The channelled migration system from Lebanon to France: Complementary pathways depicting vulnerability as the core of the right to asylum

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Aim

Contributing to research on border control outsourcing

Understanding what *vulnerability* makes to right to asylum

Specificity: Perspective on resettlement within other types of migration management (humanitarian corridors)

Context specific: *Prima facie* refugees in a non-signatory to the 1951 Convention

Methodology: Two doctoral researches on humanitarian corridors and social trajectories of Syrian refugees from Lebanon

Definition

- **UNHCR Resettlement** : Transfer of refugees from an asylum country to another State that has agreed to admit them and ultimately grant them permanent residence (*UNHCR website*).

- **Humanitarian corridors** : Project allowing the refugees, especially the most vulnerable ones meaning women and children, elderly and sick people, to safely reach Europe, without taking the journeys of death across the Mediterranean Sea (*Sant'Egidio website*).

Concept: Channelled Migration to access asylum

All **migratory movements** which are **backed** by an **organisation** in order **to support** the *migrant* in migrating; in the case of refugees: to **access asylum** by linking them to State actors and ensuring their **legal / regular migration**, with the opportunity to seek asylum.

Theoretical framework: Border management outsourcing

- Outsourcing refers to “the use of an external service provider or supplier for an activity previously carried out within the company”, and it is generally accompanied by a ”transfer of material or human resources to the chosen service provider” (Audebert & Robin, 2009)

- Need to study ”the political and ethical implications of this transformation of bordering practices” (Bialasiewicz, 2012)

International context: Extension of resettlement actors

- *"We intend to expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries. In addition to easing the plight of refugees, this has benefits for countries that host large refugee populations and for third countries that receive refugees"*

New York Declaration for Refugees and Migrants, adopted by the General Assembly on 19th September 2016.

Context: Lebanon's refugee protection system

- Non-Signatory State of the 1951 Convention → **Transit country**
- MoU UNHCR/GoL in 2003 → a « **Legal anomaly** » (Kagan, 2011)
- A partial international protection for recognised refugees
- Syrians international protection seekers: **prima facie procedure** (outside the 1951 Convention)
- Relocation to a third country : only way to access [full] international protection
- Syrians **recognised refugees by States** under the 1951 Convention
- **Various relocation paths**: "irregular "; embassies, UNHCR, Humanitarian corridors, sponsorship systems

Question: Vulnerability, a condition to international protection?

- Each channelled migration mechanism has its own legal system and migrants status can vary = sharing the burden of asylum between countries.

  How channelled migration mechanisms participate in redefining the asylum system, supplanting the refugee status and thus contributing to its ineffectiveness against other criteria such as vulnerability?

- Centrality of the vulnerability concept in these mechanisms:

Vulnerability determination → Access to channelled migration → Access to asylum

The use of vulnerability criteria by the corridors

Bouagga & Segond (2019) about vulnerability in the humanitarian corridors :

"**broader and malleable than legal definitions of refugee status**, [and] allow non-state actors to negotiate a role, on the field, in the selection of persons authorised to enter the territory".

"the adoption of the criterion of vulnerability **broadens admissibility**, compared to a strict definition of the refugee. [...] It does not correspond to a strict legal category but **is updated on a case-by-case basis**, leaving some flexibility to the actors who negotiate its content (Pétin, 2015), according to a moral assessment of the risk that the person becomes a victim."

Conclusion

- **Syrian migrations in Lebanon**: interesting point of view on these mechanisms
- **Transformation of the asylum system** (since 1970's): moves toward a more humanitarian and discretionary one and supported by "**migration managers**" like the UNHCR and the humanitarian corridors (HC)
- Selection of the eligible refugees **by relying on vulnerability**
- System supported by actors themselves (UNHCR and the HC): specific procedures based on handbooks and guidelines, as well as "**street-level bureaucrats**" **practices**
- Acting as **decision-makers**: informal **outsourcing of asylum** and externalisation of border control
- **Politicisation of asylum**: submitted to States **discretionary selection power**