PROMOTING AND PROTECTING HOUSING, LAND AND PROPERTY RIGHTS OF SYRIAN REFUGEES LIVING IN LEBANON
MARCH 2021
The United Nations Human Settlements Programme (UN-Habitat) is the United Nations agency for human settlements. It is mandated by the United Nations General Assembly to promote socially and environmentally sustainable towns and cities with the goal of providing adequate shelter for all. UN-Habitat’s programmes are designed to help policymakers and local communities get to grips with human settlements and urban issues and find workable, lasting solutions.

FOR MORE INFORMATION:

UN-Habitat Headquarters
P.O. Box 30030, Nairobi 00100, Kenya
Tel.: +254 20 762 3120
Fax: +254 20 762 3477
Email: infohabitat@unhabitat.org
Website: www.unhabitat.org

UN-Habitat Regional Office for the Arab States (ROAS)
87 Housing and Building Research Centre; Tahreer Street, 9th floor, Dokki, Giza, Egypt
Tel.: +20 2 37618812
Website: www.unhabitat.org/arab-states-region

UN-Habitat Lebanon Country Programme
UN House, 5th Floor, Riad El Solh, Beirut, Lebanon
Tel.: +961 1 978000
Email: unhabitat-lebanon@un.org
Website: www.unhabitat.org/lebanon
DISCLAIMER

This report has been produced as the first component of a two-part research project titled “Housing, Land and Property (HLP) Rights Challenges Faced in Syria by Refugees Currently Living in Lebanon – Humanitarian Response,” undertaken by the United Nations Human Settlements Programme (UN-Habitat) and funded by Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ). The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning delimitation of its frontiers or boundaries, or regarding its economic system or degree of development. The analysis, conclusions and recommendations of this publication do not necessarily reflect the views of GIZ or of UN-Habitat or its Governing Council.

CREDITS AND ACKNOWLEDGEMENTS

UN-Habitat Regional Office for Arab States

UN-Habitat Lebanon Country Programme

The UN-Habitat Lebanon Country Programme gratefully acknowledges the support of Basmeh & Zeitooneh Relief & Development NGO in facilitating the focus group discussions held in the Bekaa, Lebanon, as part of this research.


COPYRIGHT © 2021 UN-Habitat. All rights reserved.

COVER PHOTO: © UN-Habitat (2016)
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>List of abbreviations and acronyms</td>
<td>4</td>
</tr>
<tr>
<td>Introduction</td>
<td>5</td>
</tr>
<tr>
<td>Objective</td>
<td>6</td>
</tr>
<tr>
<td>The current HLP context in Syria</td>
<td>6</td>
</tr>
<tr>
<td>The current HLP context in Lebanon</td>
<td>11</td>
</tr>
<tr>
<td>Recommendations</td>
<td>13</td>
</tr>
<tr>
<td>References</td>
<td>20</td>
</tr>
</tbody>
</table>

© UN-Habitat (2017)
# LIST OF ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CoI</td>
<td>Commission of Inquiry</td>
</tr>
<tr>
<td>COVID-19</td>
<td>Coronavirus disease 2019</td>
</tr>
<tr>
<td>FGD</td>
<td>Focus group discussion</td>
</tr>
<tr>
<td>GoL</td>
<td>Government of Lebanon</td>
</tr>
<tr>
<td>GoS</td>
<td>Government of Syria</td>
</tr>
<tr>
<td>GSO</td>
<td>General Security Office</td>
</tr>
<tr>
<td>HDC</td>
<td>Higher Defense Council in Lebanon</td>
</tr>
<tr>
<td>HLP</td>
<td>Housing, land and property</td>
</tr>
<tr>
<td>HNO</td>
<td>Humanitarian Needs Overview</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally displaced person</td>
</tr>
<tr>
<td>INGO</td>
<td>International non-governmental organization</td>
</tr>
<tr>
<td>ITSs</td>
<td>Informal tented settlements</td>
</tr>
<tr>
<td>KII</td>
<td>Key informant interview</td>
</tr>
<tr>
<td>RPW</td>
<td>Refugees Protection Watch</td>
</tr>
<tr>
<td>SARC</td>
<td>Syrian Arab Red Crescent</td>
</tr>
<tr>
<td>SAWA</td>
<td>SAWA for Development and Aid</td>
</tr>
<tr>
<td>Syria Trust</td>
<td>Syria Trust for Development</td>
</tr>
<tr>
<td>UN-Habitat</td>
<td>United Nations Human Settlements Programme</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
</tr>
<tr>
<td>UN OCHA</td>
<td>United Nations Office for the Coordination of Humanitarian Affairs</td>
</tr>
<tr>
<td>VASyR</td>
<td>Vulnerability Assessment of Syrian Refugees in Lebanon</td>
</tr>
<tr>
<td>WFP</td>
<td>World Food Programme</td>
</tr>
<tr>
<td>WILPF</td>
<td>Women’s International League for Peace and Freedom</td>
</tr>
</tbody>
</table>
The conflict in Syria is continuing ever since 2011 and the Syrian refugee crisis remains the largest ongoing refugee and displacement crisis in the world. In the foreseeable future, there are no signs of achieving sustainable solutions for Syrian refugees in Lebanon, which was hosting not less than 865,000 registered refugees, as of the end of December 2020 (UNHCR, 2021).

Focus group discussions (FGDs) conducted by the United Nations Human Settlements Programme (UN-Habitat) in December 2020 indicated that Syrian refugees in Lebanon are very concerned with their housing, land and property (HLP) rights in Syria. Such concerns arise from the loss of HLP and civil documentation, multiple forms of secondary property occupation, lack of trustworthy and efficient mechanisms to recover and protect their HLP rights in their areas of origin, new urban development projects taking place in Syria, and the recent Syrian legislation hindering their HLP rights, among others.

Furthermore, the findings demonstrate that HLP issues are critical and inextricably tied to many aspects of the lives of Syrian refugees, such as personal safety, justice and identity. They consider secure HLP rights as a prerequisite for accessing health, education and basic services, as well as for earning a living in Lebanon and eventually for returning to Syria.

Moreover, the vulnerability of Syrian refugees in Lebanon is compounded by the fast-deteriorating economic and security situation in the country, the 4 August 2020 Beirut Port explosion, and the ongoing COVID-19 pandemic, which are also impacting the livelihood of vulnerable Lebanese communities.
The overall objective of this policy brief is to outline a set of recommendations geared towards preserving the HLP rights of Syrian refugees living in Lebanon back in Syria. These recommendations take into account the current HLP setting in both Syria and Lebanon. They are based on the key findings of a joint 2017 survey by UN-Habitat and the Office of the United Nations High Commissioner for Refugees (UNHCR) with Syrian refugees from Homs City living in Lebanon (UN-Habitat and UNHCR, 2019) as well as on the outcomes of FGDs in selected refugee communities and key informant interviews (KIIs) conducted by UN-Habitat in 2020 on the HLP challenges faced by Syrian refugees in Lebanon. The recommendations in this policy brief are addressed to the international community, government authorities, humanitarian and development actors, and donors.

In line with the surveys undertaken by UNHCR (2021), the FGDs held in 2020 showed that almost all Syrian refugees in Lebanon reported that they would prefer to return to Syria, provided that their safety is ensured and that the recovery of their properties is possible.

The lack of significant improvement to the security situation in Syria currently rules out this option for most refugees. The high level of destruction reported by the World Bank in 2017, which estimated that almost 20 per cent of Syria’s buildings were damaged or destroyed (World Bank, 2017), affecting around 80 per cent of the refugees from Aleppo and Rural Damascus living in Lebanon (UN-Habitat Lebanon, 2021), remains a serious challenge to the return of Syrian refugees and to their ability to recover their properties. According to the Humanitarian Needs Overview (HNO), the number of people in need for shelter in Syria increased from 2.3 million to 4.7 million between 2016 and 2019 (UN OCHA, 2019).

---

1 Eight FGDs with a total of 80 Syrian refugees living in Lebanon, in addition to 12 KIIs were conducted in 2020 as part of the data collection for this project. For more information and analysis of the findings of the FGDs and KIIs, see UN-Habitat Lebanon (2021).

2 UNHCR’s surveys on return intentions and perceptions in Lebanon, done since 2017, indicated that, on average, 86 per cent of the Syrian refugees in Lebanon express an ultimate intention to repatriate to their home country (UNHCR, 2021).
The 2019 HNO report confirmed that Syria remains in a protracted protection crisis, with civilians exposed to multiple protection risks related to ongoing hostilities in many parts of the country, dire conditions in sites and collective shelters hosting internally displaced persons (IDPs), and the depletion of socioeconomic resources triggering harmful coping strategies (e.g. child labour and early marriage).

The lack or loss of civil documentation, so common throughout areas affected by hostilities and displacement, constitutes an additional barrier to the likelihood of refugees and IDPs claiming their HLP rights. Lack of civil documentation also leads to restrictions on freedom of movement and access to services in Syria and in the host countries (UN OCHA, 2019).

Nevertheless, HLP issues existed in Syria even before the war, with many people relying on customary arrangements and living in informal settlements. Moreover, HLP records were often incomplete, incorrect, out-of-date, inadequately registered, and of dubious legal status.

Women were further disadvantaged by the widespread practice of registering land and property under the names of their male relatives, resulting in only 10 per cent of Syrian women owning properties in their name (UN-Habitat Lebanon, 2021).

The impediments to protecting Syrian refugees’ HLP rights and to ensuring property restitution go beyond the lack of HLP documents or the capacity to verify ownership in courts. The most pressing challenges highlighted during the FGDs included, among others, the following: property destruction, confiscation and blacklisting by the government, non-recognition of documents in courts, forgery of documents by secondary occupants, lack of legal and financial assistance for property recovery, contamination of land and/or property by explosives, incapacity to return, and security concerns.

On 22 September 2020, the Chair of the United Nations Commission of Inquiry (CoI) on the Syrian Arab Republic stated that “no factor will be more important for healing internal divisions and rebuilding trust at the local level than how the government deals with issues of housing, land, and property rights” (RPW, 2020, p. 32).

The establishment of legal certainty around property rights in Syria is not only a Syrian national interest but also an international priority, as it will affect the future of peace and development in the world at large.

In previous years, the Government of Syria (GoS), with the support of UNHCR, has significantly streamlined and eased some of the procedures through which Syrian refugees can obtain civil documentation and registration,
such as the issuance of a replacement for lost or destroyed documents and the exemption from late registration fines (UNHCR, 2015). However, no progress has been reported so far by the GoS in addressing the lack of land and property registration in informal settlements, the secondary occupation issue, the widespread forgery of property deeds (and of other documents), and the numerous cases of seizing of private property by the state to allow for new construction projects and urban development.

**HLP ISSUES FACED BY SYRIAN REFUGEES BACK IN SYRIA**

- Inadequate HLP records
  - Lack or loss of HLP and civil documentation

- Discriminatory practices towards women's and other vulnerable groups' HLP rights

- High level of property destruction

- Property confiscation for new urban development projects

- Secondary occupation

- Forgery of property deeds (and of other documents)

- Limited awareness and information on HLP issues

- Lack of efficient mechanisms for property recovery

- Lack of legal and financial assistance for property recovery

- New restrictive HLP legislation

- Contamination of land and/or property by explosives

- Inability to return
Furthermore, owing to the reduced administrative capacity of specialized offices and the mandated halt of real estate transactions in opposition-held regions, property registrations have stalled throughout the war.

Based on analysis in a related recent report (UN-Habitat Lebanon, 2021), the majority of Syrian refugees in Lebanon are aware of the current physical condition of their property back in Syria; however, they lack accurate and trustworthy information about their property tenure arrangements (e.g. formal, informal, lease agreements, etc.) and the related legal consequences.

Refugees are mostly unfamiliar with the processes and mechanisms in place to safeguard their property rights in Syria, as well as the significance of various property documentation and ordered civil papers to restore their property.

Additionally, they are unaware of how the new laws enacted after the outbreak of the Syria crisis may affect their HLP rights, as well as the administrative and judicial procedures under the Syrian law for property restitution and compensation.

The Syrian legal framework related to HLP issues continues to be burdened by restrictive laws and decrees, such as the recent urban planning law, the regulation on the security clearance for property dispossession and property-related power of attorney, in addition to the seizing of property for terrorism charges and the non-performance of military service, among others. FGD participants also reported frequent seizing of HLP and personal identification papers at checkpoints in Syria, raising concerns about the intention of the GoS to enable return and provide the conditions for HLP restitution to displaced persons.

The processing of HLP claims is an expensive and lengthy process, and many Syrian refugees do not know how to approach courts to seek justice for their HLP rights in Syria. Furthermore, the judiciary in Syria remains fragmented and partial, and unprepared to handle mass HLP claims for returning refugees.

With the limited prospect for peace in Syria, as envisaged by the United Nations Security Council Resolution 2254 of 2015 (United Nations Security Council, 2015), and the stifling sanctions impacting the Syrian
economy, the reconstruction in the country has stalled – apart from a few reconstruction projects undertaken by the GoS in designated development zones, which, according to the German Institute for International and Security Affairs, are designed to alter the demography, generally to the detriment of groups perceived as poorer and less loyal (Asseburg, 2020).

International organizations’ access to populations in need is restricted by the GoS (Asseburg, 2020). In order to carry out activities in Syria, international actors must cooperate with Syrian ministries, the Syrian Arab Red Crescent (SARC) and non-governmental organizations (NGOs), like the Syria Trust for Development, which is accredited by the GoS (Asseburg, 2020). Currently, UNHCR does not have any system in place to monitor and ensure safe, voluntary and dignified return, in line with the international standards outlined in UNHCR protection thresholds (RPW, 2020). UNHCR is also not organizing voluntary repatriation programmes for Syrian refugees (UNHCR, 2021).

---

8 Imposed by the United States, European Union and the Arab League, but not by the United Nations.
9 Since October 2018, legal aid inside Syria has been restricted to a few organizations sponsored by the GoS, such as Syria Trust for Development and SARC by decision of the Syrian Ministry of Labor and Social Affairs.
The results from the FGDs conducted by UN-Habitat in 2020 indicated that Syrian refugees in Lebanon are facing several issues of major concern. Emerging conditions in the host country – such as the deep economic and financial crisis since late 2019, the COVID-19 pandemic, and the 4 August 2020 Beirut Port explosion – have exacerbated pre-existing vulnerabilities of Syrian refugees, along with those of other population groups. Challenges include access to adequate shelter, to legal residency, to civil documentation and to livelihood opportunities, among others.

Moreover, the majority of FGD participants described difficult living conditions, lack of freedom of movement, social tensions and segregation, family separation, challenges in obtaining humanitarian aid and accessing education, recurrent forced evictions, violent assaults, discrimination, and violation of other fundamental human rights.

With respect to **access to adequate shelter**, the insecurity of Syrian refugees in Lebanon got exacerbated in the aftermath of multiple attacks on the informal tented settlements (ITSs) many of them reside in and tensions with local communities. Refugees have also become more
prone to eviction either by landlords or local authorities. According to the Vulnerability Assessment of Syrian Refugees in Lebanon (VASyR) of 2020, 19 per cent of the households that moved in the 12 months prior to the assessment did so because they were evicted (3 per cent of all surveyed Syrian refugee households) (UNHCR, UNICEF and WFP, 2021). Inability to pay rent was the most cited reason for those evicted (86 per cent), followed by evictions due to measures implemented locally in the context of COVID-19 (7 per cent). Moreover, 5 per cent of households were living under an eviction notice, the majority of which (82 per cent) were expected to leave within the month following the assessment. For almost all households under eviction notice, the notices were issued by the landlord (UNHCR, UNICEF and WFP, 2021). Furthermore, since the first half of 2019, there has been an increase in collective evictions by local authorities and host communities linked to environmental considerations, mostly related to the Litani River (GoL and United Nations, 2020).

Shelter conditions have not improved from 2019; 58 per cent of surveyed Syrian refugee households were living in shelters that were overcrowded, did not meet humanitarian standards, or were in danger of collapse. Nearly 32 per cent of Syrian refugee households were living in shelter conditions below humanitarian standards and an additional 11 per cent were living in dangerous conditions. Almost one third of households continued to live in overcrowded conditions (less than 4.5 m²/person) (UNHCR, UNICEF and WFP, 2021).

Obtaining legal residency and civil documentation in Lebanon remains a serious challenge for Syrian refugees. The lack of legal residency adds to their vulnerability and restricts their freedom of movement, as they fear being arrested or even deported if they cross checkpoints. In order to update civil records or fulfil administrative and legal requirements to protect HLP rights back in Syria, Syrian refugees must be able to go to the Syrian Embassy in Lebanon. Rates of legal residency continued to decline in 2020, with only 20 per cent of individuals above the age of 15 holding legal residency permits (compared to 22 per cent in 2019 and 27 per cent in 2018). The most notable decrease was in Beirut, where rates of legal residency were at 34 per cent in 2019 but dropped to 21 per cent in 2020 (UNHCR, UNICEF...
and WFP, 2021). Being rejected by the General Security Office (GSO), including facing inconsistent practices, was the most commonly cited reason (33 per cent) for lack of legal residency, followed by the inability to obtain a sponsor or pay residency fees (26 per cent), with the latter being slightly more commonly cited by men as compared to women. Limitations of the existing regulations covering unrenewable and expired residency or missing ID documents were cited by 12 per cent of those lacking legal residency. Of surveyed household members, 11 per cent stated personal reluctance and discouragement as the reason for not having legal residency. This can be explained by the distrust towards Lebanese authorities, the inability to afford renewal, municipalities’ travel restrictions due to COVID-19, and roadblocks resulting from protests (ALEF, 2020).

As for the access of Syrian refugees to livelihood opportunities in Lebanon, 39 per cent of the working-age individuals were unemployed in 2020 (compared to 31 per cent in 2019), with a lower employment to population ratio for women (14 per cent) compared to men (74 per cent) (UNHCR, UNICEF and WFP, 2021).

Access of Syrian refugees to livelihood opportunities in Lebanon has become even more difficult with the deterioration of the economic and financial situation in the country, which has increased the demand for already scarce jobs and resources, resulting in 89 per cent of Syrian refugees living under the extreme poverty line in 2020, compared to 55 per cent in 2019 (UNHCR, UNICEF and WFP, 2021).

The following recommendations are intended to inform the international community, government authorities, national humanitarian and development actors, and donors on how to prioritize assistance, responses and interventions to 1) address Syrian refugees’ HLP issues in Syria as a foundation for social reconciliation and to facilitate voluntary, safe and dignified return of refugees and IDPs to Syria, and 2) enhance the resilience of Syrian refugees in Lebanon. It is imperative that these recommendations are implemented via multi-stakeholder, inclusive processes, which include a broad spectrum of relevant Syrian actors. Displaced persons and refugees – both men and women from different age groups – should play an active role and even lead some of these discussions. The Syrian society’s ethnic, religious, socioeconomic and geographical diversity must be reflected in these processes. State and
non-state actors, civil society organizations, land and HLP experts, and practitioners from a variety of land-related disciplines, representatives from various state institutions and organizations, academia, and national and international experts must all be able to express their views and needs and must collaborate for designing solutions that do no harm and benefit everyone, including those most in need. This is necessary not only for guaranteeing the efficacy of the measures put in place, but also for ensuring that the various segments of the Syrian society trust the processes.

5.1 **Recommendations to promote and protect the HLP rights of Syrian refugees to their properties in Syria**

To promote and protect Syrian refugees’ HLP rights to their properties in Syria, **Syrian refugees should receive accurate and impartial information about the HLP situation** in their areas of origin, including the status of their properties, as well as information on administrative or legal issues that may affect their HLP rights. Syrian refugees in Lebanon, particularly women, **should be informed on the need of maintaining ordered civil records and supported in acquiring civil documents** in Syria or Lebanon, as well as updating their civil records. Furthermore, they **need to be assisted in safeguarding their HLP documents** as well as other records that can be used to substantiate future ownership claims (e.g. water and electricity bills). Particular efforts are needed to target and include women, as their names are often omitted from property documents. Moreover, **refugees should be encouraged to take an active role in defending their HLP rights in Syria**. This includes retrieving and safeguarding any documents or copies of documents that they or their relatives may still possess, and filing property claims before Syrian courts and other state authorities with the assistance of relatives in Syria or of a property lawyer in Syria to whom they can send a power of attorney, among other means.

**The protection of HLP documentation should be facilitated** by collaborating with Syrian institutions on the refurbishment or reconstruction of registration offices, by assisting with the digitization of records and the development of digital archives, and by reissuing lost or damaged HLP documents, while ensuring that the process does not formalize HLP violations discriminating against refugees. Collecting and storing a larger variety of supporting evidence that can be used in courts and in mass transitional justice systems should also be encouraged, in line with some initiatives being undertaken by UN-Habitat and its partners.\(^{13}\) On the long term, Syria’s land registration system will need to be modernized, reformed and generally improved. Syrian refugees and civil society actors

---

\(^{13}\) Such initiatives include but are not limited to mapping of HLP claims using the Social Tenure Domain Model tool: https://stdm.gltn.net/.
should be supported in their efforts to continue documenting HLP rights violations. Such a reform process provides an excellent chance to take tangible steps to ensure that women in Syria have equal property rights. This can include removing legal, financial and cultural barriers that prevent women from obtaining full property rights on an equal footing with men, increasing women’s participation in land and HLP-related processes and decision-making structures, promoting joint marital property, enforcing inheritance laws and combating inheritance renunciation practices, and improving women’s access to justice and credit.

Legal and financial assistance tailored to the HLP needs of Syrian refugees should be provided in Lebanon, especially for women, and a system should be established to act as an intermediary between refugees and relevant HLP institutions in Syria and Lebanon. This would enable refugees to retrieve/update their HLP and civil documents from Syria via the Syrian Embassy in Beirut, which should be adequately capacitated to support Syrian refugees.

The international community and competent national actors should exert pressure on and assist the GoS in repealing or amending HLP legislation and regulations enacted in Syria since the onset of the war that obstruct Syrian refugees’ HLP rights and discriminate against refugees and displaced people. Statutes of limitation on restitution and compensation claims should be simplified, and norms governing the documentary proofs required to establish ownership for HLP restitution, particularly
evidence related to informal settlements and severely affected areas, should be revised and expanded. Other non-HLP statutes that impinge on HLP rights, such as the Counter-Terrorism Law and the Military Service Law, as amended – and several others – should be repealed or revised.

**The court system’s reform and modernization should be promoted** in order to strengthen its general capacity to respond to the needs of women and men in a just and independent manner and, in particular, to handle the legal difficulties confronting refugees. Capacity-building for justice administrators on international human rights law is necessary not only to ensure the resolution of HLP issues in general, but especially to sustain restitution programmes and transitional justice mechanisms. A large number of national lawyers, judges and mediators will be required. Further, it is recommended to **develop the capacity of Syrian jurists** through twinning arrangements or special training missions by specialized United Nations agencies, NGOs or partners with extensive experience in technical matters relating to post-conflict property restitution and compensation and familiarity with international legal guarantees of property rights.

Even with reforms, the existing legal framework and judiciary are insufficient to address the severity of HLP challenges confronting displaced Syrians, in terms of both complexity and volume. In the short-to-medium term, **alternative and transitional measures will need to be implemented**. In the absence of a comprehensive peace accord in Syria, the development of a system capable of dealing with massive property restoration and compensation claims, such as the creation of an independent administrative or quasi-judicial committee, should be promoted. The committee will need to operate within a broader transitional justice framework and be tailored on the anticipated number of claims and on the Syrian state’s and institutions’ general capacity. This will be critical in ensuring fair redress for all victims of property rights violations, regardless of the kind of tenure (formal, informal or customary). **Maximum caution should be exercised to ensure that displaced Syrians are not discriminated against** or negatively impacted by the alternative and transitional justice procedures. To guarantee that their needs and constraints are appropriately addressed, it is necessary to ensure their active participation and collaboration in the establishment of these mechanisms.

**A large-scale restitution programme will need to be established.** This will require the development of the necessary political, technical and financial structures, and the enactment of a special restitution statute, designed by national jurists with the assistance of international specialists, as well as an accompanying set of operational guidelines. **The collection and preservation of HLP documents and other supporting evidence must be emphasized** as a critical component of the reparation programme, but also
as a stand-alone activity. Numerous state and non-state actors, including UN-Habitat, have begun to engage in this direction; however, additional coordination, alignment and consolidation efforts in the months and years ahead will be needed in this regard.

**Appropriate mechanisms for dealing with secondary occupation of properties will need to be established**, safeguarding the rights of rightful owners, tenants or users, while also meeting the needs of secondary occupiers who may be without alternative shelter opportunities. **Further violations of HLP rights will need to be prevented** by creating an inventory of abandoned properties to monitor and discourage new secondary occupation, managing secondary occupation processes involving IDPs who lack alternative shelter options, and revising adverse possession rules.

When a political solution to the conflict will be reached, **support and provision of funding for reconstruction in Syria will be needed as well as extended stabilization assistance to Syrian refugees in Lebanon** who voluntarily return to Syria. This will allow Syrian refugees and IDPs to rehabilitate their damaged houses in Syria, or to find alternative safe shelter in the country. Finally, **local civil society initiatives realizing small-scale property rehabilitation projects will need to be supported** to allow refugees to have a degree of ownership in Syria.

In the meantime, additional critical issues, existing since prior to the conflict, will need to be addressed by the Syrian authorities in the medium to long term: providing affordable and adequate housing, formalizing informal settlements, improving the land registration system, ensuring gender equality – de jure and de facto – in the enjoyment of HLP rights, and reforming the legal land framework to ensure compliance with international standards.

### 5.2 Recommendations to improve the living conditions and the HLP situation of Syrian refugees in Lebanon

The illegal status of Syrian refugees in Lebanon restricts their mobility as well as their access to basic services, shelter, the Syrian Embassy, and competent Lebanese authorities (such as the courts and offices of notaries public) responsible for processing their civil and HLP documents, among others. UNHCR has designated Syrian refugees’ access to legal status in Lebanon as an urgent protection priority for 2021. Thus, **the process of obtaining a residence permit in Lebanon should be expedited** by simplifying requirements, processes and a cost waiver (or reduction), as well as by providing legal information to refugees. Furthermore, UNHCR
should resume the registration of refugees. Legal residency not only entitles refugees to freedom of movement in Lebanon, to access to basic services, and to civil documentation (UNHCR, 2021), but it also enables the registration of civil events involving Syrian refugees in Lebanon (such as birth, marriage and death), which should be streamlined, simplified and made more accessible, by facilitating Syrian refugees’ access to the Foreign Registry established by the Personal Status Department under the Lebanese Ministry of Interior and Municipalities in 2018, among others.

To allow refugees to pay the expenses of upgrading their civil status and fulfilling some of the costly legal requirements related to the protection of their HLP rights in Syria, Syrian refugees in Lebanon should be supported in accessing livelihoods and income-generating opportunities, particularly female heads of households, with assistance by the international community. In addition, Syrian refugees in Lebanon should be provided with physical and legal protection, particularly in matters of rental law, to prevent local landowners from exploiting refugee housing needs, and to provide refugees with the same adequate standards of living and legal protection as Lebanese citizens, specifically with regard to legal protection against forced eviction and housing safety conditions.15

14 In May 2015, in an attempt to reduce the official number of refugees in Lebanon – which by March 2015 had grown to almost 1.2 million – the GoL instructed UNHCR to cease the registration of Syrian refugees in Lebanon (Jammy, 2018). The registration of Syrian refugees with UNHCR grants them protection and legal status in Lebanon. Once registered, refugees are acknowledged by the GoL and cannot be deported to Syria.

15 In 2019, there was a dramatic increase in emergency response needs in informal settlements.
Violations of Syrian refugees’ fundamental human rights, particularly the right to safe shelter, and any discrimination against them by authorities or local populations, should be prevented or condemned, while holding perpetrators accountable. Syrian refugees should be granted access to Lebanese courts and other official authorities to seek protection and redress in disputes relating to work arrangements, residency and lease in Lebanon. Barriers to their access to the judicial system, most notably due to the requirement of legal residency in Lebanon, should be removed (UN-Habitat, 2018), and measures to address the deficiencies of Lebanese courts in meeting Syrian refugees’ needs should be implemented.

following particularly the harsh climate events of the 2018/2019 winter, major fires, and a government decision in spring 2019 to enforce dismantlement of illegal hard structures in informal settlements in certain areas (GoL and United Nations, 2020).

16 “Over the past year, Lebanon has gained considerable international media attention for its cruel treatment of Syrian refugees; including deportation, eviction, labour exploitation, legal exclusion, and lack of provision of basic services” (Mhaissen and Nasser-Eddin, 2020, p. 6).

17 Judicial agreements between Syria and Lebanon grant Syrian nationals the right to have recourse to courts and obtain judicial aid in Lebanon, provided that they are legally present in the country. Even if they could go to court, refugees lack documentation, meaning that their access is prohibited. Thus, due to lack of legal status, access to court may be denied in case of a dispute – irrespective of the outcome of eventual judicial decisions (i.e. who wins the case). Furthermore, complaining at police stations could result in the arrest of refugees if they are staying in the country illegally (UN-Habitat and UNHCR, 2018).
REFERENCES


