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Palestine Refugees from Syria in Lebanon

Dynamics of Secondary Forced Displacement

Thesis
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Abstract

The protracted conflict in Syria, which took its beginning in March 2011, has caused a mass refugee movement as well as internal displacement of millions of Syrians and is at large considered as one of the most catastrophic humanitarian crises since World War II. Lebanon, being one of the last countries in the region imposing strict regulations on entry, has received a disproportional number of Syrian refugees. As of March 2016 the number of Syrian refugees in Lebanon counts nearly 1.5 million people. An overlooked minority in the current crisis are Palestine refugees from Syria and their inherent vulnerability when it comes to secondary forced displacement. They face many similar challenges as their Syrian counterparts but also dissimilarities connected to their Palestinian identity and refugee status. The asymmetry in treatment and experience stems from a specific regional historic and political context that since 1948 has shaped the relationship between Palestine refugee communities and their host countries; this becomes evident when examining the Lebanese context. The dynamics of secondary forced displacement in the case of Palestine refugees from Syria in Lebanon can be analysed by applying a theoretical framework of Giorgio Agamben and Liisa Malkki. However this theoretical framework has to be challenged and qualified by exploring the actual lived experience of everyday life of Palestine refugees from Syrian in Lebanon in order to provide a more full, elaborative and dynamic depiction of the situation they are facing.

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List of abbreviations and explanations

3RP	Regional Refugee and Resilience Plan 2016-2017, Published by UNHCR and UNDP and brings together plans developed under the leadership of national authorities
GSO	General Security Office
ICCPR	International Covenant on Civil and Political Rights
ICESR	International Covenant on Economic, Social and Cultural Rights
LCRP	Lebanon Crisis Response Plan 2015-1016
PHRO	Palestinian Human Rights Organisation
PRL	Palestine Refugee in Lebanon (referring to Palestine refugees registered with UNRWA in Lebanon)
PRS	Palestine Refugee in Syria (referring to Palestine refugees registered with UNRWA in Syria)
UNDP	United Nations Development Program
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Work Agency for Palestine Refugees in the Near East

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- Dynamics of Secondary Forced Displacement

Introduction

The armed and protracted conflict in Syria, that took its beginning in March 2011, has caused a mass refugee movement as well as internal displacement of millions of Syrians and is at large considered as one of the most catastrophic humanitarian crises since World War II.[1] Inside Syria more than 13 million people are in direct need, out of which 6 million are children and around 6.5 million are internally displaced. According to UN and the 3RP 2016-107 there are 4.263.020 Syrian refugees registered in countries in the near region counting Turkey, Egypt, Iraq, Jordan and Lebanon.[2] The 3RP estimates that the number of registered Syrian refugees will increase to 4.7 million by the end of 2016 resulting in a funding appeal of USD 5.78 billion in order to provide a sufficient response to the regional crisis. The regional nature of the refugee crisis results in a situation where decisions such as closing borders or restricting entry by some host countries affects the countries that still runs with open borders resulting in a further increase of refugees.[3] As such, Lebanon, being one of the last countries in the region imposing strict regulations on entry, has received a disproportional number of Syrian refugees. Lebanon being one of the smallest and poorest countries in the region[4] has since 2011 received almost 1.1 million Syrian refugees; as of March 2016 the number of Syrian refugees registered with UNHCR in Lebanon counts 1.048.275 million.[5] With a population of 4,546,774[6] Lebanon has since 2011 experienced a population increase of almost 30 per cent[7]. Five years into the crisis this has begun to take its toll on Lebanon resulting in social tensions, economic deterioration and a high-pressure on infrastructure. An indirect result of the crisis is heightened pressure on Lebanon's most vulnerable communities also including the 270.000 Palestinian refugees already residing in Lebanon before the conflict.

A group that is to some extend overlooked in the current crisis are Palestine refugees from Syria and the difficulties they face. Palestinians have been in Syria since the 1948 Palestinian exodus, al-

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[1] Dahi (2014)
[2] 3RP (2016)
[3] Dahi (2014)
[4] Ibid.
[5] LCRP (2015-2016): P. 9
[6] World Bank (but the latest official census was in 1936)
[7] LPCR (2015-2016): P. 3

so known as the Nakba, where more than 750.000 Palestinians were expelled and forced to leave their homes.[8] There are approximately 560,000 Palestinian refugees registered with UNRWA in Syria. Since the Syrian conflict broke out, 250.000 of these have been displaced within Syria and around 70.000 have sought refuge in neighbouring countries, such as Lebanon, which now hosts approximately 45.000 PRS[9].

This thesis seeks to fill a lacuna in the research field of PRS and the forced displacement they are enduring as a consequence of the Syrian conflict. The situation highlights the inherent vulnerability of Palestine refugees when it comes to secondary displacement; PRS are at risk of being sucked into a vacuum between international agencies, local authorities, regional policies and international law. Hence, the hypothesis of the current thesis is that PRS are facing many of the same obstacles and challenges as their Syrian counterparts but also dissimilarities connected to their Palestinian identity and the particularities of the refugee status they hold. Furthermore, the asymmetry or difference in both treatment and experience stems from a specific regional historic and political context that since 1948 has shaped the relationship between Palestine refugee communities and their host countries; this becomes especially evident when examining the Lebanese context. In the region PRS are either being denied admission to other countries or left at the hands of incoherent and opaque policies and regulations of the new host country.

Consequently this thesis, at a first glance, seeks to examine and establish these dissimilarities, their origin and consequences in form of challenges facing PRS. But even more important it will seek to connect the more structural level of these dissimilarities and challenges with the concrete lived ex-perience of everyday life through the scope of six young Palestinians. This will be done in order to provide a more full, elaborative and dynamic depiction of the situation facing PRS in Lebanon.

Hence the research question for this thesis is: *What are the particular dynamics facing Palestine Refugees from Syria when seeking refuge in Lebanon and what coping strategies are deployed in dealing with these dynamics?*

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[8] Gill et. al. (2007): p. 436
[9] Doraï (2015)

The first part of the thesis commences with establishing the methodology and theoretical framework applied. The second part will outline the broader context accounting for; the refugee in international law, the context of the Lebanese political system, the circumstances of Palestine refugees in Lebanon and the demography of PRS. The third part will provide an analysis following the structure of macro-, meso- and micro-level focusing on; the *Political response*; *the Response UNRWA*; and the *Everyday life* experienced by young Palestine refugees from Syria. This will be followed up with a conclusion.

Chapter 1: Methodology, literature review and theoretical reflections

1.1 Methodology

This thesis is based on an extensive desk review and qualitative field research carried out in Lebanon in May-July 2016. As stated in the introduction there is a lacuna in the research field of PRS. Consequently this thesis is consulting a broad theoretical framework from distinct academic disciplines and research carried out by others in order to examine the dynamics of secondary forced displacement in the case of PRS. These academic disciplines include *International Law*, *Refugee Studies*, *Ethnography*, *Anthropology*, *Political Sciences* and *Critical Security Studies*. This theoretical backbone is further informed by consulting reports on the Syrian refugee crisis published by agencies and NGO's. The knowledge derived from this desk review is used to analyse and understand key findings derived from field research. However, the qualitative field research is also used to criticize and challenge the theoretical framework applied. In this sense the methodology applied in this thesis resembles the image developed by the French anthropologist Claude Lévi-Strauss of the '*bricoleur*' creating a '*bricolage*'.

1.1.2. The work of the 'bricoleur'

In order to understand the terms 'bricolage' and 'bricoleur', one should think of someone constructing objects from whatever material is at disposal. Lévi-Strauss defines the bricoleur as someone able to perform multiple tasks and who has a set number of tools at hand, which are neither strictly related to the current project nor is defined by the project itself.[10] Even though the bricoleur is not specialised in all the means he uses, he has enough knowledge to use them when necessary; and he can maintain all the tools he desires, because: "*it is to be defined only by its potential use or, putting this another way and in the language of the 'bricoleur' himself, because the elements are collected or retained on the principle that 'they may always come in handy'*"[11].

1.1.3. Field research

The field research for this thesis was carried out from May-July 2016 in Lebanon and consists of interviews with various experts, NGO's, international organizations and Palestine refugees from Syria. All interviews were semi-structured with open-ended questions aiming at one hand to extract concrete information about the current refugee situation for PRS and on the other hand to bring forward the interlocutors' own views on key challenges. Some of the interlocutors were promised

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[10] Lévi-Strauss (1962): P. 11
[11] Ibid.

anonymity and are hence not mentioned by name or organization. The PRS interviewed are referred to as informants.

1.1.4. PRS informants

A cornerstone of this thesis is interviews and informal conversations with six Palestine refugees from Syria. The interviews constitute a small sample and are not generalizable. However, they are indispensible in terms of putting meat on the bone and establish a diversified analysis of PRS. This could not have been achieved by merely conducting a desk-review. Besides providing material to analyse the everyday life of young PRS in Lebanon, their stories have enabled me to provide a critique of and further develop the theoretical backbone of this thesis. The interviewed PRS arrived in Lebanon in a period ranging from 2012-2015. They are all between 18 and 31 years and are counting four male and two female informants. The initial contact to three of the informants was established through Palestinian Human Rights Organisation (PHRO). After a first meeting at PHRO it became clear that a second meeting was needed in order to fully understand their stories. This was partly due to language difficulties and partly due to interventions from the translator who framed their statements in a vocabulary of human rights. One of the informants provided contact to further three PRS and assisted in arranging a meeting in which she also participated. For this meeting they chose the translator and the place. This created an informal and trusting setting. Another informant who was hesitant to speak at our first meeting agreed to write a short journal in Arabic, making it more flexible for her to express herself. This journal has been translated into English and the story is used in the analysis. I later met with her in a café in Beirut. Meeting outside the setting of a human rights organization helped creating an atmosphere where she seemed more comfortable expressing herself.

1.1.5. Limitations

A number of limitations can and should be mentioned. One of the most significant limitations has been time constraint, which has influenced the number of interlocutors interviewed. I have contacted several NGO's, UN-agencies, Ministries and individuals with purpose of conducting interviews. Many haven't answered despite several inquiries and many of those who have replied have not had time to meet. Another limitation is language; this has proved challenging during interviews, as there is always the risk of something being lost in translation. As a last limitation it should be mentioned that regulations and policies are rapidly shifting and often only published in Arabic. This leaves the risk that the latest changes in policies are left unaccounted for.

1.2. Literature review

In the following I will account for relating academic research with the purpose of positioning this thesis. According to findings of the initial desk review there is a shortfall in research on the situation of PRS in Lebanon. Several papers are including PRS but the focus is often guided by a singular disciplinary focus, disperses PRS with in a greater framework of Syrian refugees or carried out before 2011.

Kamel Doraï's article, '*Palestinian Refugees And The Current Syrian Conflict: From Settled Refugees To Stateless Asylum Seekers?'* and Omar Dahi's paper, '*Syrian Refugees and the Regional crisis'* both outline central themes and are as thus used as preliminary inspiration. The former introduces dynamics and challenges facing PRS that should be further examined[12], the latter provides a general introduction to the regional response to the Syrian refugee crisis[13]. Both of these have been utmost relevant in formulating a hypothesis and introduction.

In the research paper '*Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement'*, Noura Erakat analyses a possible protection gap caused by distinctive mandates of UNRWA and UNHCR. Erakat examines previous collaborations between the two agencies in situations of secondary forced displacement for Palestine refugees. Erakat's paper is based on interviews with UNRWA and a desk review. Her paper contributes in establishing the protection gap.[14] However the paper doesn't analyse how this protection gap is actually experienced by PRS in the current situation. Her paper has proven useful in analysing the response from involved agencies. As well has the study of Sari Hanafi under the title, '*Governing Palestinian Refugee Camps in the Arab East: Governmentalities in Search of Legitimacy'*. The study examines how Palestine refugees perceives and are managed by different types of governmentalities within Palestinian refugee camps across the region. This study has been valuable in examining the current situation of PRS. Furthermore Hanafi is analysing UNRWA as a phantom sovereign and connects this to Agamben's concept of '*State of Exception'* (*vide infra*).[15] The framework provided by Hanafi will be deployed throughout the analysis. However Hanafi's study is carried out in 2008-2009 and consequently doesn't provide knowledge on how this is influencing the situation of PRS today.

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[12] Dorai (2015)
[13] Dahi (2014)
[14] Erakat (2014)
[15] Hanafi (2010)

In order to elaborate on the particularity of the Lebanese political system and its influence on the dynamics regaling to PRS I have consulted the writings of Dr. Farid El Khazen and Dr. Hassan Krayem. The former focuses on PRL in connection to the civil war and issues of permanent settlement.[16] The latter focuses on the civil war and the outcome in terms of the Taif Accord (*vide infra*).[17] Both have been useful in explaining correlations between events occurring in the period between 1960-1991 and political response. In order to more fully understand the particularity of the Lebanese political system it has been fruitful examine the analysis provided by Maya Mikdashi in the essay, '*What is Political Sectarianism'* from 2011. In her essay she analyses the Lebanese political system, its historical development and its dialectic relationship to a violent history.[18]

In order to further understand how the political system has influenced the current crisis and shaped the political response it has been pivotal to examine the shift in policies and regulations during the last 5 years. In an article, published in Legal Agenda in 2014 Nizar Saghieh and Gida Frangieh characterizes the shift in Lebanese policy toward Syrian refugees with the title, '*From hiding its head in the sand to soft power',* which also becomes the main argument of their analysis.[19] Filippo Dionigi qualifies this argument in the report, '*The Syrian Refugee Crisis in Lebanon: State Fragility and Social Resilience'* published in LSE Middle East Centre Paper Series in 2016.[20] However neither of these is including PRS and can consequently only point in a direction more than provide answers.

Furthermore, this thesis relies on numerous reports published by *UNHCR, UNRWA, Human Rights Watch, Amnesty International, and Norwegian Refugee Council* as well as the *Lebanese Crisis Response Plan* developed in cooperation between UNHCR, UNRWA and the Lebanese government. Each of these reports provide insights on the demography of PRS, the main risks they are facing, the human rights situation and the nature of their vulnerability.

All of the above have in one way or another contributed in shaping the arguments and analysis of this thesis. However each of the contributions examined in isolation doesn't provide sufficient explanations when examining the dynamics of secondary forced displacement as experiences by PRS. Hence this thesis seeks to fill this gap by combining these elements with a theoretical framework

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[16] Khazen (1997)
[17] Krayem: http://ddc.aub.edu.lb/projects/pspa/conflict-resolution.html, accessed last July, 2016
[18] Mikdashi (2011)
[19] Frangieh et. al. (2014)
[20] Dionigi (2014)

and key findings gained through field research. Consequently this will provide a more full and diversified understanding of the situation of PRS.

1.3. Theoretical framework

As with the scientific research accounted for above, the theoretical concepts this thesis draw on are distinct, both in the ideas they conceptualize and from the area they originate in. Consequently this thesis takes an approach of combining concepts from different fields, and the following section will provide a short introduction to these concepts, why each of them are necessary and how they compensate for and correlate to each other.

In order to establish a contingent terminology in the field of refugees and international law this thesis relies on the work of Guy S. Goodwin-Gill and Jane McAdam put forward in, '*The Refugee in International Law.* This work offers an exhaustive account of the history of international law in connection to concepts as refugees, asylum, conventions and the UN systems.[21] This is further qualified and put in relation to the concepts of citizenship and refugee camps by applying a theoretical framework provided by Gaim Kibreab[22] and Bjørn Møller[23]. In '*Refugees, Prisoners and Camps'* published in 2015 Møller provides a typology and historic development of refugee camps. Furthermore Møller provides useful insights on UNRWA, which has been connected to the notions of Hanaf (*Vide Supra*), as well as important insights on issues of security. These notions build on the theoretical framework proposed by Ole Wæver, representing the Copenhagen School in the field of critical security studies[24]; who has re-thought the notion of security. In this thesis it is useful to apply his concepts of "securitization" and "societal security".

While the above is useful in providing concrete knowledge on concepts relating to this thesis the following are providing theories on a meta-level that will be deployed throughout the analysis.

The field of refugee studies owes great tribute to the works of the Italian thinker Giorgio Agamben. Though Agamben uses World War II extermination camps as a base for his theory, he provides a way of thinking more broadly about spaces of internment and policies implemented to manage refugees. Agamben provides a view on camps as institutionalized 'states of exception' and poses that

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[21] Goodwin-Gill et. al. (2014)
[22] Professor at South Bank University, London
[23] Professor at the department of Political Science in Aalborg University
[24] Within CSS there are two schools of thought: the Copenhagen School and the Welsh: For more see: Betts (2009)

during this state of exception, there is an opening of new possibilities in relation to powers available to the government, which authorities perform certain functions, and a flexibility in relation to legality of the actions of authorities.[25] The meta-level theory on the state of exception deals with the systematic changes at political and legal level during crisis situations, and how these can lead to a diminishment in constitutional rights for the individual. Hence the state of exception is characterised by an increase of power used by the sovereign during a time of crisis. The sovereign is characterized by being the authority with the power to declare a state of exception and in effect place itself both inside and outside the rule of law. In diminishing citizen's constitutional rights, the sovereign can effectively reduce people under its jurisdiction to humans of '*bare life*' or natural life. Bare life (*Zoe*) has to be seen in opposition to 'political life' (*bios*) consequently the sovereign has the authority and power to organize and categorize people under its jurisdiction according to a continuum of *Man – Citizen*; *Zoe – Bios*. Agamben illustrates this by bringing to life the concept of '*homo sacer*' from Roman law; homo sacer is the person *who can be killed with impunity but not sacrificed in a religious ritual*[26]; or in the case of refugee; someone banned from society and denied all rights while still being inside and regulated by the law[27]. The concept of the sovereign and state of exception is however more complex when it comes to the current context, as there in the Lebanese context is not only one sovereign power, but several embodiments of such with the power to declare a form of state of exception. In order to arrive at a clearer understanding of the complex theories of Agamben and to produce a relevant critique of his concepts it has been necessary to make use of other theorists applying his concepts. One of these is Patricia Owen who accounts of the most important concepts of Agamben and provides a critique of the idea of bare life by using the example of refugees sewing their lips together in protest in a detention camp in Woomera, South Australia.[28]

Likewise Adam Ramadan argues that these power-focused ideas are criticisable, stating in his article, '*Spatialising the refugee camp*', that camps are more than voids of law and political life, and when seeing them as such it dismisses interactions, interrelations and the possibility for agency on the part of the refugee.[29] Ramadan argues that the Palestinian refugee camps are distinctive political spaces where regional geopolitics is reinforced in the everyday life of Palestinian refugees. Furthermore the camp serves as a place where Palestine and Palestinian identity is constantly being re-

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[25] Agamben (2005): p. 5, 6, 24
[26] Owen (2009): p. 572
[27] Ramadan (2012): p. 67
[28] Owen (2009): p. 569
[29] Ramadan (2012): pp. 68-70

produced and articulated; this can be seen as manifestations of political agency.[30] Many of the actions of the PRS informants can be interpreted in ways, which suggest both agency, and restriction of it. I therefore combine Ramadan's ideas with those of Liisa Malkki. Her concepts look at the inability of refugees to act or to voice themselves. *Mute victims,* for example, sees refugees as being stripped of the authority to give their own narrative.[31] This will be used in the analysis of everyday life of PRS and will be further elaborated on by using the concept of *Speechless Emissary.* Malkki's writing on this concept is centred around the representation of refugees as pure victims in need of help by international aid organisations and governments.[32] This thesis uses some key attributes of the term and adapts them to the current context, namely the correlation between knowledge produced by agencies such as UNRWA and the actual everyday life and actions of young PRS.

Chapter 2: Establishing a terminology and defining the context

The following chapter will provide an overview of the legal framework regarding refugees in international law and elaborate on the specific political context of Lebanon in connection to its stand of refugees in general and on Palestinian refugees in particular. This will be done in order to establish a contingent terminology that will be deployed in the analysis.

2.1. The refugee in international law

In order to further define and elaborate on the specific Lebanese context and its political relations to the concept of refugees it becomes pivotal to examine the concept of the refugee and definitions according to the international community in terms of protection and obligations from states. The broad and everyday definition of a refugee is a person fleeing unbearable and dangerous living conditions; at a first glance one often thinks in pictures of war, famine and poverty. However from a perspective of international law and as defined by states and the international community the concept of a refugee becomes much more narrow.[33] When defining the status of refugees one must look at international law as comprised of treaties, state practice and practices of intergovernmental agencies, established by the international community, designated to deal with the problem of refugees.[34]

As a response from the international community to the atrocities of WWII, major developments

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[30] Ibid.
[31] Malkki (1996): p. 378
[32] Ibid.: p. 386
[33] Goodwin-Gill et. al. (2007): p. 15
[34] Ibid.

took place in the field of refugees, human rights and international humanitarian law with the establishment of the United Nations; the creation of the *Universal Declaration of Human Rights (1948)*; the foundation of the *United Nations High Commissioner for Refugees* (UNHCR); the fourth *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949);* and the *Convention relating to the status of refugees* in 1951.[35] Hence, the *"foundation for an international legal concept of the refugee are thus securely fixed in treaties, state and United Nations practice and in the Statue of UNHCR"*.[36]

2.1.2. UNHCR and the 1951 convention

The main international agency dealing with the issue of refugees is the UNHCR. UNHCR was established in 1950 by the UN General Assembly and succeeded the International Refugee Organisation to deal with the millions of Europeans who had fled or lost their homes as a consequence of WWII. The statue of UNHCR was adopted in 1950 and encourages the corporation of governments. Its mandate is to provide international protection and to seek for permanent solutions on behalf of refugees and is according to its statue 'entirely humanitarian' and of a 'non-political' character.[37] The statues of UNHCR set fourth both its functions and responsibilities as well as a definition of persons under its mandate. Persons of concern to UNHCR thus include:

- *Refugees under the Refugee Convention*
- *Persons fleeing conflict or serious disturbances of the public order (i.e., refugees under the OAU Convention and Cartagena Declaration definitions)*
- *Returnees (i.e., former refugees)*
- *Stateless persons*
- *Internally displaced persons*

(Source UNHCR (2010c))

The functions and responsibilities of UNCHR can be further extended by resolutions of the General Assembly but this does not impose direct obligations on the sovereign states.[38] Out of the two provisions of the UNHCR 'protection' and 'seeking for permanent solutions', the core focus is on protection which is at the heart of its mandate, as without; *"protection, such as intervention to secure admission and non-refoulement of refugees, there can be no possibility of finding lasting solu-*

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[35] UNHCR (2011)
[36] Goodwin-Gill et. al. (2007): p. 20
[37] UNHCR (2010a)
[38] Goodwin-Gill et. al. (2007): pp. 25-35

tions".[39] The mandate of UNHCR can be viewed as either; narrow when it comes to funding and room for operation, as UNHCR needs a country's permission to operate within its border or; broad when it comes to the definition of persons of its concern in the sense that the definition of the refugee is broader than in the 1951 Convention Relating the Status of Refugees.

The 1951 Convention is the key legal document in determining who meets the definition of a refugee, the rights of refugees and the legal obligations of states. UNHCR serves as the key guardian of the document. The 1967 Protocol removed geographical and temporal restrictions from the Convention. As such the 1951 Convention and the 1967 Protocol sets out a legal framework of the minimum rights of refugees regarding issues of legal status and treatment rather than providing solutions that are universally acceptable. The cornerstone of the convention is the legal principle of non-refoulement contained in Article 33. According to this principle, a refugee should not be returned to a country where he or she faces serious threats to his or her life or freedom. However this form of protection may not be claimed by refugees who are reasonably regarded as a danger to the security of the country of asylum, or having been convicted of a particularly serious crime, and are considered a danger to the community.[40] Furthermore the 1951 Convention is grounded in Article 14 of the Universal Declaration on Human Rights stating that; *"Everyone has the right to seek and to enjoy in other countries asylum from persecution"[41]* which further highlight the emphasis on the legal principle of non-refoulement and its connection to concepts of asylum and admission in such as the concept now both, *"encompasses non-return and non-rejection"*[42]. The principle of non-refoulement is not only an obligation under the 1951 Convention but is also prohibited implicitly or explicitly according to the *Fourth Geneva Convention of 1949*, the *International Covenant on Civil and Political Rights (1966)*, *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)*, the *Convention on the Rights of Child (1990)* and the *Declaration on the Protection of All Persons from Enforced Disappearance (1992)*. Furthermore the principle is now under international customary law, obligating also states that have not signed the 1951 Convention to respect the principle.[43]

2.1.3. The creation of UNRWA

The United Nations Work and Relief Agency for Palestinian Refugees in the Near-East (UNRWA)

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[39] Ibid.: p. 426
[40] Ibid.: p. 178
[41] UDHR (1948)
[42] Goodwin-Gill et. al: p. 208
[43] Ibid. p. 211

was created in 1950 as a subsidiary organ of the General Assembly as a pursuant to resolution 302; providing assistance to those Palestinians forced to leave their homes as a result of the 1948 exodus.[44] Thus the Palestine refugees fleeing to neighbouring countries do not fall under the mandate of UNHCR or the protection provided by the 1951 Convention. The Statue of UNHCR states that:

"Provided that the competence of the High Commissioner as defined in paragraph 6 above shall not extend to a person:

(...)(c) Who continues to receive from other organs or agencies of the United Nations protection or assistance."[45]

Furthermore a similar phrasing can be found in the 1951 Convention article 1D:

"This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of this Convention."[46]

The primary mandate of UNRWA was to provide assistance in areas of relief health and education for Palestine refugees but has changed over the years according to the shifting developments and circumstances. The opposition to include Palestine refugees within the broader legal protection regime of UNHCR and the 1951 Convention, was widely opposed by Arab states who had a strong belief that the Palestine refugees needed an agency of their own, believing that it would grant superior protection framework.[47]

UNRWA operates within a limited locality providing only assistance to Palestine refugees in Jordan, Syria, the Gaza Strip, Egypt and Lebanon. Once a refugee is outside UNRWA country of operation he/she is not under the mandate of UNRWA. According to definition by UNRWA a Palestine

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[44] Erakat (2014): p. 587
[45] Statues of UNHCR
[46] 1951 Convention relating to the Status of Refugees
[47] Erakat (2014): p. 585

Refuge under its mandate is someone:

"whose normal place of residence was in Mandate Palestine during the period from 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 Arab-Israeli war qualifies as a Palestine refugee, as defined by UNRWA, and is eligible for UNRWA registration. Hence the reference to Palestine refugees, not Palestinian refugees, in UNRWA's name and official documents. The descendants of the original Palestine refugees are also eligible for registration, but only refugees living in one of UNRWA's five fields of operations receive Agency services."[48]

The distinction of UNRWA and UNHCR as well as the principle of non-refoulement becomes relevant in examining the dynamics of the current context as PRS are forced to flee due to circumstance dispersed from their status of Palestine refugees. However this status is influencing the protection they are provided during secondary forced displacement.

2.2. Lebanon's political system

It is relevant to provide a brief account of the political system in Lebanon in order to understand the complexity of the situation as well as it relates to the political response and lack hereof to the when it comes to securing PRS in Lebanon.

2.2.1: Political history of Lebanon

While it is outside the scope of this thesis to account for the French Mandate for Lebanon in the wake of WWI and the partitioning of the Ottoman Empire it shall be mentioned that the French imperial government through its rule and divide technologies, has influenced the current political system of Lebanon by institutionalizing confessional difference in a system of political sectarianism.[49] The current political system of Lebanon is based on a model of power sharing where political and administrative functions are distributed to the major sects. This system is often referred to as a confessional system e.g. traditionally the three ruling positions is distributed as follows; the President: Maronite Christian; the Speaker of Parliament: Shia Muslim; the Prime Minister: Sunni Muslim.[50] This system is meant to ensure balance and corporation amongst the different confessions. When Lebanon gained its independence from the French mandate in 1943 this system was re-established

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[48] UNWRA (2007): p. 5
[49] Mikdashi (2011): pp. 3-4
[50] Krayem: http://ddc.aub.edu.lb/projects/pspa/conflict-resolution.html, accessed July, 2016

through the National Pact – an unwritten agreement between the political elite of Christian Maronites and Sunni Muslim representing respectively Christian and Muslim communities. The agreement consisted of viewing Lebanon:

"as neutral, independent and sovereign entity having an Arab character; that Lebanon should not seek unity with Syria and the Arab world nor having special ties to France in particular or the West in General; and established a confessional formula providing for the representation of Christians and Muslims in a six to five ratio throughout government."[51]

The National pact was based on the last census in Lebanon of 1936 and was supposed to be a temporary arrangement, but ever since political sectarianism has been articulated in different variations[52]. According to the analysis of Mikdashi the political sectarianism is installing an obsession with demography and has to be viewed in accordance with a long Lebanese history of internal and external conflict including: *"a civil war in 1958, a civil war that began in 1975 and ended in 1990, an Israeli occupation that began in 1978 and lasted until 2000, a war with Israel in 2006, and an ominous "mini" civil war in 2008.*[53] Each of these conflicts can be seen in the light of demography and its connection to political sectarianism. Furthermore Mikdashi notes that:

"while the constitution of 1926, the census of 1936, and the national pact of 1943 inspired an obsession with demographic number crunching among sectarian political leaders, the Ta'if Accord tries to allay these fears by stating that even if the sectarian demographic reality has changed (other demographies, such as the economic class structure, have not), all sects have an equal claim and an equal investment in the Lebanese state."[54]

The Taif Accord provided the basis of the ending of the civil war from 1975-1990 in its attempt to provide political normalcy and stability by reproducing the confessional system articulated in the National Pact and (re-) establishing Lebanon as an: *"independent, sovereign, free country and a "fi-*

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[51] Ibid
[52] Mikdashi (2011): p. 6.
[53] Ibid: p. 5
[54] Ibid: p. 4

nal homeland" for all Lebanese".[55]   According to Mikdashi the Taif Accord can be viewed as: *"perpetuating if not violence itself, then at least the omnipresent threat of violence"*[56].

2.2.3. The political system in times of crisis

The confessional system, the obsession with demography and a general present unstable political represented by lengthy transitional processes between governments[57] have also had its influence on the political management of the current refugee crisis. I will not provide a thorough investigation of the response to the influx of Syrian refugees and its relation to political sectarianism as the complexity of this theme would provide material for a thesis on its own. However it is important to note that the management of the crisis has been influenced by and shaped alongside sects and their distinct affiliations to different actors involved in the Syrian conflict. The response to the crisis can be divided into two periods; a first phase of where the crisis was perceived as temporary; following a phase where the protracted reality of the crisis came to influence the policies adapted to managing the phenomenon. This is emphasized in shifting rhetoric's used by President Michel Suleiman. In 2013 he referred to the influx of Syrian refugees as an *"existential crisis"* and then in 2014 changing it an *"existential threat"*.[58] This statement has to be seen in relation to the demography and the stability of the political system in Lebanon.

2.3 Palestine Refugees in Lebanon

The particularity of the Lebanese political is not only contributing in shaping the current refugee situation but has for many years shaped the relationship between Lebanon and Palestine refugees within its territory. Palestine refugees are one of the world's oldest and largest refugee populations and constitute a protracted refugee situation. Palestine refugees have been in Lebanon since 1948 where 104.000 Palestinians crossed the borders to Lebanon.[59] The status of refugees given by Lebanese authorities dates back to 1959 and the creation of Department of Palestinian Refugees Affairs and consequently recognizes Palestine refugees as the ones displaced by the 1948 war and by not later events like 1967 Arab-Israeli war.[60] There are 504.000 registered Palestine Refugees with UNRWA in Lebanon but estimations claim around half of these are no longer in the country and a

[55] Krayem: http://ddc.aub.edu.lb/projects/pspa/conflict-resolution.html, accessed July, 2016
[56] Makdashi (2011): p. 6
[57] Dionigi (2016): p. 11
[58] Ibid. p. 20
[59] Ramadan (2012): p. 66
[60] UNHCR (2016): p. 4

more realistic number is the area of 270.000.[61] Out of these 53 per cent live in 12 recognized Palestinian camps around Lebanon. These camps are overcrowded, have poor infrastructure and frequently experience armed conflicts.[62] According to Ramadan Palestine refugees' stay in Lebanon have been heavily characterized by instability and violence divided into: *"political oppression by the state security services in the 1950s and 1960s, the rise and fall of the Palestine Liberation Organisation (PLO) between 1969 and 1982, the long civil war from 1975 to 1990 in which Palestinian armed factions were heavily involved, and the years of intense marginalisation since 1990."[63]* One of the events leading to this marginalization is the narrative in which Palestinians represented by PLO are blamed for the civil war. Dionigi argues that the:

"The Cairo Agreement of 1969 when the Lebanese authorities acknowledged the status of Palestinian groups operating in Lebanon and granted them the power to control the Palestinian refugee camps in the country. The Cairo Agreement is often considered a key factor in precipitating Lebanon's Civil War (1975) and also the Israeli invasion of 1982."[64]

Even though the Cairo Agreement was abrogated in 1987 the Lebanese Armed Forces still refrain from exercising control in the camps. One of the 12 recognized Palestinian camps is Ein El-Hilweh in Saidon. It was established in 1948 and is the biggest in Lebanon with a population of 80.000 in an area of 1.5 km^2. It's the base for several competing Palestinian political factions and Jihadist groups and is dominated by insecurity and violence, which last became evident in 2015 when fighting broke out between the Fatah Party and Salafist Jund Al-Sham.[65]

Palestine refugees in Lebanon are not only suffering from poor conditions within the camps but also endure lack or denial of basic human rights in term of freedom of movement, access to employment, access to own property, proper housing conditions health care and education.[66]

2.4. PRS in Lebanon: Demography of PRS

Compared to PRL the situation for PRS were different in the way that they enjoyed a greater access to civil, economic, social and cultural rights.[67] Most of the Palestine refugees in Syria resided in the

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[61] Ibid.: p. 2
[62] Ibid.
[63] Ramadan (2012):p. 66
[64] Dionigi (2014): p. 16
[65] UNHCR (2016): p. 23
[66] Ibid.
[67] Erakat (2014): p. 598

greater Damascus area where the Palestinian camp Yarmouk is also located. Lebanon was one of the last countries in the region to close its border to PRS leaving it as one of the only alternatives to staying in Syria.[68] There are approximately 44.000 PRS in Lebanon with an average age of 24.71 and around half of PRS live in one of the 12 camps.[69]

Average age of PRS in Lebanon:
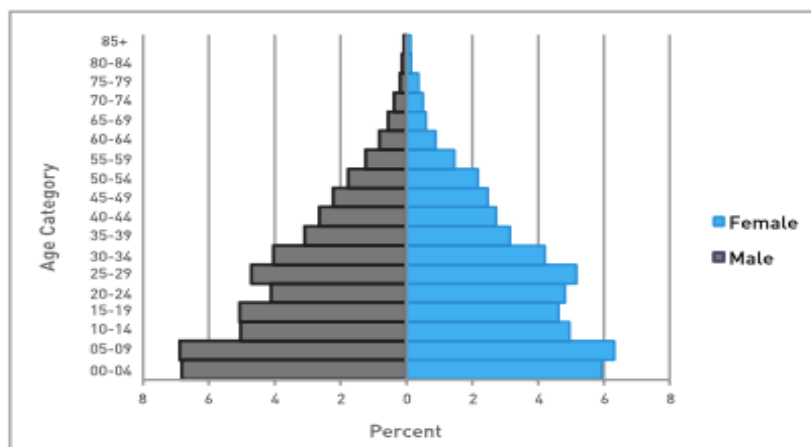
One of the major difficulties facing PRS is lack of legal status; in summer 2014 more than half did not hold a valid visa, this despite the fact that less than 3 % entered Lebanon illegally; indicating that they failed in renewing their visa along the way.[70] The lack of valid documents has implications on freedom of movement and education amongst others. The issue of legal status and visa renewal process will be analysed and accounted for in a later section. Furthermore PRS are facing severe obstacles when it comes to job opportunities combined with high expenditures for food and rent. This can result in coping strategies such as reducing number of meals; borrowing food from friends or relatives; or going whole days without eating.[71] Furthermore UNRWA highlights that the low number of PRS children who are enrolled in schools indicates alarming vulnerability in the area of education.

Sub-conclusion

As a concluding remark to this chapter it is noted that the particular Lebanese variation of confes-

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[68] Dahi(2014)
[69] UNWRA (2015): p. 6
[70] Ibid.
[71] Ibid.

sionalism or power sharing has influenced the response when it comes to crisis management of refugees. However the exile of PRL, residing in the country for 68 years, has also been shaped by and contributed in shaping this particular political system. This has led to a situation of marginalisation and lack of access to human rights for Palestine refugees as well as insecurity within the camps partly broad on by Palestinian Political factions, partly by Lebanese political parties and partly by outside groups infiltrating the camps. This is the environment that PRS encounters. Most of the PRS have sought refuge in Lebanon as other countries have had their borders closed. The contributions in this chapter will be beneficial to keep in mind when further analysing and examining the situation of PRS.

Chapter 3: Analysis

The following analysis will focus on three different levels with equal importance to conceptualising the situation for PRS in Lebanon; the political response; the agencies designated to provide protection for PRS; and the everyday experience of six young PRS. Hence the analysis will follow a framework of *macro-level*, *meso-level* and *micro-level* and their interrelations. It is important to take into account all the different levels as each of them has particular influence on the situation. The three levels are not disjointed but influence each other in a dialectic relationship of response and action.

3.1. Political response

In the following part of the analysis I will focus on the political response to the influx and presence of PRS in Lebanon in terms of; regulations; the authorities designated to manage these regulations and; the broader context of the relationship between the Lebanese authorities and the Palestinian community already residing in Lebanon predating the Syrian conflict. Hence this part of the analysis will focus on regulations, historic context and securitization of the situation. The backbone of this part of the analysis emanates from interviews conducted with Michel Touma, editor in chief at *L'Orient-Le Jour*; Khalil Makkawi, former chairman of *Lebanese Palestinian Dialogue Committee*; an anonymous representative of *Ministry of Interior*; and *PHRO*. The knowledge gained from these interviews and the opinions they express will be examined in light of the theoretical framework and the accounts of PRS informants.

3.1.1. State of emergency

The political situation in Lebanon and the current instability, as accounted for in the section '*The

political system in times of crisis', and the impact of the Syrian conflict in terms of an influx of refugees to Lebanon has created a situation, which can be described as a state of crisis. There are several indicators suggesting that the Lebanese Government has treated the influx of Syrian and Palestine refugees as a particular state of emergency or in Agamben's terminology; *state of exception*. Under this pretext they have adopted ad hoc policies and regulations which in some cases have breached international human rights conventions and international customary law in order to respond to the crisis situation. On the other hand there are also signs revealing that this state of exception is neither new nor temporary but has become more or less a permanent state of rule lasting at least since the end of the civil war. In the following part I will examine how the policies and regulations or lack hereof, regarding the situation of PRS, can be seen as an example of Agamben's term state of exception and in effect reducing PRS to figures or carriers of 'bare life' denied a political existence and legal personality.

3.1.2. Two phases of political response

Makkawi offered a view of the position of the Lebanese Government, which until now can best characterised in terms of lack of policies:

"What is the policy of Lebanon vis-à-vis the refugees? In my mind until now bits and pieces and declarations here and there but no clear visible strategy that Lebanon has taken until now. It is ad hoc arrangements."[72]

This reading of the situation can be further supported by the analysis conducted by Saghieh and Frangieh. They describe the features of the Lebanese policy towards Syrian refugees between 2011-2014 in the following way:

"Lebanese refugee policy in the initial period (2011-early 2014): a policy of hiding its head in the sand coupled with the strengthening of fragmented branches of authority. One of the most important features of Lebanese policy during this period was a policy of ostrich-like denial"[73]

According to the analysis this period is furthermore characterised by attempts of the government to substitute the word *refugee* with the term *displaced person* on any given occasion, resulting in an

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[72] Interview with Khalil Makkawi
[73] Frangieh et. al. (2014)

open border policy and de facto treatment of all refugees as immigrants.[74] This effort can be seen as an attempt to firmly establish the position that Lebanon is not a final destination for refugees or a country of asylum and at the same time discursively downplaying the fear of Syrian refugees constituting a new situation of permanent settlement equivalent to the situation of PRL. The analysis argues that by:

"(...) casting the presence of Syrian refugees on its soil as a state of affairs quite separate from any legal admission of responsibility for their circumstances, needs and protection, thus reserving its right to re-examine the legality of this refugee presence at any time."[75]

Applying the theoretical framework of Agamben to this argument it becomes clear how the Lebanese government through the semantic exercise of reducing de facto refugees to immigrants enforces its sovereign power of declaring a space of exception whereby it at any given time of its choosing can place the refugee outside the normal legal order of things by *reserving its right to re-examine the legality of this refugee presence* and adjusting its policies to the situation. According to Agamben:

"Only the sovereign can decide when the law can be suspended because the sovereign is already the lawgiver, deciding the space in which the rule of law has validity." [76]

In 2014 the new government authorized the first policy paper on the Syrian refugee crisis marking a shift in attitude towards the crisis.[77] The most important elements of the policy paper are included in the LCRP. According to the LCRP the Lebanese government is considering PRS as displaced persons rather than refugees legitimately crossing borders out of fear of persecution or in search of protection. Nor UNHCR includes PRS in their definition of who is considered a refugee according to the LCRP:

"The United Nations characterizes the flight of civilians from Syria as a refugee movement, and considers that most of these Syrians are seeking international protection and are likely to meet the

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[74] Ibid.
[75] Ibid.
[76] Owen (2009): p. 571
[77] Frangieh et. al. (2014)

refugee definition."[78]

The particular wording puts emphasis on Syrian civilians seeking international protection. This particular wording and the fact that it is not including PRS has to be viewed in light of the respective mandates of UNHCR and UNRWA. The compromise of defining people of concern to the LCRP results in a definition where people fleeing Syria are divided into three categories: 1) *displaced persons from Syria including both Lebanese returnees, registered and non-registered Syrian nationals as well as Palestine Refugees*; 2) *persons registered with UNHCR as refugees* and; 3) *de facto refugees*.[79] The policy paper and its incorporation into the LCRP displays a political position on the refugee crisis and is including PRS as a vulnerable group of concern, but it still firmly situates PRS outside the international legal protection regime. The position of the new policy is characterized by seeking to reduce the number of Syrian refugees in the country by; reducing the number of refugees registered with UNHCR; encouraging third countries to offer re-settlement opportunities; revoking the status of displaced person for those who have travelled back and forth between Lebanon and Syria hence being denied re-entry to Lebanon; removing the status of displaced persons from anyone breaking Lebanese law and by only admitting Syrians with the status of displaced person in exceptional humanitarian cases.[80] According to the analysis of Frangieh and Saghieh this policy is characterised as soft power however:

"One of the most important of these "means" is failing to renew residency visas, an approach followed by the General Security by using the "legal deportation" mechanism as we mentioned previously (…)"[81]

Human Rights Watch supports this trend in the report, *'I Just Wanted To Be Treated Like A Person'* showing that 23 out 40 interviewed Syrians were unable to renew their papers with the GSO.[82] One of the consequences of this policy is that refugees are overstaying their visa and ends up staying in Lebanon illegally. The arbitrary enforcement of these procedures is effectively placing the refugees outside the normal legal order of things. This resembles a state of exception where the refugee is reduced to bare life at risk of arrest, detention and deportation. When it comes to PRS they suffer

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[78] LCRP (2015)
[79] Ibid.
[80] Ibid. P. 3
[81] Frangieh et. al. (2014)
[82] HRW (2016): p. 10

even more difficult and opaque regulations in renewing their residency papers or being admitted into the country.[83]

3.1.3. Fear of permanent settlement

When analysing current policies and regulations on refugees and displaced persons it is necessary to examine the historical presence of Palestine refugees in Lebanon and the resentment to permanent settlement, which in particular was articulated following the end of the civil war. This issue is one of few in which Lebanese communities found unprecedented consensus in the post-civil war period.[84] The modification of the preamble to the constitution of September 21, 1990 states that; "*there shall be no segregation of the people on the basis of any type of belonging, and no fragmentation, partition, or settlement of non-Lebanese in Lebanon*"[85], a phrasing that met no opposition from any of the Lebanese factions.[86] The PRL have experienced and suffered from a marginalisation and stigmatization in the post-war years due to a widely shared narrative in which PLO was at large held accountable as the protagonist of the civil war. Furthermore the Lebanese side felt that Western media was uncritically siding with PLO.[87] Finally, the continued existences of Palestinian camps, that after 67 years of existence are spaces resembling permanent settlements, could be argued to have installed a fear among Lebanese policymakers of establishing new refugee camps.

The protracted nature of the Palestinian refugee situation in Lebanon has deeply affected the government's policies towards refugees in general, and most negatively towards PRS. The issue of permanent settlement on Lebanese soil was also raised as an important issue during the interview with Michel Touma. He pointed to the fact that there is nothing in the constitution preventing Palestinian and Syrian refugees from temporary settlement in Lebanon, but that emphasis in the Arab wording, is on the issue of preventing *tawteen*[88], or naturalization of the situation of PRL, which would inevitably result in allocation of a wider set of citizenship rights.[89] The fear of permanent settlement is also influencing the policies and regulation regarding PRS because as Makkawi explained; "*it is always a touchy situation with the Palestinians living in Lebanon because there is*

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[83] Amnesty (2014): p. 5
[84] Khazen (1997)
[85] Preamble to the Lebanese Constitution
[86] Khazen (1997)
[87] Ibid
[88] Tawteen is best translated as nationality
[89] Interview with Michel Touma

always fear that eventually they will end up settling in Lebanon"[90]. The fear has been reinforced with the influx of both PRS and Syrian refugees. Both Makkawi and Touma points to the delicate political equilibrium as a main driver behind this fear. They both argue that giving *tawteen* to PRS as well as PRL would disturb the balance between the sects and alter the demography in favour of the Muslim community, and that this rapid shift in demography could result in a new wave of internal conflicts.[91] This fear of permanent settlement has resulted in a situation where PRL have experienced marginalisation in Lebanon since the 1990s[92], which consequently also influences the situation of PRS. One PRS informant explained that, "*Also from Lebanese people there are discriminations. They do not accept other nationalities*". The marginalisation has been embodied through a string of regulations and policies set out to diminish the rights of Palestinians and de facto preventing a meaningful integration into Lebanese society. These policies are often carried out under a pretext of preserving their right to return in a seemingly effort to hold Israel accountable for the displacement of 1948 refugees.[93] The denial of rights for PRL can further be traced back to 1964 where:

"Palestinians were officially designated as 'Third Category Foreigners', which means that priority is given to Lebanese citizens as well as to foreign workers from Syria and Asia over Palestinians in the labour market."[94]

PRL are experiencing severe lack of civil and political rights, as well as social and economic rights despite the fact that Lebanon is a signatory to both the ICCPR and the ICESR. In addition they are left at the hands of not one sovereign, but a multiple of embodiments of sovereign powers or actors, both political and non-political, designated to manage different spheres of their everyday life; UNRWA for basic needs and assistance; Palestinian factions who are managing security within the camps; and Lebanese authorities who is managing security at the entrance of the camps and being a de facto political sovereign with the power to provide or withhold basic human rights. Lebanese authorities are thus excluding PRL from rights and benefits they should enjoy as residents and at the same time including them as a security threat subjected to strict control and surveillance.[95] This is

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[90] Interview with Khalil Makkawi
[91] Ibid.
[92] Ramadan (2012): p. 66
[93] Doraï (2015)
[94] Kibreab (2003): p. 49
[95] Hanafi (2010): p. 29

the environment that PRS enter, facing many of the same difficulties as their Syrian counterparts, as well as a particular treatment associated with their Palestinian status. This situation was also emphasised during an interview with an employee of an International Organization working in Lebanon in the following phrasing:

"It is staggering to see the level of subsequent displacement and how a group that has been vulnerable and has been considered refugees for 68 years, how because of this initial vulnerability they carry and they have in Syria; Syria was considered stable, they were well-integrated, a lot of them were middle-class, had position within the government or public sphere of Syria, basically they could do everything as Syrians except being elected; so quiet good situation in Syria, but they were still Palestine refugees and there has still not been any just solution to the situation of Palestine refugees and because of this when something happens to the country they were put in a greater vulnerable position as compared to Syrians. And it is cumulative vulnerabilities, so every Syrian refugee is somewhat vulnerable, they have been displaced they have been faced with conflicts, they had to flee their country, but then you add something else on top of it."[96]

This situation could in other words be described as a permanent state of exception where Palestine refugees are reduced to permanent carriers of bare life; stripped of a political existence granted through political rights. Hence in the phrasing of Agamben:

"Here the paradox is that precisely the figure that should have embodied human rights more than any other - namely, the refugee - marked instead the radical crisis of the concept."[97]

However, as I will argue later, we don't need to accept all aspects of the concepts of bare life and state of exception when it comes to PRS especially in examining how they cope with everyday consequences of the policies analysed above. For now it is relevant to establish that PRS are facing differential practices that are related to their status as Palestine refugees and that this latest situation of secondary displacement is experienced as yet another example of injustice.[98] Furthermore the normal durable solutions available to refugees; social integration, repatriation or re-settlement in third

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[96] Interview with International Organization working in Lebanon
[97] Agamben (2000): p.18
[98] This idea was expressed though an interview with an international organisation working in Lebanon

country are not available to PRS.[99] This leaves the PRS at high risk of being reduced to bare life at the hands of the sovereign who holds the power to decide over their life in terms of letting them stay in Lebanon as tourists or not allowing them to renew their residency papers. The PRS are in this perspective resembling Agamben's figure of Homo Sacer; *a person banned from society and denied all rights* who figurative speaking the sovereign can decide to kill but not sacrifice.[100]

3.1.4. Discrepancy in enforcement of regulations

As seen above PRS enters a political landscape consisting of harsh policies in terms of rights withheld from PRL, which will inevitably influence their situation. Furthermore they are treated differently from their Syrian counterparts when it comes to practices relating to both admissions and renewal of residency papers. The following section seeks to analyse these restrictions and their implementation as experienced by the PRS informants. I will show that there are discrepancies between the regulations and their implementation.

Prior to the conflict PRS could enter Lebanon with a regular tourist visa, which was obtained through the embassy in Syria. This is de jure still an option but de facto impossible in a country of armed conflict, and furthermore in order to obtain this form of visa, the Syrian authorities have to authorize an official permission to leave the country. And as one of the interviewees noted, this is not a way that humanitarian cases should obtain entry.[101] Since the beginning of the conflict harder regulations on entry have gradually been set in place in order to curtail the entry of PRS. Before 2013 PRS were allowed to obtain a greater number of authorizations directly at the border from the Lebanese authorities without going through pre-emptive processes (UNRWA). Since 2014 the requirements for PRS entering Lebanon is that:

- they have an entry permit approved by General Security;
- they have a one-year or three-year residency visa;
- they have an exit and return permit;
- they have a valid ticket and visa to a third country, in which case they can get a 24- hour transit permit. (Amnesty)[102]

Furthermore PRS, unlike their Syrian counterparts, does not qualify to be treated as humanitarian

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[99] Owen (2009): p. 571
[100] Owen (2009): p. 573
[101] Interview with International Organisation working in Lebanon
[102] Amnesty (2014)

cases as a way to obtain entry (UNRWA). Amnesty has raised concerns about the entry regulations for PRS and has reported instances of PRS being deported back to Syria in breech with the principle of non-refoulement recognized as a part international customary law. This leaked document[103] issued by the GSO revealed the intention of sending back PRS:

Issued by the airport branch of General Security

To all airlines

Date 3/5/2014

Subject: not allowing the transportation of any traveller who is a Palestinian refugee in Syria

We request that you do not transport any traveller who is a Palestinian refugee in Syria to Lebanon no matter the reason and regardless of the documents or IDs that they hold, under penalty of fining the transporting company in case of non-compliance as well as return of the traveller to where they came from.

[signed by head of airport general security branch for Rafik Hariri airport]

The leaked document prompted the following response from Minister of Interior Nouhad Machnouk:

"There is no decision preventing Palestinian refugees in Syria from entering Lebanon and passing through the country"[104]

The latest report published by UNHCR in 2016 is not highlighting any recent incidents of these kinds of deportations. However my findings reveal arbitrary implementation of regulations as well as discrepancies between the established regulations and their implementation both when it comes to entry and renewal of residency papers. According to a meeting with a representative of Ministry of Interior, PRS can still enter Lebanon and still does so on a regular basis after being screened at the borders by GSO.[105] However according to statistic provided by UNWRA the number of PRS entering Lebanon decreased substantially after 2014.[106]
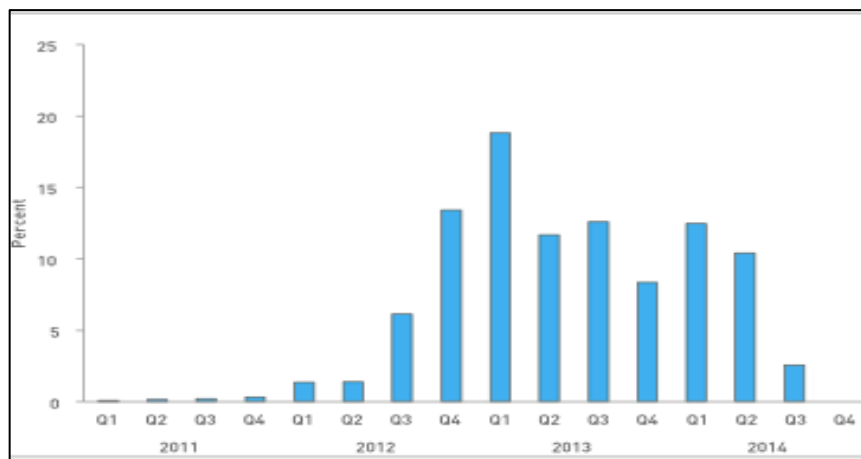
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[103] Amnesty (2014): p. 13
[104] Daily Star (2014)
[105] Interview with representative of Ministry of Interior
[106] UNWRA (2015): p. 10

Number of registered PRS entering Lebanon between 2011-2014

<div align="right">(Source: UNWRA (2015) p. 10)</div>

Furthermore two of the PRS informants had both experienced problems with entering Lebanon; one PRS informant was denied at the border cross point on the Damascus – Lebanon road for no apparent reason but was allowed entry at the border crossing in the North of Lebanon. Another PRS informant had been travelling back and forth between Lebanon and Syria but was refused re-entry to Lebanon on her last trip. This forced her to travel illegally to Lebanon with a taxi driver who bribed the officer working at the border resulting in her staying in Lebanon illegally.[107] It is normal procedure that refugees are no longer considered as such when they travelling back to their country of residency. However in this case PRS are not considered refugees and furthermore the changing policies on what is permissible and what is not leaves PRS in a knowledge vacuum concerning latest regulations. As a result they risk getting trapped on the wrong side of the border. This is yet an example of PRS being reduced to bare life through systematic changes at political and legal level during crisis situations. When the Lebanese Government issued an amnesty or "plea of mercy" in May 2014 calling for PRS staying in Lebanon illegally to regularize their status[108] the PRS informant went to get her situation regularized. During this meeting the officials in charge of renewing her papers seemed very surprised by the fact that she was not able to re-enter Lebanon, as she was not suspected of any criminal activity. Both these experiences shared by the informants' point to an arbitrary and irregular implementation of regulations and circulars.[109] This is further confirmed by a

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[107] Interview with PRS
[108] Amnesty (2014): p. 10
[109] Interview with PRS

report by Amnesty stating that:

"there was a degree of arbitrariness in the enforcement of the restrictions; some Palestinian refugees from Syria were allowed into Lebanon at the discretion of the General Security officer at the border, while others were denied entry."[110]

Since the beginning of the Syrian conflict the regulations regarding renewal of residency has shifted and changed gradually. At the beginning of the conflict an entry visa valid for one week could be changed to a residence permit valid for 3 months, which could be renewed up to fours times. After one year the residence permit could be renewed for up to one year. In the beginning of 2015, GSO issued regulations stating that PRS could renew their residency papers for three months at the time for a fee of 200 dollars. In October 2015, GSO issued new circular stating that PRS can renew their residency papers for three months for free. This circular has consecutively been re-issued every 1,5 months since.[111] This corresponds with the information provided by the representative of Ministry of Interior stating that the normal practice is to renew the residency papers of PRS upon request except in particular circumstances relating to security threats.[112] Furthermore PRS who have previously been issued a deportation order cannot benefit from any renewal or regularization of their documents. However this explanation provided by the representative doesn't correspond to the information provided by several of the PRS informants. One of the informants went to get his papers renewed for the third time, three days prior to our meeting but was refused and is now illegally in Lebanon. He wasn't informed on which grounds his application was denied. Out of 6 informants I have interviewed 2 have legal documents at the time of writing but 6 out of 6 has at one point or another been in Lebanon illegally.[113] This corresponds to numbers provided by UNHCR stating that by mid-2014 more than 50 per cent of PRS did not hold a valid visa for Lebanon.[114] Furthermore the informants share stories about people being arrested and detained as a result of lacking proper papers. One of the informants was detained but not issued with a deportation order upon his release. The broad feeling among the informants is that the process of renewing papers, and whether this process succeeds in the end, depends on the specific mood of the officer in charge.[115] This reveals a situation where PRS are facing opaque policies and are at the mercy of the sovereign embodied in

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[110] Amnesty (2014): p. 10
[111] Interview with International Organisation working in Lebanon
[112] Interview with representative of Ministry of Interior
[113] Interview with PRS
[114] UNHCR (2016): p. 14
[115] Interview with PRS

individual GSO personnel. One of the consequences of being in Lebanon illegally is lack of access to justice and complaint mechanisms. When a person is victim of a crime committed against him/her, the first step in reporting this crime to the police, is to be able to provide valid residency papers or visa. Consequently illegal persons cannot report crimes to the proper authorities.[116] Furthermore the illegal status is putting PRS at risk of being blackmailed, exploited and constrains their freedom of movement.[117] Furthermore the arbitrary and short-term lives of regulations bring reminiscence of a state of exception where the sovereign changes the rules as a response to crisis in effect placing the subject outside the law but still regulated by it.

3.1.5. Securitization

On my way to interview a NGO in the refugee camp Bourj el-Barajneh in Beirut the issue of security was broad to my attention by the taxi driver taking me there. The driver explained me that he was a Shia and that he was surprised that I, as a seemingly Christian, wanted to go to this area of Beirut. He explained that he as a Shia could travel everywhere in Lebanon and that he wasn't afraid. But that Christians and Sunni's never went to this area of Beirut. When he found out that I was going to the Palestinian camp Bourj el-Barajneh he seemed nervous on my behalf. He wanted to make sure that I was meeting someone and tried to persuade me not to go. He was genuinely concerned with my safety. He told me that he would not enter the camp even if paid 1000 dollars. He told me that he was afraid of Al-Nusra, ISIS and Hamas residing in the camp.[118]

The fear described by the taxi driver is not merely a semantic construction successfully implemented by politicians in an attempt to set a discourse on the influx of refugees as a threat to security in order to legitimize its stand on refugees. Moreover this fear stems from real experiences of violence and conflict surrounding the camps and with different protagonists at the centre of each conflict. This history of conflict dates back to the civil war including the sub-conflict of the war of the camps and the massacre on Sabra and Shatila; armed confrontation in Nahr el-bared in 2007 between Fatah Al-Islam and Lebanese Armed Forces resulting in the displacement of 27.000 camp residents[119]; fighting between rival groups in Ein el-Hilweh in the summer of 2015; and latest the terror attack in Bourj el-Barajneh in November 2015.

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[116] Interview with PHRO
[117] Interview with International Organisation working in Lebanon
[118] Observations from field research in the camp Bourj Al-Barajneh
[119] Ramadan (2012): p. 72

One residual effect of the defunct Cairo agreement is an arrangement where Palestinian factions are in charge of security within the camps and Lebanese Armed Forces are exercising control at the entrance of camps.[120] This arrangement has also established a corporation between Lebanese Armed Forces and Palestinian factions e.g. in extraditing criminal suspects in the camps to the Lebanese authorities. Both Makkawi and Touma also raised the issue of security as a dilemma relating to the current refugee situation.[121] Both raised concerns over a spill over effect from the Syrian conflict and pointed to the fact that many different and rival factions are present in the camps and that PRS moving into these camps are at risk of being embedded in the conflict caused by lack of other tangible opportunities. The issue of security was furthermore brought up in an interview with an International Organisation working in Lebanon as a genuine concern for the Lebanese Government, in terms of their ability to control their own territory and ensuring stability of the country.[122]

This is explored by turning to Critical Security Studies and the work of Ole Wæver and the concepts of securitization and societal security. The first concept indicates a way of constructing issues in order for them to be perceived in relation to security. It builds upon the idea that when actors talk about an issue as a threat to security, they can legitimize the use of urgent and rapid means to deal with it. In other words securitization is a "speech act"; if an issue is talked about, as a threat to security and if the actors doing so are successful in convincing the majority of this threat, they can legitimize using extraordinary means that would not otherwise be accepted.[123] The concept of societal security is one of the issues that Wæver argues can be seen in a security context. It emphasises that alternative ideologies and values can be framed as serious threats to the nation's shared values, culture and identity leading to a distinction between "us" and "others". Møller is elaborating on the concept of securitization when it comes to refugees:

"Even though refugees are by definition victims, fleeing acute threats to their personal safety, that is, their 'human security,' they may also constitute security threats to host countries. At the very least, the influx of refugees into a country and the resultant presence of refugee camps on its territory may be discursively 'securitised'"[124]

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[120] Hanafi (2009): p. 13
[121] Interviews with respectively Khalil Makkawi and Michel Touma
[122] Interview with an International Organisation working in Lebanon
[123] Wæver (1995): p. 6
[124] Møller (2015): p. 91

According to Møller any issues relating to refugees can be securitized however, he lists some issues that are reoccurring in undergoing securitization. These include securitization of resources like water, competition over jobs and the societal identity of refugees.[125] All three of these issues have undergone a process of securitization in Lebanon. As shown previously the matter of identity in connection to the political equilibrium is very much linked to a sense of security. Furthermore the LCRP is focusing on the issue of security in connection to other vulnerable groups in Lebanon with a reference to scarce resources and lack of jobs.[126] Lastly the governmental agency designated to deal with the influx of refugees and regulations of these is named The General Directorate of General Security and semantically centres the matter of refugees as a matter of security. I will return to the issue of security and securitization in the last section of the analysis.

3.2. Response from UNRWA

This section will analyse how the particular mandate of UNRWA seeks to provide PRS with protection during secondary forced displacement. Furthermore this section will analyse UNRWA's particular role in Lebanon by using the term '*Phantom Sovereign*' provided by Hanafi. The analysis will be based on an interview conducted with an International Organization working in Lebanon, combined with secondary sources mainly Erakat who has explored the protection gap endured by Palestine refugee during secondary forced displacement. Both Hanafi and Erakat argue that despite the valuable services UNRWA provides it is insufficient to fill the protection gap.[127] Throughout this part of the analysis I will make use of information provided by PRS informants when relevant.

3.2.1. Protection Gap

International protection for refugees normally refers to; *"all activities aimed at obtaining the full respect for the rights of the individuals in accordance with the letter and spirit of the relevant bodies of law (that is, human rights law, international humanitarian law, refugee law)"*[128]. This understanding relates to the framework adapted by UNRWA, which incorporates protection in four components, where two has an external dimension and two has an internal dimension. The four components covers *searching for a durable solution to the plight of Palestinians; working to promote and protect rights of Palestine refugees through monitoring, intervention and reporting; delivering services that promotes and respect rights; and securing that protection is mainstreamed with in its*

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[125] Ibid.: p. 92
[126] LCRP (2015)
[127] Erakat (2014): p. 581
[128] Ibid.: p. 585

programming and service delivery.[129] The protection mandate of UNRWA is fairly newly developed compared to that of UNHCR, which in comparison has protection at the heart of its mandate.[130] UNRWA was not born as an agency designated to seek for durable solutions like UNHCR but rather to provide services to Palestinians in lack of a state to provide these. The mandate of UNRWA can be widened by UNGA resolutions and has been so over time with regards to its protection mandate.[131] However its mandate to seek for durable solutions is much more narrow than the equivalent of UNHCR.[132]. This highlights the disparately treatment of PRS within the international protection regime. Especially during times of secondary forced displacement the lack of re-settlement opportunities for PRS constitutes a wide protection gap. Adding to this some countries provide re-settlement programs outside the framework of UNHCR but in most cases these re-settlement programs doesn't apply to PRS (reference UNRWA). This protection gap does not necessarily reflect the original intentions behind the distinct separation of UNRWA and UNHCR and the specific decision not to include Palestine refugees within the framework of UNHCR. In this sense Article 1D has to be seen as more than just an exclusion clause. Hence Palestine refugees outside UNRWA areas of operation could fall under the mandate of UNHCR but the (often misunderstood) interpretation of Article 1D results in hesitation from third countries to provide for them under the 1951 Convention.[133]

UNRWA's original mandate was to provide relief and services, but has been extended to include protection. UNRWA was created as, and still functions as, a humanitarian organization providing services for Palestinians in need. These services include access to education, health and cash assistance. These services also extend to PRS who falls under the mandate of UNRWA. Furthermore PRS make up a great part of the beneficiaries of UNRWA's protection work in Lebanon because they are in a greater situation of vulnerability.[134] This vulnerability in terms of (lack of) protection is described as being cumulative; if you are not registered with the Lebanese authorities you are at risk of being detained, which affects your mobility and hence the your ability to access services provided by for an example UNRWA.[135] Even though PRS are recorded with UNRWA in Lebanon their registration as Palestine refugees remains with UNRWA in Syria. Consequently, their refugee

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[129] UNWRA (2011): p. 6
[130] Interview with International Organisation working in Lebanon
[131] Ibid.
[132] Hanafi (2009): p. 15
[133] Erakat (2014): p. 7-8
[134] Interview with International Organization working in Lebanon
[135] Interview with International Organization working in Lebanon

status does not follow them during secondary forced displacement. PRS has access to many of the services provided by UNRWA but only to the effect that they avail themselves with UNRWA in Lebanon and only to a certain degree; UNRWA's hospitalization program, is in Lebanon contracted to hospitals and UNRWA then cover the expenses. However if the hospital is public, the hospital can require that the patient present a valid residency document in order to be hospitalized. In these cases UNRWA cannot overturn these decisions. UNRWA also avails its education services to PRS children. The children can follow classes but are not able to participate in national exams and obtain valid certificates. PRS experience a greater instability in their lives due to the fact that their families are split; their official documents are left behind in Syria, and; they move regularly between shelters in Lebanon due to increasing prices of rent. All this adds up to a situation where PRS experience difficulties in accessing services.[136] Furthermore many PRS cannot register marriage due to lack of valid visa, leading them unable to register newly born, which result in children having an illegal status from birth. This leads up to a situation where:

"It progressively puts people in greater and greater complex legal situations. And these complex legal situations are putting people at risk of greater protection vulnerabilities. Because people who are not legal cannot claim protection from the authorities."[137]

These judicial complexities have to be seen in light of the international protection regime and in connection to the restrictions on entry and renewal of residency outlined above. The PRS informants also experience these legal complexities. Out of 6 informants all are registered as Palestine refugees in Syria; 5 of 6 informants are recorded with UNRWA in Lebanon. One informant has intentionally not recorded herself with UNRWA in Lebanon for reasons I return to in the last part of this analysis. The 5 informants recorded with UNRWA in Lebanon are currently not benefitting from services provided by UNRWA.[138] When they first arrived in Lebanon they befitted from financial assistance for rent amounting to 100 US dollars per family. After UNRWA was forced to cancel its cash assistance for housing due to lack of funds, none of the informants have benefitted from any funding or services provided by UNRWA. One PRS informant recounts that:

"From 2014 to 2015 only families with babies got funding. From 2015 to 2016 very small amount

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[136] Ibid.
[137] Ibid.
[138] Interview with PRS

of people got help, some families got 30 dollars per individual but no assistance for rent."[139]

Another informant stated that things are generally easier for Syrians both in relation to finding jobs, renewing residency papers as well Syrian refugees benefit from cash donations from organizations such as *Caritas*. Furthermore the informants raised the issue of education and restrictions on taking exams. One informant was obliged to go to Syria in order to apply for his 9th grade exam but fear of being recruited by the army stopped him from doing so. According to another informant some PRS chose to go back to Syria in order to take their exams. In doing so they had to bribe the GSO but was, despite this arrangement, still rejected from re-entering Lebanon. Finally one informant contacted UNRWA's legal department, when she was denied to renew her residency paper. UNRWA referred her to a lawyer who advised her that the best option was to stay at home. According to this informat UNRWA is very aware of what is going on at the ground, but has its hands tied due to Lebanese policies. This sensitive relationship is also raised through the interview with an International Organization working in Lebanon. One of the ways UNRWA works with protection is through advocacy initiatives targeting the Lebanese authorities and NGO's in which it highlights protection issues and its effects on and connection to human rights issues. Advocacy is often initiated by UNRWA but not necessarily in UNRWA's name because of the sensitive nature of the topics and due to the complexity of region.[140] The approach makes it possible for UNRWA to raise important issues while protecting its space of operation. This should also be seen in light of the control and surveillance of UNRWA by the Lebanese authorities[141]. According to Hanafi the efforts of UNRWA has:

" (...) not been sufficient to get the majority of the Palestinian refugees beyond the threshold of poverty and isolation and to allow their social and economic integration into the Lebanese and the Palestinian societies in the Palestinian territory."[142]

Furthermore according to Erakat the efforts by UNHCR and UNRWA, in the current situation, have not been sufficient to close the protection gap endured by PRS. This is partly due to the lack of corporation between the two agencies in instances of secondary forced displacement. According to

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[139] Interview with PRS
[140] Ibid.
[141] Erakat (2014): p. 599
[142] Hanfi (2009): p. 16

Hanafi the distinctive mandate of UNRWA is a hindrance in promoting any actual changes for Palestine refugees more broadly.[143]

3.2.2 Multiple Sovereigns

The services provided by UNRWA are equivalent to the services provided by states to their citizens.[144] UNRWA is not only in charge of distributing services, but also defines who is eligible to receive their services based on a set of criteria. Furthermore they hold the power to suspend services when they lack funds.[145] Consequently this resembles the relationship between state-citizen. According to UNDP, governance can be defined as:

"(…) exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences"[146]

Hanafi argues that the concept of state sovereignty has developed into including a responsibility to protect in addition to having authority over a given territory.[147] This conjures up a situation in which UNRWA could be analogous to a sovereign power; which leads Hanafi to define UNRWA as a *phantom sovereign*[148]. This phantom sovereign is supposed to make up for the lack of nation state for Palestinians.[149] The perception of UNRWA as a phantom sovereign is further supported by recent demonstrations against UNRWA during its change in hospitalization policy.[150]

UNRWA is not in charge of administering Palestinian refugee camps within its areas of operation, but distributes its services programs inside the camps and has a camp office in each camp. Hence UNRWA is not in charge of law and order inside the camps, which is instead the responsibility of Palestinian factions and Palestinian camp committees. The Lebanese Army Forces guards the entrance to each camp and the Lebanese authorities minister regulations on infrastructure e.g. building restrictions. This marks up a situation of multiple sovereigns with each its distinct provisions to

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[143] Ibid.
[144] UNRWA (2008): p. 4
[145] Ramadan (2012): p. 5-8
[146] Hanafi (2009): p. 5-6
[147] Ibid.
[148] Ibid.
[149] Ramadan (2012): p. 71
[150] Interview with International Organization working in Lebanon

manage and govern the everyday life of Palestine refugees in the camps, in which they consequent-ly;

> *"Forms the conditions that facilitate the use of bio-politics by the host countries and to a lesser ex-tent by UNRWA, because refugees are gathered in a centralized and controlled place where they can be under constant surveillance. (…) This "care, cure, and control" system has transformed refugee camps into disciplinary spaces."[151]*

One of the effects of this 'care, cure and control' system is that the status of Palestine refugees in Lebanon can be seen as subjects reduced to bare life in the sense that they on one hand are individ-uals in need, and on the other hand are individuals having their political existence and/or identity turned into a matter of security. This partly leaves them under surveillance and control of the Leba-nese Army Forces; and partly treats them as humanitarian cases or victims in the hands of, or at the mercy of, agencies like UNRWA. This is also the situation for PRS with the addition of experienc-ing juridical complexities as a consequence of secondary forced displacement and the opaque poli-cies on residency renewal, which force them to stay in Lebanon illegally. Furthermore according to Erakat:

> *"Palestinian refugees endure greater vulnerability because of their symbolic value to the Palestine Question and its resolution. Accordingly, states, agencies, and national polities often treat them as politicized collective bodies at the expense of the humanitarian treatment their condition re-quires."[152]*

This leaves in particular PRS being caught between political objectification and humanitarian vic-timization. However as I will analyse in the following section, the reality told to me by the PRS in-formants offers a different view on the concepts of bare life and the reduction of refugees to homo sacer induced by a state of exception.

3.3. Everyday experiences of PRS

The purpose of the following section is to explore how the conditions and challenges analysed above influence and relates to the everyday life of young PRS in Lebanon. Furthermore this section seeks to provide the people of concern for this thesis with a voice. Consequently this section will be based on interviews and informal conversations carried out with six young Palestine refugees from

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[151] Hanafi (2009): p. 15
[152] Erakat (2014): p. 590

Syria currently living in Lebanon.

3.3.1. Loss of rights during secondary displacement

The informants provided distinct explanations for fleeing Syria but all had the bombing of Yarmouk in common. All of the informants have their families split between Syria, Lebanon and European countries. Four of the informants live in the Palestinian refugee camp Ein el-Hilweh, one live by herself in an apartment in Beirut and one live with his farther in an old office complex in Saidon. The male informants were afraid of being forced to do military service or being recruited by other militant. As established earlier there is a great difference in terms of rights given to Palestine refugees in between Syria and Lebanon.[153] Hence the move from Syria to Lebanon constitutes loss of rights as well as installing feelings of multiple refugeedoms; first living as a Palestine refugee in Syria; then becoming a refugee for a second time in Lebanon while experiencing decrease in rights. This sense of degradation was expressed by several of the informants and was mainly evolved around loosing certain basic rights that they enjoyed in Syria; feelings of harassment on account of their particular Palestinian-Syrian identity; and losing a sense of belonging induced by the distinct structures of the Palestinian refugee camp in Syria vis-à-vis the camp in Lebanon. Harassment and discrimination is raised as an important issue by several of the informants; one informant describes the situation like this:

"The biggest difference between Syria and Lebanon is the amount of rights. In Syria Palestinians have a right to work, education movement. Every right except political. In Lebanon it is totally different. Its like a hierarchy of people with Lebanese, Palestinian Lebanese, Syrian refugees and Palestinian refugees from Syria at the bottom"[154]

The quote above depicts the experience of losing certain rights during secondary forced displacement and furthermore being placed at the bottom of a hierarchy between refugees. Another informant highlights the fact that she in Syria was able to, *"live like a Syrian without feeling like a refugee"*[155]. She describes the camp Yarmouk as an integral part of Damascus with fashion stores and shops and with no clear boundaries between the camp and the neighbouring areas. However when she moved to the Palestinian camp Shatila in Lebanon it was the first time she felt and lived the meaning of being Palestinian and a refugee, causing her to move out in an attempt to refuse the ref-

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[153] Interview with PRS
[154] Interview with PRS
[155] Interview with PRS

ugee category. This experience can be understood by applying Ramadan and his analysis of Palestinian camps in Lebanon as: "*spaces of identity formation and preservation, in which Palestinians survive and reproduce both themselves as a people and their central ambition, to return to Palestine*"[156]. Furthermore according to Ramadan, the camps in Lebanon can be described as; "*security islands' and 'spaces of exception' in which the law is suspended and state sovereignty is ruptured*".[157] This is also a feeling expressed by some of the informants who experience Ein el-Hilweh as particular unsafe and outside the law. Several of the informants are hesitant to go out at night and are only moving in the areas of the camp, which they deem to be safe enough. One informant, who is living at the outskirts of Ein el-Hilweh, expresses a feeling of living with the military at the doorsteps, pointing to the securitization of their situation. Another informant describes Ein el-Hilweh in the following way:

"There are security checks every time you go in and out of the camp. Depending on the person, I can go out, otherwise I can get arrested. It is not a good place to live. The situation inside the camp is like a forest – the strong eat the week and my voice is never heard. It's like a prison – can't go out until all papers are checked. One time Lebanese army checked all residence paper – if you have no papers you go to jail."[158]

This informant is in Lebanon illegally and his statement describes living conditions that can be characterized as dehumanizing. In terms of Agamben, this informant can be seen as being reduced to bare life stripped of a voice and not only at the hand of the Lebanese army controlling his movement in and out of the camp but also facing multiple actors with in the camp hence the phrasing: *it is like a forest*. Furthermore this description correlates to Owen's account for Agambens notion bare life as: *humans as animals in nature without political freedom*[159]. One could speculate that due to the Palestinian identity of the camp some of the informants would have expected to feel a greater sense of belonging. However as one informant poignantly puts it, "*after four yeas in the camp I am still not use to life here.*"[160] Several of the informants also describe feelings of psychological distress, one informant faints on a regular basis, another sleeps most of the day and a third is afraid to wake up to face another day of uncertainty. Furthermore several of the informants emphasises diffi-

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[156] Ramadan (2012): p. 67
[157] Ibid.
[158] Interview with PRS
[159] Owen (2009): p. 567
[160] Interview with PRS

culties in finding jobs, which according to their statements are easier for Syrians, and describe growing tensions between them and PRL due to lack of recourses, re-distribution of aid and a general tendency of overcrowdedness in the camps. All this conjures up a situation of marginalisation and feelings of otherness. However, as I will argue below their situation should not be analysed in a fashion that merely reduces them to *mute victims* in lack of control over their own situation. On the contrary I will analyse some of the strategies they deploy in order to make sense of their situation and to regain control over different aspects of their lives.

3.3.2. Speechless emissaries

In the previous I have shown how PRS are at risk of being reduced to bare life through a state of exception firmly placing them outside the legal order of things. This state of exception is not only implemented by a single state sovereign, but by a multiple set of embodiments of sovereigns. However when analysing the situation and everyday life of PRS at the hand of these multiple sovereigns it becomes useful to apply the concept of speechless emissaries provided by Malkki.[161] This concept can be used to understand how refugees are reduced not only to bare life but also become mute victims robbed of the capacity to speak out on their specific situation. In the following I will argue that while this in some instances can be evident, there are on the other hand several examples of the informants creating their own voice and refusing to be silenced.

Previous sections have dealt with issues of being illegal and how it in effect can lead to reducing movement. UNRWA and UNHCR reports on this issue list the lack of regular papers as one of the big vulnerabilities and limiting movement as a coping strategy. In these reports the PRS are being depicted in a vocabulary of vulnerability and risks and there is no focus on the more creative coping strategies also used by PRS. On the question of what it means to be illegal one of the informants replied that it was normal and that it was the case for many PRS. When asked if this in any way discouraged her from travelling the answer was in many ways different from the one found in the several reports made by humanitarian agencies. The informant didn't let her illegal status keep from travelling from Saidon to Lebanon on a regular basis. Instead she found alternative ways to move: either going with friends to make her feel safer or simply going out of the car and walk around check points to reduce the risk of being arrested. On one trip she was stopped at a check point and on this occasion she told the officers checking her documents that she was working with human

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[161] Malkki (1996)

rights resulting in them letting her pass and offering her an apology.[162] When the issue of security and control at the entrance of Ein el-Hilweh came up, including the fear of being detained due to irregular papers, the informants explained that they have a system set in place where they use WhatsApp. In this way they can notify each other when there is strict security at one entrance leaving them the chance to use other entrances to the camp. The point being made here, is that there are multiple set of creative coping strategies used by the informants in order to cope with their situation. These strategies are often not recognized by the humanitarian interventions set in place to provide them with relief and protection. The effect is that they are silencing the refugees they are set out to help and consequently producing what a refugee is. It is unquestionable that many PRS most likely are limiting their movement as a coping strategy to being illegal, however by only depicting this as the main strategy a whole group of people are being ignored – people whose stories could contribute to broadening the concept of what it means to be a refugee and hence help carve out alternative solutions to their challenges.

Malkki points not only at humanitarian agencies in creating the speechless emissaries but also to mass medias tendencies to depict the refugee not as an individual with a particular story or characteristics but rather as a: "*miserable sea of humanity*".[163] Reading through various UN and NGO publications for this thesis it is noticeable how many women and children are used as visual representation of the refugee. According to Malkki the:

"*sentimentalized, composite figure at once feminine and maternal, childlike and innocent is an image that we use to cut across cultural and political difference, when our intention is to address the very heart of our humanity.*"[164]

When men are depicted in these publications it is either in a mass of other people or in situations of disparity. However a quick browse through the Facebook profiles of the informants shows other more diverse and mundane stories. Here there are pictures of birthday parties, friends and other everyday life scenarios.[165] This is not to argue that humanitarian agencies are not doing tremendous efforts and they clearly have their reasons for producing this image of the refugee; one reason being

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[162] Interview with PRS
[163] Malkki (1996): pp. 386-388
[164] Ibid.: p. 388
[165] Observation during an interview with PRS where we shared pictures in Facebook

struggle for limited funding. However when reducing the refugee to a singularity something is lost in translation. The poignant effect of silencing the refugees is a situation in which refugees in order to receive help must seem helpless and in this helplessness acquires someone to speak out on their behalf or in other words; in order to meet the criteria for benefitting from humanitarian intervention one must also perform the figure of the refugee.[166] However the concept of speechless emissaries provided by Malkki also seems to be insufficient in this case. The informants insist on speaking and on being seen as other than mute victims and refugees and furthermore they interact with the human rights systems set in place to help them.

3.3.3. The Band

One of the informants has taken the initiative to start a band consisting of young PRS. The activities of the band consists of performances where they sing Palestinian folksongs, dance the Dabke and puts on theatre plays acting out stories from their own life and the effects of secondary forced displacement. Three of the informants interviewed were part of the band. When asked what the best thing about the band is, one informant put it this way:

> *"The friendship is the best thing. In Syria we were refugees. When we came to Lebanon we were refugees. Instead of joining a political party or violence, we have this."*[167]

This statement shows that for him the band provides an opportunity of being recognized as something more than a refugee and that the band provides a sense of belonging and community. Another informant recounts a similar explanation in which the band provides an alternative to the violent and insecure climate of the camp:

> *"People need her* (the leader of the band), *need activities like this. No joining political parties, where they will not hold weapons in a young age."*[168]

This statement points to the fact that these young men feel at risk of being dragged into political conflicts in the camps. One informant describes the leader of the band as their mother who takes care of them in lack of their own families. Though besides providing a sense of belonging and community, the band also provides the young PRS with a voice and an opportunity to share their own specific stories. On one occasion the band performed at the cornice of Beirut; bringing their

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[166] Malkki (1996): p. 388
[167] Interview with PRS
[168] Ibid.

stories to a typical Lebanese landmark. In one sense this can be understood using Ramadan who argues that with in the camps a certain kind of reproduction of Palestine identity takes place; in lack of a home country the camp becomes a representation of Palestine:

"The cultural and political activities of Palestinians in the camps stress that liminality and struggle are better than defeat and accepting the present as permanent. Being an active Palestinian instead of a passive and placeless refugee therefore becomes a source of strength, and makes people part of a political constituency that is concentrated and reproduced in the camps."[169]

However the activities of the band gofurther than reproducing Palestinian values and identity in a framework of the camp because the band is not only insisting on sharing their stories as Palestine refugees in Lebanon, but rather their particular stories of being refugees for a second time. Not only does the band share their stories in the camps, it also shares it with Lebanese people and tourists in the streets of Beirut as well as with the local community in the municipality of Saidon. This also goes against Malkki's concept of the speechless emissaries because the band demands a voice and refuses to be silenced. The band can in this way be analysed as a creative coping strategy when facing displacement and otherness. Even though each of the members of the band has experienced being reduced to bare life in Agamben's terms as a collective, they create a political voice and identity for themselves. As Owen phrase it on her criticism of Agamben:

"But the politics emerging out of these actions is based on the transcendence of bare life not its celebration. It is based on a demonstration of people's desire to grant each other rights and to destroy the effort of the sovereign state to destroy their right to have rights: that is, 'to live in a framework where one is judged by one's actions and opinions"[170]

3.3.4. Refusing to be a refugee
One informant used a very particular coping strategy in dealing with secondary forced displacement namely refusing to be considered a refugee. When I first met her it was in the offices of an NGO where one of the employees functioned as a translator. During the interview he interfered on several occasions, in order to translate her statements to a human rights vocabulary. After the meeting I contacted her through Facebook with a feeling that she had more to share. After writing back and forth we arranged for a second meeting in a café in Beirut. During this meeting it turned out that she

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[169] Ramadan (2012): p. 73
[170] Owen (2009). P. 578

was fully capable of expressing herself in English. I asked her why we needed the translator during the first meeting and she explains that she was insecure of my intentions with the interview and didn't want to be seen as a refugee. Applying Malkki this can be understood as she is denying being seen as a helpless victim who needs someone to speak for her.[171] She decided to meet with me a second time because as she stated: *"I want to speak my mind. Really I want to speak."* This correlates to Malkki's notion that humanitarian interventions risk leading to silencing of refugees because they focus on a particular way of being refugee.[172] As she saw the organization in which we met, and me as representatives of these humanitarian interventions reducing her to a refugee or victim to be helped or studied, she was hesitant to speak her mind. However on our second meeting we talked for nearly three hours and she shared her whole story with me. One of the issues that will be emphasized here is the fact that she clearly refused to be reduced to a singular identity of being a refugee. For the same reasons she is not recorded with UNRWA in Lebanon, but rely on savings to get by. After the bombing of Yarmouk forced her to leave her home, she was travelling back and forth between Syria and Lebanon when the situation allowed it. When the policies on entry changed in 2014 she was forced to stay in Lebanon. Instead of seeing this displacement as merely an obstacle, she sees it as an opportunity to change her situation:

"I don't think of myself as a refugee. I don't want to be refugee. I don't want that feeling for me or my children and I don't want to marry a refugee."[173]

For the same reasons she moved out of the Palestinian Shatila after having lived there for only a week:

"When I start living here in Beirut I go to Shatila. I was thinking; I finished from Yarmouk camp, I finished being a refugee in Syria, I don't want to be a refugee for another time. That's why I move out of Shatila. I don't want to live as a refugee as a last time in my life."[174]

It is not easy to cast of the category of being a refugee and the sense of marginalization. And in the case of this informant she struggles with a dual Palestinian-Syrian identity equally bringing connotations of refugeedom and displacement. On one hand her Syrian accent is an obstacle in claiming recognitions as something more than a refugee and this accent results in discrimination from men

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[171] Malkki (1996): p. 388
[172] Ibid.
[173] Interview with PRS
[174] Ibid.

who perceives her as vulnerable. As she confided in me, *"The Lebanese only see me as a center of attention and a sex object".[175]* On the other hand she has, according to herself, typical Palestinian eyes, which results in other Palestinian viewing her as being part of a particular refugee community with a shared story. During the interview she described a situation of not belonging to the Lebanese society and at the same time feels like an outsider in the Palestinian community. When asked what she would describe as home she is not hesitant to say Palestine. But she is insisting that the only solution for her is to get another nationality so she can be able to travel, work and realize her dreams. One of these dreams is to open a NGO working with Syrian refugees. She feels that she can help them due to her own experience as a refugee. In this way the informant is not completely refusing her identity as a refugee, but acknowledges her own experience as something that can be used to benefit others. In this perspective refugeedom is a matter of becoming:

"True mature refugeness, then, entailed a cumulative process embedded in history and experience"[176]

The coping strategies use by this informant is clearly insisting on the fact, that she is more than just a Syrian and Palestinian refugee and claims a right to speak and to denounce this category. When I asked her if I could use her name in the report she stated that: *"I didn't choose this situation, the situation chose me."[177]*

What have been shown above is that there are communalities in the particular challenges facing PRS, though they meet these challenges with different, and in some ways creative, coping mechanisms. These coping mechanisms differ from the image of the refugee being produced by humanitarian interventions. In order to get a better understanding of the situation that refugees a faced with we need to see through *the sea of miserable humanity[178]* and listen to the particular stories and experiences of the individual. As Malkki notes:

"Even people who fled originally from the same place can, and often do, dome to define the meaning of refugee status differently, depending on the specific lived circumstances of their exile."[179]

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[175] Journal from PRS
[176] Malkki (1996): p. 381
[177] Interview with PRS
[178] Malkki (1996): p. 377
[179] Malkki (1996): p. 380

Concluding remarks

This thesis commenced by providing a theoretical backdrop and establishes itself within a broader research framework from which the dynamics of secondary forced displacement as experienced by PRS are analysed. The dynamics covered are complex and all influence the individual PRS in different ways. However the thesis concludes that PRS are facing complex legal situations enhanced by arbitrary enforcement of regulations. Furthermore PRS are subjects to not only one sovereign, with power to manage their existence, but a multiple of sovereigns; each governing specific spheres of the everyday life of PRS. Adding to this gloomy picture the specific history of Lebanon in relation to its Palestinian diaspora and the particularity on the Lebanese political system, which installs an obsession with demography, it conjures up a situation resembling Agamben's concepts of a *state of exception,* which in some instances reduce PRS to *bare life* and the figure of *homo sacer.* Furthermore according to Malkki the humanitarian interventions set out to aid refugees often have the effect of silencing the refugee; producing the refugee as a *mute victim*. However the PRS informants interviewed for this thesis attributed to this dire image by diversifying and challenging the theoretical framework. They are not merely mute victims or reduced to bare life; rather they are claiming a voice and provide themselves with political agency through creative and innovative coping strategies. When this is said, many of them also experience tremendous hardship in adjusting to life in Lebanon. This thesis didn't set out to claim that their situation is worse than that of their Syrian counterparts. However, they are facing a different treatment and experiences which in large is due to their status as Palestine refugees.

One event that happened recently poignantly points to the despair and distress facing many PRS during secondary forced displacement. On June 22 2016 the Palestinian-Syrian dancer and *'Arabs Got Talent'* winner Hassan Rabeh committed suicide in Hamra, Beirut by jumping from a building.[180] In a suicide note posted on Facebook he wrote: "*down with the Islamic State group, down with the Assad regime, down with Israel, down with all sects and parties and down with all regimes.*"[181]

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[180] The Guardian (2016)
[181] The New Arab (2016)

References

Primary Sources

Al-Jana Organization, Hachim Khady, Personal Interview, 6 June 2016

Dan Church Aid, anonymous, Personal Interview, Beirut, 27 May 2016

International Organisation working in Lebanon, anonymous, "Interview with International Organisation Working in Lebanon", Personal Interview, Beirut, 25 May 2016

Former Chairman of Lebanese Palestinian Dialogue Committee Khalil Makkawi, "Interview with Makkawi", Personal Interview, 1 June 2016

L'Orient Le-Jour, Michel Touma, "Interview with Touma", Personal Interview, Beirut, 31 May 2016

Palestinian Human Right Organizarion, Rami, "Interview with PRHO", Personal Interview, Mar Elias, Beirut, 6 May 2016

PRS, 1 informant, " Interview with PRS", Personal Interview, Mar Elias Beirut 6 May 2016

PRS, 3 informants, "Interview with PRS", Group Interview, Mar Elias, Beirut, 24 May 2016

PRS, 4 informants, "Interview with PRS", Group Interview, Saidon, 4 June 2016

PRS, Journal, " Journal from PRS", received on 28 May 2016

PRS, 1 informant, "Interview with PRS", Personal Interview, Mar Mikhail, Beirut, 6 June 2016

Representative of Ministry of Interior, Anonymous, "Interview with representative of Ministry of Interior", Personal Interview, 4 June 2016

Secondary sources

Agamben, G (2005), *'State of exception'* The University of Chicago Press, Chicago and London

Agamben, G (2000) *'Means Without End: Noted on politics'* University of Minnesota Press

Agamben, G *'We Refugees'* (1995), 'Symposium: A Quarterly Journal in Modern Literatures' Volume 49, Issue 2

Amnesty International *'Denied Refuge; Palestinians from Syria Seeking Safety in Lebanon'* (2014)

Dahi, O *'Syrian Refugees and the Regional Crisis'* (2014), The Carnegie Endowment for International Peace Regional Insight Report, 30 December 2014.

Dionigi, F, *'The Syrian refugee crisis in Lebanon'*, LSE Middle East Centre, February 2016.

Dorai, K *'Palestinian refugees and the current Syrian conflict; From settled refugees to stateless asylum seekers'*, (Allegra Lab 2015), available at http://allegralaboratory.net/palestinian-refugees-and-the-current-syrian-conflict-from-settled-refugees-to-stateless-asylum-seekers/ (last visited July, 2016)

Erakat, N *'Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement'* (2014), *International Journal of Refugee Law*, 2014, Vol. 26, No. 4, 581–621

Goodwin-Gill, S. G.; McAdam, J (2007) *'The Refugee in International Law',* Oxford University Press

Government of Lebanon and the United Nations *'Lebanon Crisis Response Plan 2015-16'*, 15 December 2015.

Hanafi, S *'Governing Palestinian Refugee Camps in the Arab East: Governmentalities in Search of Legitimacy'*(2010), Working Paper Series #1, October 2010

Human Rights Watch *'"I Just Wanted to be Treated like a Person" How Lebanon's Residency Rules Facilitate Abuse of Syrian Refugees'* (2016)

Khazen, F *'Permanent Settlement of Palestinians in Lebanon: A Recipe for Conflict'* (1997), Journal of Refugee Studies Vol. 10, No. 3

Kibreab, G *' Citizenship Rights and Repatriation of Refugees'* (2003), 'The International Migration Review', Vol. 37, No. 1 (Spring, 2003), pp. 24-73

Krayem, H *'The Lebanese Civil War and The Taif Agreement'*

Lévi Strauss, C (1962) *'From: The Savage Mind'* University of Chicago Press.

Malkki, L *'Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization'* (1996), Cultural Anthropology, Vol. 11, No. 3, pp. 377-404

Mikdashi, M (2011) *'What is Political Sectarianism'*, available at http://www.jadaliyya.com/pages/index/1008/what-is-political-sectarianism (last visited July, 2016)

Møller, B (2015) *'Refugees, Prisoners and Camps'* Palgrave Macmillan

'New entry rules for Palestinians from Syria' (Daily Star, 2014), available at http://www.dailystar.com.lb/News/Lebanon-News/2014/May-09/255811-machnouk-new-entry-rules-for-palestinians-from-syria.ashx (last visited July, 2016)

Owens, P *'Reclaiming 'bare life': against Agamben on refugees'* (2009), International Relations 23 pp. 567–82

Ramadan, A *'Spatialising the refugee camp'* (2012), Transactions of the Institute of British Geographers, p. 65–77

Saghieh, N; Frangieh, G *'The most important features of Lebanese policy towards the issue of Syrian refugees: From hiding its head in the sand to "soft power"'* (2014), Legal Agenda Issue No. 24.

'Syrians mourn the refugee star dancer who was driven to suicide' (The Guardian 2016), available at https://www.theguardian.com/world/2016/jun/25/despair-killed-teacher-dancer-tv-star-refugee (last visited July, 2016)

'Troubled Syrian 'refugee dancer' commits suicide in Beirut' (The New Arab 2016), available at https://www.alaraby.co.uk/english/blog/2016/6/23/troubled-palestinian-syrian-refugee-dancer-commits-suicide-in-beirut (last visited July, 2016)

United Nations *'Universal Decleration of Human Rights'* (1948)

UNHCR *'The Situation of Palestinian Refugees in Lebanon'* (2016)

UNHCR *'Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status'* (2011)

UNHCR *'Statute of the Office of the United Nations High Commissioner for Refugees'* (2010a)

UNHCR *'Convention and Protocol relationg to the Status of Refugees'* (2010b)

UNWRA *'Profiling the vulnerability of palestine refugees from syria living in lebanon'* (2015)

UNWRA *'Outline of protection initiatives'* (2010)

UNWRA *'What protection means for UNRWA in concept and practice'* (2008)

UNWRA 'The United Nations and Palestinian Refugees' (2007)

Wæver, Ole 'Securitization and Desecuritization' (1995), 'On Security', Columbia University Press, 1995. p. 46-87.

3 RP: Regional Refugee and Resilience Plan (2015), available at http://www.3rpsyriacrisis.org/ (last visited July, 2016)