

Devlet Güvenliği ve Mülteciler: Lübnan Hükûmeti Tarafından “Tercihler Hiyerarşisi”nin İşlevselleştirilmesi

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Öz

Bu makale, mültecilerle ve “mülteci militanların/teröristleri” kapsayan güvenlik uygulamalarıyla ilgili tartışmalara katkıda bulunmayı amaçlamaktadır. Bu çalışma, radikalleşmiş veya gönüllü ya da gayriihtiyari şekilde militan gruplara katılmış Suriyeli mültecilerle ilgili tartışmaları mültecilere ev sahipliği yapan bir ülke olarak Lübnan’ın güvenlik çabaları çerçevesinde değerlendirmektedir. Yine bu makalede mülteci iken terör eylemlerine karşı Suriyeli mültecilerle ilgili Lübnan Hükûmetinin BM Mülteciler Yüksek Komiserliğinin “tercihler hiyerarşisi” kararlarını işlevselleştirerek uyguladığı çeşitli tedbirler tespit edilmeye çalışılmıştır. Makalede; (i) terörün ev sahibi ülkeler üzerindeki etkisine ve bu ülkelerin mülteci hakları ile güvenlik amaçlı terörle mücadele çabalarını uzlaştırmada yaşanan ikilemlere yönelik farkındalığın artırılması; (ii) Lübnan tarafından bu bağlamda gerçekleştirilen hususi politikaları ve müdahaleleri göstermek; ve (iii) bu konuda iç politik zorluklarla boğuşup bir de fazla sayıda mülteci barındırdıkları için sorunun yükünü taşıyan Orta Doğu ülkelerinde daha çok araştırma yapılması gerektiğini göstermek hedeflenmiştir. Bu araştırmanın sonucunda; Lübnan’ın radikalleşme konusunu daha kapsamlı bir şekilde ele alması gerektiği, bilim adamlarının Doğu Akdeniz’deki ev sahibi devletlerin deneyimleri ışığında “tercihler hiyerarşi”ni yeniden ele almaları gerektiği ve mülteci yerleşimlerinde; devlet egemenliği, uluslararası güvenlik ve mültecilerin koruması konularını teminat altına almak üzere terörizmle mücadele bağlamında bir dizi tercih çerçevesi geliştirilmesi gerektiği dile getirilmiştir.

Anahtar Kelimeler

Mültecilerin Radikalleşmesi • Mülteci Radikalleşmesi • “Tercihler Hiyerarşisi” • DAES • El Nusra Cephesi • Suriyeli mülteciler • Lübnan • Lübnan Silahlı Kuvvetleri • Mülteci hakları • Devlet egemenliği

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State Security and Refugees: Operationalizing the “Ladder of Options” by the Government of Lebanon

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Abstract

This article attempts to contribute to the debate around the study of refugees and the security implications involving “refugee militants/terrorists.” It situates the debate within the context of Syrian refugees who have been radicalized or have voluntarily or involuntarily joined militant groups and Lebanon’s subsequent response policy as a host country. It tries to identify the various measures employed by the Government of Lebanon through the operationalization of the UN High Commissioner for Refugees “Ladder of Options” in managing security related issues involving Syrian refugees-turned-terrorists. It intends to (i) raise awareness of the impact of terrorism on host countries and their dilemmas in reconciling refugee rights and counter-terrorism for security reasons; and (ii) illustrate specific policies and interventions made by Lebanon in this regard; and (iii) call for further studies on the subject in Middle Eastern countries grappling with internal political challenges at the same time as they are experiencing the huge burden of many refugees. The research suggests that Lebanon needs to address the issue of radicalization in a more comprehensive manner and that scholars need to re-examine the “Ladder of Options” in light of Levantine host States’ experiences and to develop a ladder of options framework for combating terrorism in post-emergency refugee settlements to safeguard State sovereignty, international security and refugee protection.

Keywords

Radicalization of refugees • Refugee Radicalization • “Ladder of Options” • ISIS • Al-Nusra Front • Syrian refugees • Lebanon • Lebanese Armed Forces • Refugee rights • State sovereignty

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The Syrian war has generated a colossal and widespread humanitarian crisis, particularly in the Levant states, including Lebanon, Jordan and Turkey. The direct threat posed by the spill-over of the Syrian conflict and recruitment of Syrian refugees² by the Jabhat al-Nusra (JAN) and the Islamic State of Iraq and the Levant (ISIS/ or Islamic State of Iraq and Syria (ISIS), also known as Daesh, is one of the strongest links between forced migration, conflict, and terrorism. This link is evident in the case of Syrian refugees in Lebanon (The Civil Society Knowledge Centre, 2017).

Over two million registered and un-registered refugees have entered Lebanon as a consequence of the war in Syria. Syrian refugees settled with families or friends but, with the prolonged crisis, they have resorted to rented accommodations, or shared apartments with other families, and in ‘Informal Tented Settlements’ due to Lebanon’s history with the Palestinian refugees, the government is wary of formal camp arrangements and has used government policy to formally forbid them (International Labour Organization Regional Office for the Arab States, 2014, p. 8). Lebanon has the highest per-capita number of refugees, and it is the largest host of Syrian refugees in proportion to its resident population; according to the UN High Commissioner for Refugees (UNHCR), as of April 3, 2014, the number of registered Syrian refugees reached more than 1.1 million (Agence France Presse, 2014), and in January 31, 2016, the World Bank stated that the number of registered Syrian refugees in Lebanon represents 24.5 percent of the total Lebanese population (World Bank, 2016). This forced migration has had a tremendous impact on Lebanon in general and on its national security in particular, and has consequently securitized migration into Lebanon especially from Syria. Additionally, the growing cost of the Syrian conflict to Lebanon’s economy and stability has so far exceeded the extent of the international relief assistance provided. According to the International Institute of Finance (IIF), due to the Syrian refugee influx and crisis, the Lebanese “economy aggregate [an] output losses at \$17.1 billion between 2011 and 2014, which is equivalent to 8.9% of the country’s cumulative GDP during that period.” (Chronicle of the Middle East & North Africa Fanack, 2016).

There are various destabilizing factors in Lebanon that are affecting the vulnerability of the Syrian refugees including but not limited to challenges to internal political strife, political and national unity during periods of regional unrests, cross-border incidents, corruption, unemployment, and regional disparity. In addition to the large Palestinian refugee population³ which faces acute socioeconomic conditions, legal barriers, and internal conflict, and Hezbollah’s self-proclaimed deterrence policy and weighty military arsenal, as well as its overt military involvement in Syria on behalf

2 Syrian refugees are not seen as “refugees” by the government, but as “displaced” people. Lebanon is not a signatory of the 1951 Refugee Convention. The United Nations High Commissioner for Refugees (UNHCR) serves as the “guardian” of the 1951 Convention and its 1967 Protocol. Lebanon is an executive member of the UNHCR and has therefore relied on it to deal with the Syrian displaced seeking refuge in Lebanon.

3 According to UNHCR (2016, p. 2), there are currently “over 504,000 Palestine Refugees registered by UN-RWA in Lebanon.”

of the Syrian and Iranian regimes. Furthermore, sectarian politics, political division, and regional alignment have prevented the Lebanese government from formulating a unified, timely, and consistent policy response toward the legal and illegal Syrian refugees influx in general and towards the threats posed by ISIS, JAN, and radicalized population in particular.

In 2014, radical armed groups associated with ISIS and the JAN began attacking Lebanon through a series of assaults on Lebanese and Syrian communities in the Bekaa which led to the engagement of the Lebanese Armed Forces with these groups.

Tackling pressing internal issues and grappling with the needs and implications of the Syrian refugee crisis, Lebanon should strive to go beyond the immediate response to refugees and nationals becoming radicalized to employ “Governance Line of Effort” which includes “improving the Political Opportunity Structure” through the development and administration of three campaigns: “Political Reform, economic reform, and social reform.” (Dergham, 2016). Without such comprehensive effort, Lebanon will continue to be weak in facing political, economic, and security challenges.

It is important to state at the onset of this article that we are not subscribers to generalized statements that assume that all refugees are radicalized or would be radicalized. In fact, most refugees are victims of violence perpetrated by states, radical groups, traffickers, and xenophobes. The language used should not be understood as applied to all refugees or that implied that those accused of radicalization⁴ or terrorist acts represent all the refugee population.

Security Threat and Radicalization

In August 2, 2014 marked the first overt operation involving Syrian refugees along the JAN and the ISIS in Aarsal, a village on the eastern borders of Lebanon and Syria.⁵ Aarsal, a Sunni-majority border town in the Bekaa Valley, which hosted thousands of refugees,⁶ was the battleground for a fight between the Lebanese Armed Forces (LAF) and the JAN and ISIS. Two days after the ensue of the combat, Army Commander General Jean Kahwagi declared, in a rare press conference, that the attacks were premeditated, well planned and well executed “evidenced by the

4 Radicalization is “the process of committing to political or religious ideologies that espouse change through violence.” (Sude, Stebbins, & Weiland, 2015).

5 The Lebanese-Syrian border, which is approximately 365 km long, has never been fully demarcated on the ground. The notoriously porous border is a source of contention between Lebanon and Syria for two primary reasons: First, the poorly defined border is conducive to Syrian incursions into Lebanon, and second, the no-man’s land of the border region is a breeding ground for the smuggling of arms and persons and a source of terrorism (New Opinion Workshop & Lebanon Renaissance Foundation, 2011).

6 About 118,000 Syrian refugees were in the Baalbek-El Hermel governorate and the town of Aarsal in Baalbek-El Hermel has the highest concentration of any municipality in Lebanon with some 39,300 registered refugees (Nerguizian, 2017).

swiftness of the terrorists in surrounding bases and taking captives.” (“Kahwagi: Arsal attack,” 2014). According to the Lebanese Army Headquarters – Directorate of Orientation’s statements an unknown number of Syrian refugees were mobilized in support of the militants and that tens of Syrian refugees were suspected or accused of being members of radical groups (Abou Zeid, 2014). During hostilities, the army was faced with an uncanny situation having to deal with armed civilians who have become a security threat, namely some of the Syrian refugees, and had to ascertain a proper rule of engagement (ROE), as such The ROE “will have to be carefully tailored to the situation at hand, providing for an equitable balance between effective force protection and safeguarding the civilian population.” (Schmitt, 2004, p. 520).

Kahwagi said that the attackers were chiefly foreigners who were collaborating “with people planted inside refugee camps.” (“Kahwagi: Arsal attack,” 2014). Kahwagi “called for settling the issue inside refugee camps, as well as the regions hosting them, in order to prevent such locations from becoming a pool for terrorism.” (“Kahwagi: Arsal attack,” 2014). This “collaboration” led to “an increased perception among the Lebanese public of a link between security and migration.” (Tholens, 2017).

ISIS’ suicide bombings in Beirut’s southern suburbs in November 2015, which occurred simultaneously with the attack on Paris, marked the capital’s deadliest terrorist attack in more than a decade. Investigation records show that ISIS foot soldiers “Emni” were also sent to Lebanon. Emni is a branch of ISIS; it is a combination of an internal police force and an external operations branch, dedicated to exporting terror abroad (Callimachi, 2016).

Host countries such as Jordan, Lebanon, and Turkey, as well as asylum countries in Europe have acknowledged the infiltration of ISIS and other jihadist groups into Syrian refugee communities. In November 2015, Turkey admitted to arresting eight ISIS members who had posed as refugees (Tuttle, 2015). In Lebanon in 2015, Lebanese Education Minister Elias Bou Saab said he fears ISIS radicals make up at least 2-3% of the 1.1 million Syrians...20,000-30,000.” (Blanchard, 2015) living in settlements across Lebanon.

Although the publically known number of Syrian refugees turned jihadists is small so far, for the most part, these are not militants who have returned from fighting in Syria, but rather refugees turned radicals.⁷ Their presence among non-radicalized refugees has raised alarms in the intelligence community and among the host communities in Lebanon and in other host countries in the Levant (see Schmid, 2016).

A telephone poll published in November 2014 by the Arab Center for Research and Policy Studies found that “13% of Syrian refugees have positive feelings towards

⁷ The author has made attempts to obtain information from the Lebanese Armed Forces on the number of Syrian refugees who were suspected or accused of radicalization in Lebanon; however the process of obtaining such information was cumbersome and unsuccessful due to the fact that this information was deemed classified.

the Islamic State terrorist group.” The poll surveyed 900 Syrian refugees equally split between Turkey, Lebanon and Jordan. The think-tank found that “4% expressed a positive opinion of the Islamic State (ISIS) and another 9% expressed a ‘somewhat positive’ opinion of the terrorist group. Another 10% only view the group negatively ‘to some extent’.” (Marans, 2015; Svirsky, 2015).

A report from counter-extremism think tank Quilliam reported that the ISIS is paying smugglers fees to recruit child refugees, especially among unaccompanied minors who are most vulnerable and susceptible to radicalization. This report related that “ISIS had offered up to \$2,000 to recruit children in Lebanese and Jordanian camps.” (“Isis paying smugglers’ fees,” 2017). Nikita Malik, a senior researcher at Quilliam, “identified how jihadi groups targeted refugees in their propaganda materials. From June last year [2016] to last month [January 2017], she found 263 instances of such groups attempting to convince refugees to wage jihad against non-believers, or to join the extremists and convert to Islam.” (“Five suicide bombers attack,” 2017; “Isis paying smugglers’ fees,” 2017).

A report issued by the UN Secretary-General “collected credible information on children as young as 14 years of age who had joined armed factions in Palestinian camps and armed parties operating in the Syrian Arab Republic, particularly in border areas. The United Nations also received verified reports of at least 25 boys arrested by the Lebanese armed forces during anti-terrorism raids, mostly conducted in Aarsal and Tripoli”.... (United Nations Security Council, 2015, p. 19). According to the Lebanese Army 25 juvenile boys were arrested in anti-terrorism raids said the report (United Nations Security Council, 2015, p. 20). The report related that due to an increase identification of children associated with armed groups, Lebanese relevant authorities, civil society organization and the United Nations “carried out advocacy to ensure that the children received support, including access to protection and reintegration programmes.” (United Nations Security Council, 2015, p. 20) The same concern was voiced in a similar report issued in 2017 (United Nations Security Council, 2017, p. 15).

ISIS and other jihadist groups have also recruited Palestinian refugee camps in Lebanon. According to Lebanese security sources, “more and more Palestinians in Lebanon have joined ISIS and the Al-Qaeda-affiliated the JAN, a Sunni Islamist militia fighting against Syrian government forces.” In response, Lebanese security forces “have taken a series of measures in a bid to contain the problem and prevent the two Islamist terror groups from establishing bases of power in the Palestinian refugee camps in Lebanon.” (Abu Toameh, 2016).

With the growing threats of ISIS and the JAN and the recruitments of Syrian refugees in Lebanon, there is a growing tendency by the government to perceive Syrian refugees through a security threat prism. As such, the LAF is battling the

jihadist groups in the Bekaa borders and is launching operations against Lebanese citizens and Syrian and Palestinian refugees who have fallen victim to, or were coerced, or have willingly volunteered with ISIS or the JAN with the intention of threatening to destabilize the country.

Like many other States, Lebanon is challenged to maintain a balance between counter-terrorism and human rights. Consequently, Lebanon has shifted from its initial “open door” and “laissez-faire” policies toward the Syrian refugee influx to more restrictive policies.

In this article, we identify the various measures employed by the Government of Lebanon through the operationalization of the UN High Commissioner for Refugees “Ladder of Options” in managing security related issues involving Syrian refugees-turned-terrorists.

The “Ladder of Options”

In the late 1990s, in its document “The Security, Civilian and Humanitarian Character of Refugee Camps and Settlements: Operationalizing the “Ladder of Options,” the UNHCR addressed the restoration of security to refugee-populated areas where civilian and humanitarian character had been compromised and/or the rule of law had broken down.

According to the UNHCR, as a concept of security, the “Ladder of Options” simultaneously represents an assessment and a response tool that describes a series of possible and ideally multilateral responses to escalating threats to the civilian and humanitarian character of refugee settlements. These threats are subsequently dealt with through a range of measures ranked in order of their “soft,” “intermediate” or “hard” nature conditioned by the local context in which these threats are occurring.

The “Ladder of Options” was developed in July 1998. The High Commissioner of the UNHCR, upon consultation with the Under-Secretary-General for Peacekeeping Operations, submitted a proposal for a “Ladder of Options,” aimed at addressing the different types and degrees of insecurity which typically arise in refugee-populated areas.

The “Ladder of Options” has three “rungs” or three response levels. While “the ‘rungs’ are intended to be mutually reinforcing, each ‘rung’ addresses different levels of insecurity in refugee-affected regions.”

- 1- The first rung or the “soft” option could include preventive steps that can be taken by States (e.g., Amending existing laws and directives) to increase the capacity of law enforcement services of the asylum country.

- 2- The second rung or the “medium” or “intermediate” option could include international support for the National Security Forces; the deployment of international fact finding/special diplomatic missions and international police forces to support national law enforcement efforts, as well as the closing of borders.
- 3- The third rung or the “hard” option, as a measure of last resort, refers to the deployment of a UN Peacekeeping Operation or that of a multinational or regional force in case there is no consent on external intervention. Under the harder measures, once a mandate is secured, regional and international military forces may perform a number of roles alongside national military forces. Their activities may range from monitoring and intelligence-gathering to reconnaissance and situation assessment. They may also be involved in the separation, disarmament and demobilization of combatants; border control; camp-perimeter security; and the training of national military forces.” The “hard” option allows an asylum State to apply some military force in handling refugee caused insecurity (UNHCR Executive Committee of the High Commissioner’s Programme; Standing Committee, 1999).

Although the “Ladder of Options” was designed as a “set of instructions for [UNHCR’s] employees on how to deal with refugees who resort to armed violence,” (UNHCR Executive Committee of the High Commissioner’s Programme; Standing Committee, 1999) and for when it is absolutely necessary to deploy peace operations when authorized by the Security Council, we are employing these options to identify the various policy interventions that the Government of Lebanon is utilizing when dealing with security related issues among the refugees to safeguard its sovereignty and at the same time protect its residents and the refugees.

Security Concerns and Radicalized Refugees

It has been acknowledged that the Syrian refugee crisis has surpassed humanitarian assistance, posing fundamental structural problems for the host countries and requiring international solidarity and burden sharing of refugees (UNHCR, 2013). However, this acknowledgment did not address the security repercussions of hosting refugees.

The Syrian refugee crisis is real and the threat of terrorism is factual. Countries facing these two trials are struggling to find a balance between solidarity with the refugees and safety for their nationals and territories.

Solutions for both the refugee crisis and terrorism threats are as complex as they are difficult; thus, States find themselves in a predicament, as they have a duty to protect their resident population by taking effective counter-measures while at the same time upholding their own nationals’ rights and those of the refugees residing within their territories. Accordingly, counter-terrorism measures have a direct effect on human rights,

and responding to terrorism has distressing effects on the right to life, liberty, and physical integrity of refugees (The Office of the United Nations High Commissioner for Human Rights [OHCHR], 2008). Terrorism can “destabilize governments; menace international relations; subvert civil society; jeopardize socio-economic development; as well as endanger local, regional, and international security and peace.” (OHCHR, 2008).

The perception that refugees might be radicalized and might be intrinsically predisposed to political violence is resultant from a number of renowned cases whereby refugees’ settlements generated armed groups that carried out attacks. These cases have led to the discernment that radicalized refugees could become peace wreckers (Chikhi, 2015). Some of these cases include Palestinian refugees and the Palestinian Liberation Organisation, Afghan refugees in Pakistan, Hutu refugees in the Democratic Republic of Congo (DRC), Somalis in Kenya, Burmese Muslims in Bangladesh, or Eritreans in Sudan (Sude et al., 2015). Research finds that “refugees are not merely a passive, dependent group but can be actor-subjects, with a political leadership structure and armed sections engaged in warfare...” (Haider, 2014).

Lebanon’s historical experience with militarized refugees influenced Lebanon’s fears of growing radicalized Syrian refugees. Following the establishment of the State of Israel and the *nakba* of 1948 -- the displacement of the Palestinians from their land—hundreds of thousands of Palestinians fled to Lebanon. Lebanon then became a source of Palestinian attacks against the State of Israel which retaliated against the Lebanese state and people. Furthermore, the Palestine Liberation Organization (PLO) and other Palestinian militant groups were allowed to have authority over the 16 Palestinian camps, to organize, arm, train, and operate inside the borders and from the borders of Lebanon following the signing of the Cairo Agreement in 1969. Consequently, the PLO established a state within a state, interfered in the internal affairs of the country, participated in the country’s civil war, launched attacks on Israel, and planned terrorist attacks globally (Kelley, 2017, p. 82; Office of the Secretary of State, Office of the Coordinator for Counterterrorism, 1998).

Furthermore, radical groups such as Fatah al Islam and Usbat al-Ansar which were al-Qaeda inspired salafist jihadist network that were bred and harbored in the Nahr el-Bared camp attacked and massacred members of the Lebanese Armed Forces which caused a full military operation against this group and their allies in the camp in 2007 (Dagher, 2017; Riedel & Saab, 2007).

According to the RAND Corporation study radicalization is “the process of committing to political or religious ideologies that espouse change through violence,” and that radicalization among refugees are caused by many factors, notwithstanding individual beliefs and inclinations. RAND identified six common factors present in the historical “worst cases” of refugee radicalization: 1) host country’s administrative,

legal policies; 2) political and militant organizing; 3) security; 4) shelter; 5) local economic conditions and resilience; and 6) conditions for youth (Sude et al., 2015).

The RAND report referred to the radicalization of the Palestinian refugees especially in Lebanon between 1967 and 1993 stating that “radicalized groups gain control of camps in Lebanon; conduct crossborder attacks.” (Sude et al., 2015).

Because individual security is an essential obligation of the States and is also a basic human right, governments have a fundamental obligation to protect their nationals against the threat of terrorist acts. Similarly, host countries have the obligation to provide protection to refugees within their territories. States “have a right and a duty to take effective counter-terrorism measures, to prevent and deter future terrorist attacks, and to prosecute those that are responsible for carrying out such acts. At the same time, the countering of terrorism poses grave challenges to the protection and promotion of human rights.” (OHCHR, 2008). In protecting individuals within their jurisdiction, States must comply with international law, in particular international human rights, refugee and humanitarian law (OHCHR, 2008).

In her paper entitled “Maintaining the Civilian and Humanitarian Character of Asylum,” (da Costa, 2004). Rosa da Costa a UNHCR Consultant wrote that “The presence of armed elements and more specifically combatants, in an influx of refugees or in existing camps and settlements threatens the fundamental principle of the civilian and humanitarian character of asylum, and can generate serious security concerns for refugees, receiving states and local communities, as well as humanitarian workers.” (da Costa, 2004, p. i). She further states that “In its Conclusion No. 94 (LIII) – 2002 on the civilian and humanitarian character of asylum, the Executive Committee of UNHCR recommended that States receiving a mixed flow of refugees and combatants take measures, as early as possible, to disarm those entering its territory bearing weapons; identify, and separate combatants from the refugee population; and intern them.” (da Costa, 2004, p. 4).

She further posited that “International law authorizes and, under certain conditions, requires the host State to take the above-listed measures. The legal framework which determines the host State’s obligations in this regard can be derived from refugee law, the Law of Neutrality and international humanitarian law (IHL), as well as international legal principles governing the conduct of inter-State relations (UN Charter, art. 2(4)).” (da Costa, 2004, p. iii).

In its concern over security considerations and refugees rights, UNHCR reissued its perspective on the topic in Geneva on December 17, 2015 in a document entitled “Addressing Security Concerns without Undermining Refugee Protection.”⁸

8 UNHCR issued its first perspective on the topic in 2001 following the introduction of a range of security measures by several countries in the aftermath of the attacks of September 11 in 2001.

In the 2015 revision, the UNHCR indicated that “security considerations have been permeating policy responses on a wide range of issues for more than a decade,” (UNHCR, 2015) especially since the September 11, 2001 attacks and as a result of further high profile attacks in many regions around the world. These attacks have led to linking international terrorism with movements of people, especially migrants and refugees, and have in turn permeated support for restrictive policies in the area of migration.

Four years after the onset of the Syrian war and the advent of the ISIS, the 2015 UNHCR-updated document finally acknowledged the dilemma many States are grappling with as they face the colossal influx of Syrian refugees.

Operationalizing the “Ladder of Options” in the Case of Lebanon

In the late 1990s, in its document “The Security, Civilian and Humanitarian Character of Refugee Camps and Settlements: Operationalizing the “Ladder of Options,”[1] the UN HCR addressed the restoration of security to refugee-populated areas where civil life and human rights had been compromised and/or the rule of law had broken down.⁹

The Government of Lebanon (GoL) maintained humanitarian “open border” and “non-refoulement” policies from the onset of the Syrian refugee crisis (2011) until mid-2014. Following the attack in Aarsal, the GoL issued the statement on its position toward the protracted Syrian refugee crisis that “repatriation of de facto refugees from Syria is the preferred durable solution for this crisis, while abiding by the principle of non-refoulement and recognizing that conditions for safe return could precede a political solution for the conflict in Syria.” (UNHCR, 2014).

Based on this principle, and given the combined economic, demographic, and national security challenges facing Lebanon, the GoL adopted a policy paper in October 2014 setting three main priorities for managing the Syrian refugee situation:

- a) “Reducing the number of individuals registered in Lebanon with UNHCR as refugees from Syria;
- b) Addressing the rising security concerns in the country and in municipalities; and
- c) Sharing the economic burden by expanding the humanitarian response to include a more structured developmental and institutional approach benefiting Lebanese institutions, communities and infrastructure.” (UNHCR, 2014).

⁹ UNHCR, Executive Committee Of The Ec/49/Sc/Inf.2 High Commissioner’s Programme, “The Security, And Civilian And Humanitarian Character Of Refugee Camps And Settlements, 14 January 1999, <http://www.refworld.org/docid/4a54bc04d.html>

While the majority of Syrian refugees may not be politically active, due to the poor humanitarian conditions in which they live it may place them at particular risk and make them a population ripe for radicalization and involvement in armed struggle whether against the Syrian regime and its allies, the opposition and its partners, or ISIS. Following its bitter experience with Palestinian refugees' militarization and involvement in peace wrecking in the country, Lebanon has refused to allow Syrian refugee camps on its territory and has become more vigilant to the radicalization of refugees particularly with the wide and effective propaganda of the so called Islamic State.

In this article, we are concerned with how the Lebanese Government is addressing rising security concerns. In applying the "Ladder of Options" to the case of Lebanon, this exercise allows us to construe how Lebanese Government policies shifted from managing the Syrian refugees' predicament as a "crisis" to dealing with it as a "threat," as well as how these policies ascended from "soft" to "intermediate" to "hard" intervention levels.

The Soft Intervention Policy of the Lebanese Government

The first rung or the "soft" options: preventive measures and cooperation with national law-enforcement authorities. It could include preventive steps that can be taken by States (e.g., Amending existing laws and directives) to increase the capacity of law enforcement services of the asylum country.

The GoL issued a directive to the UNHCR to inform the Syrian refugees that they "are required to provide a notarized pledge not to work, as a condition of renewing their residency." (Carla, 2017, p. 21). This was followed by an increase in "the costs of residency renewal to an annual fee of \$200 per person over 15 years of age." (Carla, 2017, p. 21). The decision was counterproductive because the majority of the Syrian refugees could not afford to renew their permits. In February 2017, "Lebanese authorities lifted the \$200 residency fee for Syrian refugees registered with UNHCR." (Carla, 2017, p. 21).

In addition, the General Security Forces began arresting Syrian refugees who had entered the Lebanese territories illegally. These arrests took a broader turn following the armed conflict between the Lebanese army and Syrian gunmen who seized the Lebanese town of "Arsal," keeping many Lebanese soldiers and security officers as hostages in the beginning of August 2014 (Holmes, 2014).

Moreover, municipalities began issuing nighttime curfews for Syrian refugee laborers as security issues emerged (Betts, Ali, & Memişoğlu, 2017). In a number of regions, security agencies passed measures for informal camps, a number of which were cleared by security directives (Saghieh & Frangieh, 2014). The GoL encouraged Syrian displaced persons to return to their country where it is safe or to other countries via resettlement, by all possible means. Expelling refugees is not part of the soft policy; however, a reduction in refugee numbers is, and this could be achieved by reducing the

numbers of refugees registered with the UNHCR and by encouraging them to leave for other countries even as *non-refoulement* continues to be observed.

The Intermediate Intervention Policy of the Lebanese Government

The second “rung” could include international support for the National Security Forces; the deployment of international fact finding/special diplomatic missions, international police forces to support national law enforcement efforts, and the closing of the borders. In employing this intervention, the GoL officially closed its borders and restricted entry of displaced Syrians in October 2014, with exceptions that are available for “humanitarian reasons.” (Montgomery, 2014).

On its front, the LAF partnered with several nations on a bilateral basis to receive training programs that focused on strengthening its counter-terrorism capabilities. Countries such as the USA, Saudi Arabia, the UK, the Netherlands, France, and Iran have all sent weapons to the Lebanese army to assist in its fight against ISIS and other jihadist groups. The international community is greatly concerned about Lebanon’s stability, but stands firmly behind the country as it faces Islamist militant threats. These statements were repeated by various envoys, including the United Nations special envoy Staffan de Mistura. In a report issued by the United States Department of State, the report stated that “Lebanon was a committed partner in the counter-ISIS fight during 2016, and its ground forces represented one of the most effective counterterrorism forces in the region. U.S. forces partnered closely with Lebanon’s full defense and law enforcement security apparatus as Lebanon continued to face significant internal and external terrorist threats in 2016, and a number of terrorist attacks occurred throughout the year.” (United States Department of State, 2017). In 2015, the United States of America doubled the baseline military assistance to Lebanon (U.S. Embassy Beirut, 2015) and in 2016 it assisted the LFA with equipment and training amounting to \$221 million US Dollars (U.S. Embassy Beirut, 2016).

With European Union backing, the International Centre for Migration Policy Development (ICMPD) developed operating procedures, supplied border control equipment and links to databases, upgraded border management training systems through the update of curricula and training materials, trained trainers, and implemented national training/development capacity in support of Lebanon’s border control. In the best-case scenario, such programs are aimed at building and sustaining the capacity of a host state to provide and promote refugee security (International Center for Migration Policy Development, n.d.). IOM assisted Lebanon in building arrival terminals on the Lebanese-Syrian borders both in the Bekaa and in the North (International Organization for Migration [IOM], 2016).

The Hard Intervention Policy of the Lebanese Government

The third “rung” of the “Ladder of Options” could include the host State’s application of military force in handling refugee caused insecurities. It could also include the deployment of a UN Peacekeeping Operation or that of a multinational or regional force in the case of no consent for external intervention. Under the harder measures, once a mandate is secured, regional and international military forces may perform a number of roles alongside national military forces. Their activities may range from monitoring and intelligence to gathering for reconnaissance and situation assessment. They may also be involved in the separation, disarmament, and demobilization of combatants; border control; camp-perimeter security; and the training of national military forces.” (United Nations High Commissioner for Refugees, 2006).

Although information pertaining to the type of arms used by the LAF in its operations to extract suspected radicals is classified, reviews of news reports and live coverage of some of the LFA raids revealed the use of small arms in the majority of these raids especially when it came to entering the residences of the suspects.

According to a retired Lebanese Army General, who wished to remain anonymous, the LAF placed its reliance on intelligence-led decision-making, cross-examining the information obtained, and analysis of the intelligence information before taking any actions particularly when civilians are involved whether they are armed or not. He also relayed that like all state armed forces, the LAF abides by strict rules of engagement and standard of conduct. He also stated that the military commanders must evaluate the legality of a given operation and weigh the military gain against the potential civilian losses and that troops are trained and are reminded of the clear rules of engagement with adherence to human rights protection. He also stated that the LAF operations must adhere to conventions signed between the LAF and other countries which provided training and/or arms.¹⁰

Although the GoL has not yet called for intervention by UN Peacekeeping forces, Lebanese leaders have requested the deployment of the UNIFIL along the Lebanese-Syrian borders (“Geagea Supports Expanding,” 2017). However, the LAF began the use of military measures in proportion to observed threats. Some of these measures included:

- 1- Widespread raids and security sweeps on Syrian refugee sites in the northern Bekaa town of Aarsal, in Tripoli and in other areas in Lebanon in search of Syrians accused of collaborating with extremist groups or planning terrorist acts;
- 2- Capturing and detaining for interrogation Lebanese citizens and Syrian and Palestinian refugees suspected of collaborating with jihadist or terrorist groups; and
- 3- Protecting Lebanon’s borders from infiltration by the Islamic State and other terrorists especially with the use of Watch Towers (Nanji, 2017).

¹⁰ Interview conducted in Lebanon on June 16, 2018.

These measures were declared an attempt to protect the country from regional turmoil, as well as to protect the refugees.

In addition, regional and international military forces performed a number of roles alongside Lebanese military forces. Their activities ranged from monitoring and intelligence-gathering to reconnaissance and situation assessment. They were also involved in training national military forces and providing technical and technological support (Nanji, 2017; “U.S. Special Forces,” 2017).

Conclusion

In this article, we situated Lebanon’s dilemma in reconciling refugee rights with its counter-terrorism measures. We also illustrated specific policies and interventions undertaken by Lebanon in this regard using the UNHCR “Ladder of Options” security approach.

The article showed that the first phase (2011-2014) of the Lebanese government management of the Syrian refugee was characterized by a humanitarian approach to the influx. However, the protracted aspect of the Syrian crisis, the increased number of Syrian refugees registered with the UNHCR which reached a colossal number of more 1.1 million coupled with the attacks on and in Lebanon by ISIS and radicalized Lebanese and Syrian refugees, the second phase which started in mid-2014 ensue the securitization process of the Syrian refugees in the country.

In the case of Lebanon, we found that the radicalization of Syrian refugees occurred in the post-asylum period as ISIS and the JAN used the refugees for recruitment. We also found that the Lebanese Government incrementally increased its counter-terrorism measures among the Syrian refugees, going up on the “rungs” of the “Ladder of Options” from “soft” to “intermediate” to “hard” interventions as insecurity increased, perpetrated by some Syrian refugees who joined the extremists or are instruments in their hands.

In light of host communities’ experiences in the Levant and the operationalization of the “Ladder of Options” in Lebanon, we suggest that UNHCR and other related UN organizations re-examine the “Ladder of Options” to establish a ladder of options framework for combating terrorism in post-emergency refugee settlements to safeguard the sovereignty of the State and international security and peace without undermining refugee protection.

We join UNHCR in its call for a global Comprehensive Plan of Action (“CPA”) that builds on UNHCR’s recommendation that “the international community... show solidarity with countries hosting Syrian refugees in the region by offering resettlement opportunities, humanitarian admission places, and family reunification or other forms of admission for Syrian refugees.” (United Nations High Commissioner for Refugees, 2013). If people in Lebanon and other relatively underdeveloped countries with large refugee populations

continue to feel abandoned by the international community, they could harbor stronger feeling of xenophobia, and the refugees themselves may resort to extremism and violence. Lack of international commitment and the current dire economic and social circumstances in the host countries is nurturing the radicalization of the refugee communities, particularly in Lebanon and Jordan, which are left with few options for survival.

We also sound the alarm against the lack of international commitment and the current dire economic and social circumstances in the host countries. International support is imperative not only to curb nurturing the radicalization of the refugee communities but also to prevent xenophobic acts from increasing among the affected nationals towards the Syrian refugees.

Countries that are engaged with the anti-terrorism campaigns need to support the LAF and other security institutions in their defense by providing modern and sophisticated weapons, ammunition, and other tools to defend Lebanon against encroachment ISIS, terrorists' infiltration and other armed non-state groups. The LAF and other security institutions need continued support to achieve decisive military and security outcome against the expansion of extremist groups, be they ISIS, JAN or any other group, to secure the Lebanese –Syrian frontier, and to preserve Lebanon's stability. Without such support, the country could easily become a major breeding ground for extremism that will threaten regional and international peace.

In light of the incursions in Aarsal and other border towns in Lebanon and the illegal crossing of smugglers and terrorists, there is more urgency now than ever before to demarcate the borders on the ground between Lebanon and Syria.

Despite the fact that refugees present a low threat to national security, the radicalization of refugee settlements by jihadist and terrorist groups particularly in Lebanon is more evident now than ever before and indicate the vulnerability nature of such an at-risk population and the real endangerments of extremist infiltration, recruitment, and radicalization of some subset of this population., and this radicalization cannot be mitigated solely through humanitarian response, it requires collaboration across organizations and fields of expertise (Sude et al., 2015). Interventions should also be made political by reconceiving international refugee protection as a problem of international security to prevent the Syrian refugee crisis and other similar crises from becoming violent.

In-depth studies should be undertaken to further explore the effect of the refugees on the security of host communities, as well as the interaction between state sovereignty and refugee radicalization in crisis situations and post-emergency settlement, especially in developing countries grappling with the heavy burden of refugees and the threat of extremists. Similar studies on the radicalization of the Syrian refugees should be undertaken in Jordan and Turkey to generate comparable perspectives.

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