, deprived of any status, means having no material resources. Non-acknowledged refugees, or those who have been living in Lebanon for many years, are forced to seek employment. Their very precarious legal status channels them to specific, low-wages jobs. And having no residency papers to stay in Lebanon forbids them from complaining to the authorities. As mentioned by a Sudanese having lived in Beirut for many years:

> *"You find many Sudanese working in the sanitary sector. We are very famous to work hard and we make no problems with the employers. Salaries are not very high, but we have no choice. How can we live without a salary?"*

Others work as caretakers. Both Sudanese and Iraqis hold this kind of jobs in Lebanon, which offer various advantages, as explained by an Iraqi, whose wife and children have obtained the refugee status.

"For us it has been a very good opportunity to find this job. First, we have a place to live for free, even if we just have one room for the whole family. Second, we don't have to leave the building to go to work. As we don't have any residence permit, it's better not to have to walk or to take the bus on a long distance every day. We fear the police. If they arrest you without a valid residence permit, they take you to jail, even if you are an asylum seeker or a refugee. Third, the salary is not so bad, around 200 USD."

The Sudanese are also known to work in gas stations. In Tyre, three young Sudanese work together in the same station. The eldest arrived first and later managed to bring his two friends over, to work with him. One of them was arrested once and was taken to jail, but he was released after paying a fine. They live together in a small room, beside the gas station, with three beds, no kitchen and just a small bathroom. The oldest one explained why he took this job.

"I arrived in Lebanon one year and a half ago. I was escaping war and unemployment in Darfur. There was no future for me there. I decided to emigrate. The only country opened to us was Syria. I went there, and then from Damascus to Beirut. In Beirut, it is very difficult to live because everything is very expensive. I heard from another Sudanese that there was a possibility to find a job here in Tyre. So I came. I have a place to sleep for free and food is much cheaper than in Beirut. Also, there are less police controls here, we feel more relaxed. As my employer was looking for two other employees, I called my friends in Sudan and they managed to come to work with me."

Transnational Migratory Networks

As for the geographical distribution of the Sudanese in Beirut area, in most cases Christians reside in Lebanese Christian quarters like Ashrafiyyeh, Borj Hammoud, Jounieh, whereas Muslims live in the Southern suburbs of Beirut, known to be predominantly Muslim areas. When asking some Christian Sudanese refugees on the location of the Sudanese community in Beirut, often, only Christian places are mentioned, as if the Sudanese were only present in these parts of the city. When questioned on the presence of the Sudanese in Southern suburbs of Beirut, one Sudanese answered us:

"It's a different situation… They are not refugees. They came here to find a job. We don't have relations with them. We came here because of the war, not because of economic problems, like them."

This reflects the division of the Sudanese community in Lebanon, which has its origin in the war raging in South Sudan. Refugees coming from Darfur, for example, are taken into consideration in the accounts made by some Christian refugees. The Sudanese in Lebanon seem to organize mainly on the basis of religious affiliation, and according to the regions of origin in the Sudan. Therefore, networks mobilized to facilitate the Sudanese immigration to Lebanon rely upon religious and regional affiliation, which also serve as a basis for emigrants to organize themselves in exile and develop systems of solidarity within the different groups.

Taking account of the various steps of these populations' migratory itineraries is crucial, for the purpose of drawing a picture of the various stages of the migration process and to understand the interrelationships existing between the various countries crossed by migrants. The concept of transit country, thus, becomes central, to depict these migratory movements and to pinpoint the root causes sparking the mobility process.

First, several factors push these populations to migrate: conflict, poverty, illegality, etc., one or the other becoming the determining element in each stage of the migratory process. Second, the role played by transnational networks must be taken into consideration. Family-, village- or religious community-based networks are the underlying supports, and even the main vehicles, of international mobility. In the case of non-Palestinian refugees in Lebanon, it can be said that migratory networks, based on regional and religious affinity, are the only resources available for migrants deprived of legal residency papers, and of any kind of assistance from the Lebanese authorities. The Sudanese are 'forced' to organize into a transnational community, in order to circumvent political and legal constraints, both in sending and receiving countries.

Nevertheless, beyond these preliminary conclusions, the study of non-Palestinian refugees and asylum seekers in Lebanon requires to develop a comprehensive method of analysis which would go beyond the restrictive legal outlook, which generates different simplistic categories such as recognized/ non-recognized refugee, legal/ illegal migrants, etc., and ignores the huge diversity and complexity of situations witnessed in Lebanon. Therefore, we will now work at resituating the case-study of non-Palestinians refugees in Lebanon within migration theories. We will also emphasize how the question of the non-Palestinian refugees intersects with the specific issue of the Lebanese nation-building process, as well as with its role on the wider (regional, international) geopolitical scene.

REVISITING MIGRATION THEORIES, RESITUATING POLICIES WITHIN POLITICS

From Refugees to Migrants and Back? Refugees and Migration Theory

Network analysis provides an interesting framework that goes beyond the judicial analysis, imposed by the term "refugee" itself, the origin of which is deeply rooted in international law. The non-Palestinian refugees experience is a good illustration of this. Lebanon does not recognize the status of refugee, except in the case of the Palestinians. Asylum seekers, and even those recognized by the UNHCR as refugees, are considered by the Lebanese authorities as illegal migrants. Thus, in Lebanon, the legal category cannot be taken as a basis to determine who is a refugee and who is not. As Liisa Malkki (1995: 496) pointed out:

> *"'Refugees' do not constitute a naturally self-delimiting domain of anthropological knowledge. Forced population movements have extraordinarily diverse historical and political causes and involve people who, while all displaced, find themselves in qualitatively different situations and predicaments.*

> *Thus, it would seem that the term 'refugee' has analytical usefulness not as a label for a special, generalizable 'kind' or 'type' of person or situation, but only as a broad legal or descriptive rubric that includes within it a world of different socio-economic statuses, personal histories, and psychological or spiritual situations. Involuntary or forced movements of people are always only one aspect of much larger constellations of sociopolitical and cultural processes and practices."*

The political as well as the social contexts, at the national and regional levels, have to be taken into consideration, and not only the category "refugee" as it has been defined in the Geneva Convention, especially in the cases of asylum countries that are not signatory to this Convention. In this paper we used the term "refugee" to refer to migrant groups who did not come to Lebanon as guest workers, or whose first aim was to seek employment. These groups fled their countries of origin because of war, discrimination and/or a fear of persecution.

Early attempts at building a general theoretical model on refugee issues have focused mainly on push factors to explain refugee movements (Kunz, 1973; 1981). More recent studies have emphasized the role of international relations in the production of refugee flows (Loescher, 1990; Weiner, 1993). If push factors, as well as international politics, are key issues for the understanding of refugee movements, little attention has been paid to the dynamics generated by the refugees themselves. The duration of exile and the different kind of interactions with the host societies have also generated different forms of mobility.

Richmond (1994: 55) stresses that:

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

Seteney Shami (1993) also notes that the distinction made between forced and voluntary migration is not always relevant in the Middle Eastern context. She suggests that "displacement often leads to labor migration as a coping strategy." Non-Palestinian refugees in Lebanon fit this analytical framework. Iraqis and Sudanese have fled their country because of war, discrimination, political oppression, thus they can be considered as refugees. Yet, being deprived of any help, they look for a country where they can work easily, which is not the case of Syria, their first place of asylum. It can be also assumed that the massive Lebanese emigration over more than one century to South and North America as well as to Africa,[13] is an other central element to take into consideration while studying the presence of thousands of refugees and asylum seekers in Lebanon wishing to emigrate to a third country.[14]

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13. See for example Hourani and Shehadi (1992).

14. According to the UNDP, "the potential for Lebanese to emigrate remains high today, particularly in view of the prevailing economic slowdown and high unemployment. In the absence of official statistics,

The Emergence of Migratory Networks

Since the 1970s, network analysis has been a growing field of interest in migration studies, which further developed in the early 1990s (see Durand, 1994; Fawcett, 1989; Kritz, 1992; Massey *et al.*, 1988).[15] However, Thomas Faist (2000) states that analyses in terms of migratory networks suffer from one main deficiency: they do not tackle the question of their emergence. He considers that, initially, social capital[16] is a factor limiting mobility, while as migratory networks develop, they become a driving force for emigration.

This analytical framework is relevant to understand non-Palestinian refugees' migratory dynamics. For example, many Sudanese were studying in Lebanon since the 1980s, many of them in Christian universities in Beirut. Thus, some became the spearheads of the migration networks developed in the 1990s. They spoke Arabic and had a good knowledge of the Lebanese society as well as of the different networks of NGOs granting help to refugees and asylum seekers. New forms of solidarity then developed, in a transnational migratory field,[17] which supported and accelerated emigration. Thomas Faist also notes that the installation of earlier migrants is a central element that allows for the development of migratory networks because they act as a catalyst for the social capital. Migration develops when social capital does not function only on a local scale, but also as a transnational transmission belt.

More precisely, the setting up and the development of these transnational migratory networks especially will be stimulated and sustained by the availability, not only of communities, but also of family members.

The role of kinship in sustaining the migration process has already been developed by many authors, concerning "economic" migrants such as Algerians in France and, more specifically, with the development of family reunification in western countries (Montagne, 1954; Choldin, 1973; Katuszewski, 1981; Boyd, 1989; Fawcett, 1989). Some researchers in the field of refugee studies also pointed out the importance of family networks in the adaptation to host countries of forced migrants (e.g. Hansen, 1981). But little attention has been paid to kinship as a key element of the migration process of refugee communities.

In the case of Palestinian migration, kinship solidarity networks play a significant role in the organization and development phases, in both the country of departure and the host country.

Their action is determined by various stages of the migratory process: 1) they permit the mobilization of the funds necessary to pay for the trip; 2) they provide

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estimates vary and the figure of outflows of more than 100,000 persons per year in the last part of the 1990s is cited as conservative". (Source : http://www.undp.org.lb).

15. For a synthetic approach of network analysis related to migration, see Ma Mung, Doraï, Loyer and Hily, 1998.

16. Thomas Faist (2000: 15) defines social capital as follows: "Social capital denotes the transactions between individuals and groups that facilitate social action, and the benefits derived from these mechanisms. It is primarily a local asset and can be transferred cross-nationally only under specific conditions."

17. *"The migratory field is defined as the whole space structured by migratory and relational flows, a space that is traveled through, frequented, lived by the migrants' population."* (Simon, 2000).

information on the country of destination circulated through the network and spread to potential migrants; 3) they facilitate the adaptation of the newcomer in the host country. Also, 4) they play a role in the selection of the migrant from the departure country to fit the specific needs of the host country; 5) they contribute to circumventing the legal constraints in the host countries and 6) they influence the choice of destination of migrants (Gurak *et al.*, 1992; Boyd, 1989; Light *et al.* 1993).

As for the non-Palestinian refugees, they provide an interesting and singular case study. Their geographic concentration, in specific neighborhoods in Beirut (like Jnah, Borj Hammoud, Jounieh) as well as their legal and political status in Lebanon as described above, have led to the sustaining and/or the strengthening of kinship networks in exile. As suggested earlier in this study, "primordial ties" (here, kinship networks), are one of the only resources accessible to refugees deprived of their basic rights, especially when they are confined in illegality.[18]

'Forced' Transnationalism?[19]

At a broader level, growing interest has developed, in recent years, to investigate the relation between refugees and transnationalism (Shami, 1996; Al-Ali *et al.*, 2001; Black, 2001; Koser, 2002; Wahlbeck, 2002). Studies conducted on refugees' transnational activities have contributed to addressing, in a more comprehensive way, the role of the state in shaping migrants' networks, and bringing the state back in most of these analyses. As noted by Richard Black (2001: 66):

> "Focusing on the role played by refugees in transnational activities could help to dispel some of the more idealistic notions of transnationalism from below as a people-led process, which take advantage of processes of globalization and ease of travel in the modern world."

Even if non-Palestinian refugees are involved in transnational practices in order to adapt to a new environment in Lebanon, they are still refugees – and/or asylum seekers – strongly dependant on the political context in the Middle East, as well as on asylum policies in Western countries. State policies toward refugees, thus, remain one of the most important elements in understanding refugee movements, their socio-economic status and the viability of migratory networks both in sending and receiving countries. For the non-Palestinian refugees, their transnational activities are strongly determined by their departure and destination countries' attitude, as mentioned by Östen Wahlbeck (2002: 228):

> "It can be argued that the social relations of refugees create a transnational community not bound by the geographical borders of either the countries of origin or the countries of settlement. […] However, there are some significant differences between ordinary migrants and refugees in the form and content

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18. This has already been developed concerning Palestinian refugees (Doraï, 2003).

19. This expression has been used by Michael P. Smith (2002: xiii) who stresses that studies on "refugee diasporas, has produced such new and useful conceptual categories as ambivalent transnationalism and even 'forced' transnationalism".

of the transnational social relations. It can be argued that refugees have a distinctive relationship with both the country they have been forced to flee from and the country in which they have involuntarily settled."

Policies and politics

As said above, refugees, whether or not acknowledged as such, are strongly dependent on the political context of the country of arrival, as well as of the region as a whole. They also have to abide by or cope with the asylum policies in Western countries, their final destination. Policies applied to them reflect these domestic, regional and international constraints.

The question of the non-Palestinian refugees intersects with the specific issue of the Lebanese nation-building process, which is itself linked to the regional Palestinian issue. Lebanese attitude towards refugees, or asylum seekers in general, is indeed strongly linked to its attitude *vis-à-vis* the Palestinian refugees. As a matter of fact, Lebanon refuses the "settlement" (*tawtîn*) of Palestinian refugees on its territory for two main reasons. First, it seeks to defend its position on a regional level, in case of negotiations on the Palestinian refugees' right of return. Secondly, its decision is lead by domestic concerns pertaining to the communal balance of power: the "settlement" of nearly 400 000 Palestinian refugees, predominantly Sunni Muslims, would threaten the sectarian balance underlying the political system and power distribution patterns in Lebanon.[20]
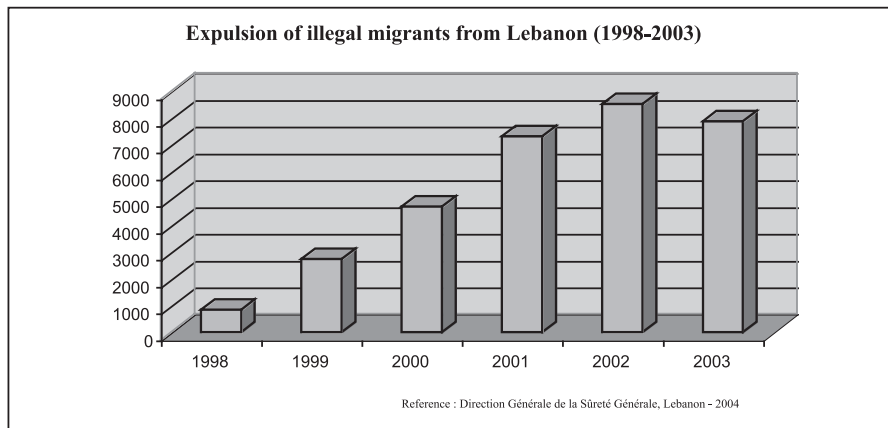
Therefore, Lebanon refuses to be officially a country of settlement for non-Palestinian asylum seekers, for the same reasons that stop it accepting the resettlement and naturalization of Palestinian refugees on its territory. The extremely precarious legal status of the refugees, the restrictions they face in accessing the labor market, schooling, housing or social protection are typical of Palestinian refugees in Lebanon's living conditions.[21]

However, the rejection of refugees from Lebanon does not only stem from domestic and regional, but also from bi-lateral and international constraints. Whereas Palestinians are an integral part of a regional political question, the non-Palestinian refugees are, indeed, – involuntarily – actors in a political game between the European Union, the most frequent target of the refugees, and Lebanon, as a transit country. The refugee issue is thus an element of the Euro-Mediterranean geopolitical scene, within which the migration issue takes an increasingly prominent part.

The resettlement policy implemented by the UNHCR was rather inefficient, as it increased the number of refugees on the Lebanese territory. Even if the Sudanese are not perceived as threats for the Lebanese workers, since they are employed in specific economic "niches", primarily the sector of sanitation, the presence of Iraqis has started putting pressure on the Lebanese labor market, since they are competing with the Syrian manpower.

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20. This issue is tackled by T. Jaulin in this volume.
21. See for example Al-Natour (1997) and Said (2001).

Expulsion of illegal migrants from Lebanon (1998–2003)

Reference : Direction Générale de la Sûreté Générale, Lebanon – 2004

At the same time, the European Union has been requiring from Lebanon to reinforce the control of its borders, as we have seen that part of the asylum seekers and/or illegal migrants arriving in Europe had transited through Lebanon. All these factors generated a hardening of the attitude of the Lebanese authorities *vis-à-vis* the refugees and asylum seekers, who were expelled in growing numbers. Deportations from Lebanon were multiplied by ten in five years, as shown in the graph.

This sharp increase in the number of expulsions of illegal foreign nationals from the Lebanese territory is, at the same time, affecting a growing variety of nationalities. Indeed, in 1998, expelled foreigners were nationals of 28 different countries, compared to more than 80 in 2003. The stepping up of policies implemented, as well as the expulsions carried out by the Lebanese authorities, have to be put into the Euro-Mediterranean context, where the European Union exerts an increasing pressure on third countries, to impose stricter control on their borders and on migratory flows. Lebanon, as a prominent transit channel towards Europe, thus becomes a concern of the highest degree. However, it has itself to deal with a situation partly caused by the porosity of the Syrian-Lebanese border and the easy access to the former by clandestine migrants.

Conclusion

Iraqis and Sudanese adopt transnational practices to adapt to a new environment in Lebanon and in the various countries they cross throughout their migration process. However, they remain refugees – and/or asylum seekers –, strongly dependant on the political context in the Middle East, on the policies of asylum and immigration, as well as on the economic situation in their countries of transit (e.g. Lebanon) and of final destination (e.g. Western countries). Migration policies remain one of the central elements to understand the movements of refugees, their socio-economic status and the viability of the migratory networks. Because Iraqis and Sudanese are refugees, their transnational activities are strongly determined by the context of their destination

and home countries. Can we speak of the emergence of a forced transnationalism which would combine elements of constraints (policy, legal) as well as factors of attraction (economic, family and village networks)? Lebanon still perceives itself as an emigration country, where the political system is based on a sectarian balance and where migrants and refugees are considered temporary guests, having to sell their work force or to seek asylum in a third country. The recent Syrian withdrawal, and the reaffirmation of the Lebanese will of clear independence from its neighbor, could thus lead to the reinforcement of the border control and have an impact on illegal migration flows coming from Syria.

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