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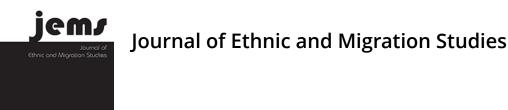
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# The external dimension of EU migration policy as regionbuilding? Refugee cooperation as contentious politics

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#### ABSTRACT

The EU has drawn on its migration policy in the Middle East and North Africa as a method of region-building set to reconfigure a broader EU Mediterranean Neighborhood. At the same time, EU migration policy as a region-building initiative has had contentious, albeit understudied, effects. We know little about either variation in states' responses to the EU or the contextual dynamics and motives pushing them to challenge EU migration policy as a vector for regulating regions 'from beyond'. Building on the case of displacement from Syria, the article targets the EU's refugee approach in its 'neighborhood' as a site of contention whereby states, rather than being policy borrowers, dispute the EU's attempt to regulate regions. The article employs insights from EU refugee cooperation with Lebanon, one of the key regional host states. It shows how Lebanon has sought to contest and adapt the EU's script of resilience-building, which consists of strengthening governments' capacity to host refugees 'within the region' and at a distance. Looking at EU neighbors as policy agents rather than vessels helps to unravel the tensions underlying the external, regional, and bilateral dimensions of EU migration policy and delineate how these overlapping dimensions play out on the ground.

#### **KEYWORDS**

External migration policy; contestation; resilience; refugees; the European Union; Lebanon; Syria

### Introduction

How do neighbouring states respond to the European Union's (EU) external migration scripts? And what are the motives pushing them to challenge EU migration policy as a vector for regulating regions 'from beyond' (Lavenex and Piper in this volume)? This article sets out to unpack EU external migration policy as a contested and incoherent method of *region-building* yielding uneven and messy outcomes. Building on the case of displacement from Syria since 2011, considered as 'one of the largest [...] humanitarian emergencies today' (Knudsen 2020, 47), it highlights the EU's regional refugee approach as a site of contention whereby states, rather than being policy borrowers, question the European attempt to *order* regions through scripts of migration management.

The EU has long been a pivotal, albeit contentious, actor in migration governance in the Middle East and North Africa (MENA) region, or what the EU frames as part of the

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'European Neighborhood' (European Commission 2019a). Through a plethora of initiatives, the EU has strengthened its cooperation with MENA states on migration, security, and development and has drawn on its external migration policy as a method of 'regionbuilding' (Collyer 2016; Bicchi 2006, 298). 'Region-building' or 'region-making' is herein understood as the EU's attempt to design 'the margins of Europe' and shape relations with its 'neighborhood' through bordering strategies and by means of diffusing instruments of cooperation and governance (Bialasiewicz et al. 2013, 63). Understood in this light, the EU has sought to carve spaces of 'inclusion and exclusion' in the wider Euro-Mediterranean area (Wunderlich 2010, 249) and to promote solutions to policy problems (Bicchi 2006). At the same time, the EU's ability to draw on its external migration policy as a vector for 'geopolitical space making' (Zardo 2020) has had contentious consequences (Martin and Strange 2019). The EU has developed varied tools, ranging from trade to migration control, to reconfigure the EU-Mediterranean space as a 'macro-region' (Bialasiewicz et al. 2013, 63). At the same time, it relies on a 'country by country approach' to negotiate commitments.<sup>1</sup> As a result, a proliferation of engagements rather than one coherent approach has emerged (Collyer 2016, 10). Moreover, in the context of asymmetrical power relations, MENA countries have been recalcitrant implementers of EU migratory instruments, stalling for example readmission proposals on the issue of migrants and asylum seekers (Boswell 2003, 631; Seeberg 2018; Wunderlich 2010, 252). Within this climate, scholars have questioned the extent to which the EU's attempt to construct an 'EU Mediterranean 'neighborhood" in a divided context can at all evolve into a coherent geopolitical space (Jones and Clark 2008, 568). More recently, given the 'recent amassment of crises in Europe's neighbourhood' (Wagner and Anholt 2016, 424) and the limited success that Euro-Mediterranean policies have had, the EU has been pursuing more pragmatic regional objectives, privileging 'stability-building' (Badarin and Schumacher 2020, 76) and the entwining of migration policy with stabilisation (Anholt and Sinatti 2020).

In the context of the 2011 Arab uprisings and their reverberations, widespread displacement from Syria has prompted the EU to spell out through its external action a refugee approach in the Middle East, with emphasis on Syria's neighbors that have hosted a large number of refugees (namely Lebanon, Jordan, and Turkey). Regional refugee cooperation has, however, turned into a site of contentious policymaking. Refugeehosting states have not passively internalized EU scripts for refugee reception in the region. Rather, they have sought to 'leverage' their hospitality as well as EU concerns over refugee inflows in exchange for funds and visibility (Arar 2017; Geha and Talhouk 2019). In the context of disputes over who is to shoulder responsibility for the displaced, host governments and communities have criticized the EU's approach to help refugees through financial aid while remaining at a distance.<sup>2</sup>

Departing from the premise that the regional impact of EU external migration policy can be better understood by unravelling its dynamics with individual countries (Wunderlich 2010), the article employs in-depth insights from EU refugee cooperation with Lebanon, one of the key host states for displaced Syrians. It shows how Lebanon has sought to challenge some EU regional refugee initiatives. The aim of the case study is two-fold. First, it contributes to the debate as to how 'transregional power dynamics flowing 'from beyond" clash with local dynamics. Secondly, it generates insights into the ways states not only aim to partake in policy formulation but also to contest the external dimension of EU migration policy as a method of region-making. Indeed, EU external migration policy has always been 'contentious in relations with its Southern neighbors' (Wunderlich 2010, 249). Still, we know little about processes and motives pushing governments neighboring the EU to challenge its policies. Influential strands of literature have thus far looked at the EU's external migration approach predominantly through the lens of Europeanization, that is, the extent to which the EU is able to spread norms beyond EU territory (Boswell 2003, 631). There is less emphasis on the mechanisms through which states not only seek to co-determine the contours of EU policy but also to derail its implementation, turning it into a contested regional dynamic. This is however changing (Cassarino and Del Sarto 2018; Zardo 2020).

The first part of this article analyzes how the EU has sought to develop through its external action a common refugee approach across those of its neighbors that have been affected by displacement the most. It demonstrates how the EU draws on strategies such as 'resilience-building' to construct shared frames of action around refugee livelihoods and protection needs and around building neighboring states' capacity to host them. After looking at how the EU has transposed this refugee approach to Lebanon, the second part shows how this small polity, rather than assuming the role of a 'passive refugee-hosting vessel,'<sup>3</sup> has disputed EU scripts. More specifically, it looks at issues of policy friction between Lebanon and the EU and shows how EU refugee solutions have evoked dissent from Lebanese officials. It then explores some scenarios reflecting on how Lebanon has sought to implement EU tools through strategies such as discursive dissent, adaptation, or disregard. It further discusses some of the motives underlying Lebanon's contentious position. The conclusion stresses the importance of unpacking EU external migration policy as a contested regional initiative with fragmented outcomes. It calls for delineating contexts, strategies, and motives propelling governments to reconfigure EU engagement.

To understand how the EU has developed a refugee approach in its Neighbourhood, the article surveys academic articles on EU external migration policy and relies on a review of official statements adopted by the EU in the MENA region in general and in Lebanon specifically. To track how Lebanon has challenged EU actions, between 2012 and 2020 the author conducted a media and textual analysis of Lebanese officials' interactions with the EU, six expert interviews with EU officials, fifteen interviews with Lebanese policymakers, and ten interviews with scholars. The author has also observed more than twenty policy-oriented workshops, during which she had a dozen conversations with policymakers, researchers, and activists.

# EU regional refugee approach: constituting the Neighborhood through 'resilience-building'?

The EU has provided an important case for understanding how external actors draw on migration to construct regions 'from beyond' (Lavenex and Piper in this volume). On the one hand, its role as an *external* migration governor with a region-building agenda in the MENA is to be understood in the context of weak regionalism in this part of the world. On the other, its interest in migration governance as a 'regionalizing initiative' is tightly enmeshed with geopolitics (Bialasiewicz et al. 2013, 71).

Historically, the MENA region has lacked a strong sense of regional organization. States have contested regional integration for fear that it impinges on their rule (Salem 2018). Also, conflicts and authoritarianism have weakened inter-state cooperation. In such a context of fragmentation, the EU has 'embarked upon region-building' (Bicchi 2006, 288), embedding its external action within a broader project aiming to construct 'the Euro-Mediterranean space' as a geopolitical entity (Jones and Clark 2008). Through the development of Euro-Mediterranean policies, it has transferred regional initiatives 'outside EU borders', promoting partnership while seeking 'governance at a distance' (Bialasiewicz et al. 2013, 63; 71).

The EU's approach in the MENA has been defined through the multilateral Euro-Mediterranean Partnership (EMP), which institutionalizes cooperation around trade, governance, migration, and security (Bicchi 2006). At the same time, the EU has relied through the European Neighbourhood Policy (ENP), on bilateral cooperation as a key vector for regional governance, especially with regards to negotiating country-based commitments. Migration policy is at the heart of such 'regionalizing initiatives,' which associate cooperation with border-making. Mobility partnerships, which link visa liberalization regimes with curbing irregular migration, have enabled the EU to co-opt governments into migration co-management (Cassarino and Del Sarto 2018). Such initiatives notwithstanding, the Euro-Mediterranean project has not lived up to its expectations (Badarin and Schumacher 2020). As underscored, the MENA region has had 'difficulty in cohering as a region', and in the post-2011 uprisings landscape, its predicament today is 'one of collapsed regional order and proxy conflict' (Salem 2018, 122). Furthermore, the EU's attempt to place migration policy at the heart of regional order-making has suffered setbacks. Heterogeneous migration regimes within the region as well as EU interest in migration governance as border security have created policy dissonance rather than convergence (Cassarino and Del Sarto 2018).

Following the 2011 regional uprisings and their spillovers, the EU shifted from promoting what was once framed as 'normative regionalism' (Pace 2007, 664) to a more pragmatic engagement. In this context, upheavals such as population displacement from Syria have spurred the EU to reframe its governance strategies in its Neighborhood, placing 'resilience-building' as a core narrative of region-making (Anholt and Sinatti 2020) or a 'guiding rationale in EU-Southern neighbourhood relations' (Badarin and Schumacher 2020, 66).

Since 2011, Syria's conflict has generated a mass influx of refugees into EU neighboring countries and beyond. While Turkey, Lebanon, and Jordan received about 5,5 million registered Syrian refugees (UNHCR 2019a), more than one million Syrians had arrived in Europe by 2015. Amid migratory pressure, the EU witnessed a 'renewed activism in external migration management' (Enríquez 2018). This activism led to establishing a new partnership framework on migration with third countries (European Commission 2016a). Under the aegis of the 2015 European Agenda on Migration, the partnership seeks to build greater coherence between the EU's migration policy, its external action, and 'immediate challenges' (European Commission 2015a). This is no novelty. The EU has previously sought to strengthen the nexus between its foreign, immigration, and asylum policies and its cooperation with third countries (Boswell 2003). The mentioned partnership aims, however, to refine this approach by enhancing the ways through which the EU leverages its Neighborhood policies 'to bring order into migratory flows' (European Commission 2016a, 2) while building the capacity of local governments and communities and strengthening their resilience or their adaptive capacity to deal with crises. Recognizing that 'different partners face different challenges' (European Commission 2016a, 9), it calls for designing tailormade and comprehensive instruments (European Commission 2016a, 6) that reinforce capacity-building while rewarding countries that cooperate on migration and on 'adequately' hosting refugees (European Commission 2016a, 7). To that end, the EU develops bilateral package tools framed as *Compacts*. These aspire to reinforce synergies between EU migration policy and its external action while integrating incentives cutting across migration, development, and trade policies. Moreover, the partnership firmly integrates refugee instruments in EU external action. Through support facilities, the EU aims to build both refugee and host communities' resilience in countries bearing the brunt of the refugee challenge and to provide lasting solutions to refugees 'close to home' (European Commission 2016a, 2).

This external migration policy, which stresses differentiated engagement, support of resilience in regions of origin while seeking to prevent 'a return to the 'uncontrolled flows of 2015" (Council of the EU 2018a) is deeply intertwined with EU region-building objectives. The 2015 revamped Neighborhood Policy (ENP) advocates for an approach that relies on 'differentiation' (European Commission 2015b). It enshrines resiliencebuilding as an external action strategy (Juncos 2017, 3) with a view to stabilizing neighboring countries in the face of challenges while catering to EU security. Adopted in 2016, the EU Global Strategy for Foreign and Security Policy (EUGS) proposes fostering resilience in partner countries as key regional response to neighboring crises (EUGS 2016). Generally speaking, the EU frames 'resilience' or the 'ability' of societies to withstand adversities without compromising 'long-term development' as the rationale for its external assistance (ECHO 2019a). Instruments such as the European Agenda on Migration and the revamped ENP draw however on resilience-building not only as the rationale for development aid, but also as a narrative for engaging with the 'Neighborhood'. Through resilience-building, the EU is set to strengthen its neighbors' capacity to face challenges and foster refugee self-reliance 'as close as possible' to the country of origin (European Commission 2016a, 4) while governing from a distance.

EU regional response to Syrian displacement is strongly aligned with this new partnership, which tightens linkages between 'migration management inside Europe' and 'effective policy outside Europe' (European Commission 2016a, 5). Within this context, the EU has sought to devise common strategies to boost the resilience of both refugee and host populations in Syria's neighboring states. Through its so-called 'support to resilience' (European Commission 2018a), it has ensured that its refugee response is integrated in a broader approach to stabilization and development (European Commission 2015b; European Commission 2017b, 16). As shown below, EU support to resilience requires contextual engagement, reinforcing local capacity, and deepening bilateral cooperation. It also requires providing solutions to refugees where they are while benefiting the communities that host them (European Commission 2016b). In this fashion, EU neighbors may become actively engaged in supporting EU border management.

Since 2011, the EU has evolved into the most important donor providing assistance to refugee and host communities in the region (ECHO 2019b). It has developed tailormade actions that assist Syria's neighboring countries to respond to the refugee issue while addressing their own challenges. In Lebanon, the EU did not renew the previous EU-Lebanon Partnership plan but developed in 2016 new priority actions to enhance its capacity to deal with displacement (European Union 2016). In the wake of the 2016

Conference on Supporting Syria and the Region in London, it negotiated with the Lebanese Government a tailormade compact catering to its development needs. In return, Lebanon committed to facilitate refugee inclusion (European Union 2016). In Jordan, the Kingdom's advanced status in the ENP was consolidated through a series of dialogues culminating in the negotiation of the 2016 Compact, which eased export requirements to the EU in return for Jordan providing 200,000 job permits for Syrian refugees (European Commission 2017a; Lenner and Turner 2018). That same year, the EU agreed with Turkey on a Refugee Facility, an instrument nested in a deal allowing refugee resettlement to Turkey in return for financial assistance to that country (European Commission 2019a).

Additionally, the EU has enhanced bilateral cooperation with neighboring governments. The EU-Turkey Statement of March 18, 2016, spells out action points as to how the EU and Turkey are to deepen their cooperation while jointly addressing the refugee issue (Council of the EU 2016). During the 2017 EU-Lebanon Association Council, the EU and Lebanon fleshed out policy areas of 'mutual interest' in migration, trade, and job creation (Council of the EU 2017b). In Jordan, the EU has reinforced cooperation on mutual challenges such as the search for solutions to the refugee problem (Fontana 2018). Strengthening linkages between migration and trade, the EU has established working groups with Jordan and Lebanon to explore trade facilitation in the context of the refugee issue (Council of the EU 2017; European Commission 2018b).

Central to the EU's regional refugee approach as resilience-building is the adoption of an array of tools seeking to achieve development in host countries while providing refugees with prospects close to home. The achievement of these goals requires improved local integration through access to residency, education, and jobs. In the wake of a joint action plan with the EU, Turkey committed to opening its labor market to Syrian refugees while providing them with temporary protection (Council of the EU 2016). As noted above, the compacts negotiated with Jordan and Lebanon create incentives for 'catalyzing' asylum reforms (Huang and Ash 2018). In the Brussels Conferences on 'Supporting the Future of Syria and the Region' that the EU has hosted with the United Nations (UN) since 2017, the Union has explored ways to build the capacity of asylum systems in host countries. Examples include facilitating refugees' access to employment and protecting them against forced repatriation (Council of the EU 2018b; Council of the EU 2019).

# Case study of Lebanon's engagement with the EU's regional refugee approach

As shown above, the EU has coupled its refugee approach in the 'Neighborhood' with a politics of resilience-building entailing stabilization, tailormade partnerships, and capacity development. Linking migration governance to the prevention of 'uncontrolled flows' (Council of the EU 2018a), resilience-building presupposes measures allowing the EU to offer refugee solutions beyond its own territory and close to countries of origin. Within this context, how has Lebanon, the country with the highest refugee concentration per capita, engaged with this script?

Lebanon is a state divided along ethno-sectarian lines. Its political system rests on a power-sharing agreement which has, since 1943, distributed political offices amongst

sectarian communities. In a context of deep internal divisions, Lebanon's Syrian refugee response has been characterized by incoherence and legal ambiguity (Fakhoury 2021; Nassar and Stel 2019). According to the Lebanese Government (GoL), the country hosts today 1.5 million Syrians, with 950,334 registered by the UN Refugee Agency (UNHCR) (Government of Lebanon and UN 2019, 8). As most displaced Syrians are Sunni, Lebanese communities have expressed the fear that their integration would disturb the country's balance of power between Christians and Muslims. Throughout the first years of Syria's conflict, Lebanon barely sought to regulate refugee arrivals. In 2015, however, reacting to economic and security strains, it asked the UNHCR to stop registering incoming Syrians. Since then, Lebanese officials have engaged in stark contestation over refugees' right to remain (Geha and Talhouk 2019). Within this climate, Lebanon has gradually evolved into a prioritized albeit contentious EU neighbor.

It is true that, in the context of the emphasis on resilience-building that has characterized EU external action, Lebanon and the EU have significantly strengthened their cooperation (Seeberg 2018). High-level meetings and strategic instruments have fleshed out several 'positive incentives' through which the EU can reward Lebanon for its 'contribution to global public welfare' in hosting refugees (Council of the EU 2017). Incentives revolve around deploying financial instruments that support the Lebanese economy and security while upscaling negotiations on trade. Through a plethora of funding instruments targeting both 'the resilience of local communities and Syrian refugees' (Council of the EU 2018c), the EU has sought to shift from a humanitarian to a development approach (European Commission 2017c). Cited as one of the key actions in the New Partnership on Migration, the Lebanon Compact is an illustrative example of how the EU has embedded resilience-building in its external refugee policy. EU funding is channelled to projects feeding into development and security (European Commission 2017b). In return, Lebanon has pledged to simplify refugee documentation requirements and facilitate refugee access to work in limited sectors such as agriculture. The Compact's strategy of offering protection to displaced Syrians while supporting local resilience is consolidated in the Brussels conferences co-hosted by the EU since 2017. The conferences enshrine a logic of mutual commitments between the EU and Lebanon.<sup>4</sup> By developing a financial tracking mechanism, the EU confirms that it aims to deliver on its pledges, and that it is committed to supporting Lebanon's development.<sup>5</sup> At the same time, Lebanon has committed to a more equitable asylum system by easing refugee stay and allowing Syrian children born in Lebanon to register their birth (Council of the EU 2018c).

And yet, notwithstanding this upscaled cooperation, Lebanese officials have disputed both through rhetoric and practices some EU prescriptions and reneged on spelled-out commitments (Fakhoury 2020). The sections below offer insight into the struggle over policy determination between the EU and Lebanon. First, we look at illustrative official narratives showcasing Lebanon's role as a contentious policy agent. A subsequent section explores how and why Lebanon has adapted some EU instruments on the ground.

### **Critical storylines**

Lebanese officials have engaged in what Antje Wiener (2004, 218) frames as 'discursive interventions' in which they have questioned the relevance of EU refugee solutions.

These interventions dispute core features of the resilience-building approach that the EU advocates for, namely stabilization, tailormade engagement, and the search for solutions where refugees are located. While the EU has framed its financial support to Lebanon as a driver for stabilization, officials have emphasized that refugee stay would only destabilize the polity (National News Agency 2018a) and exacerbate refugees' suffering (Naharnet 2019a). Leveraging EU concerns over 'uncontrolled flows', Lebanese president Michel Aoun has stressed that refugees' dire predicament in Lebanon would prompt new arrivals to Europe (Hall 2019). Moreover, key political executives such as former Foreign Minister Gebrane Bassil, whose ministry is in charge of cooperation with the EU, have challenged the EU's search for solutions where refugees are, stressing rather the 'toll of displacement' (National News Agency 2017). More specifically, they have contested proposals for refugee stay and access to employment. As the Bashar el Assad regime gained the upper hand in Syria's war by 2017, Lebanese political factions have intensified their calls for expedited refugee repatriation. In turn, the EU has called for voluntary repatriation only when conditions in Syria become favorable (Mroue 2019) and has proposed increasing its support to Lebanon's resilience as a solution (Fleyhane 2017; Naharnet 2019b). Challenging this stance, Lebanese decision-makers have called on the international community, including the EU, to secure 'a safe and progressive return of refugees to the stable areas in Syria' (National News Agency 2017). They have also called for decoupling refugee return from a political settlement in Syria (National News Agency 2018b; Naharnet 2019c). The Lebanese President's statement below is suggestive of such contestatory views:

'We will try to find a solution for Syrian refugee crisis regardless of the EU's and UN's opinion because it is an existential threat related to Lebanon's stability [...] We expect the European Union to help us return the Syrian refugees, monitor this return, and make sure it is safe and stable [...].' (Naharnet 2018a)

In the wake of the 2018 Brussels Conference, the EU and the UN released a statement calling for enhancing the search for more durable solutions to the Syrian refugee dilemma, including facilitating 'integration into the labor markets' (Council of the EU 2018b). Highlighting that the statement defies Lebanon's sovereign labour laws (National News Agency 2018d; Naharnet 2018), Lebanese officials called on both parties to withdraw the statement (The Daily Star 2018a). Following the altercation, the EU and the UN clarified that 'participation in the labor market can only take place in accordance with Lebanese law' (The Daily Star 2018b).

Expressions of disapproval of the EU's search for durable solutions have unfolded in a broader field of contention, in which Lebanese officials have decried EU burden-sharing practices and flagged their implications for Lebanon as particularly negative. In an address to the European Parliament, Lebanon's President Aoun, referring to the 'unsustainable burden' of refugees, argued that 'the international community – prominent therein the EU – has been neglecting the 'principle of sharing the burden between states." (Faul 2018). He argued that limited burden-sharing has exacerbated Lebanon's challenges and called on the EU to pay the financial aid it has promised (Asharq Al-Awsat 2018; Faul 2018). In response to the EU praising Lebanon for its hospitality, former Minister Bassil deplored the fact that 'countries' have sought to 'escape their obligations' (Fleyhane 2017). Thus, Lebanese officials have contrasted Lebanese hospitality

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amid limited resources with what they perceive as the EU's cautious burden-sharing despite its affluent societies (BBC News Arabic [Translated] 2018).

Contrasting Lebanon's so-called hospitality with EU governments' limited burdensharing has enabled some politicians to recast Lebanon's asylum system as immune to critiques, and, further, to buttress the argument for refugee return. Stressing Lebanon's limited capacities, officials have argued that Lebanon has dealt with Syrian displacement as 'a humanitarian obligation' and on the basis of 'brotherly relations' (National News Agency 2018d).<sup>6</sup> In the context of what they frame as a burden that has not been equitably shared, they have highlighted the irrelevance of the 1951 Refugee Convention for the Lebanese setting (Janmyr 2017). In a national conference on displacement, former Foreign Minister Bassil argued that Lebanon respected the Convention more than many European states although it is a non-signatory state (National News Agency [Translated] 2018). At the 2019 EU-Arab League summit, Bassil stressed the imperative to secure an expedited refugee return in a context wherein the EU and its member states 'combined' have not been able to 'bear' what Lebanon has done 'alone' (The Daily Star 2019).

### Adapting EU refugee tools

Contention has not remained rhetorical. The GoL has sought to adapt how EU refugee solutions are appropriated in the local setting and has tailored some EU actions in accordance with its policy preferences. As the examples below show, it has attempted to shift the focus of the EU's aid approach from displaced Syrians to Lebanese host communities and 'working population' (European Commission 2017b). Moreover, it has challenged the EU on the relevance of 'positive incentives' in refugee cooperation, such as linking refugee employment and trade. Also, it has, on the ground, disregarded EU efforts 'to provide lasting prospects for refugees close to home' (European Commission 2016a, 2). The implementation of Lebanon's commitments to refugee inclusion has remained at best elusive.<sup>7</sup>

Critical of the emphasis on refugee aid that the EU has, in its view, prioritized in the first years of Syria's conflict, the GoL has increasingly sought to shift the gaze from refugee resilience to that of host communities. <sup>8</sup> Negotiations over the 2016 Compact reflect this attempt. The EU views the Compact primarily as a migration-related tool meant to leverage financial instruments in exchange for boosting refugee inclusion (European Commission 2016a, 6; 9). In contrast, Lebanese authorities have defended the view that the Compact ought not only to enshrine an equal focus on host communities and refugees but also to frame Lebanon's economic recovery as the core rationale for the instrument. <sup>9</sup> According to this narrative, the compact represents 'a turning point' in refugee cooperation between Lebanon and the EU, setting a new course for the EU's agenda in donor aid. In the context of the 2019 Brussels Conference co-hosted by the EU, Lebanon asked for allocating more funds to host communities than refugees (Azhari 2019). On that occasion, to encourage Syrians to return, officials called the EU to stop deploying financial instruments where refugees are and to redirect them to Syria (The Daily Star 2019).<sup>10</sup> The EU has, however, expressed its intent to continue channeling funds to Lebanon (Dakroub 2019).

Notwithstanding EU intent to link migration and trade policy as a cooperation incentive (European Commission 2016a, 9), the GoL has not been receptive to such a linkage. Throughout their discussions with the EU, Lebanese ministries have shown reluctance to strike an agreement tying refugee employment to trade facilitation.<sup>11</sup> According to some officials, the EU's proposal ought to be tailored to Lebanon's historical practices. In the light of the 1993 Agreement for Economic and Social Coordination between Lebanon and Syria, Lebanon had already opened its labor market to Syrian workers prior to the 2011 displacement wave. In the view of Lebanese officials, EU efforts to create jobs in Lebanon without asking the government to allocate formal employment quotas to refugees would still benefit displaced Syrians.<sup>12</sup> In yet another perspective, some Lebanese officials have portrayed Lebanon as entitled to EU aid without conditionality, given the existing situation of uneven burden-sharing. (Asharq Al-Awsat 2018; Faul 2018).<sup>13</sup> In this account, institutionalizing linkages between refugee employment and trade would only erode the social contract already undermined by tensions between locals and refugees.<sup>14</sup> Characteristically of this line of argument, Lebanon's President Aoun has urged the EU to open its market to Lebanese exports regardless of the refugee issue (The Daily Star 2018c).

In response to the EU's emphasis on prospects for refugees where they are, Lebanon has been most adamant about not only proving its capacity limitations but also ensuring that the EU acknowledge displaced Syrians' presence as a temporary phenomenon pending their return. Thus, in its negotiations with the EU, the Lebanese government has insisted on using official terminology that does not impose obligations on Lebanon to recognize Syrians as refugees.<sup>15</sup> This is reflected in the Compact, which includes in line with Lebanese officials' request a footnote acknowledging nationals who have fled Syria since 2011 as 'displaced persons' and affirming that the compact shall not contradict Lebanon's objective to reduce their numbers and ensure 'their safe and full return' (European Union 2016, 12). Further, 'serving the Lebanese logic<sup>16</sup>, the Compact ensures that Lebanese law and the priorities of the country's labor market condition refugee access to residency and employment (European Union 2016, 12). In this light, the compact neither establishes mechanisms ensuring Lebanon's compliance with its proclaimed commitments towards refugee inclusion, nor fleshes out conditional linkages between EU funding and Lebanon's commitments. As key officials have repetitively claimed that the EU has been incentivizing refugees to stay despite the country's deteriorating situation, the EU published shortly after the onset of Lebanon's mass protests in October 2019 a press release affirming that it has never advocated for Syrians' settlement in Lebanon (EEAS 2019).

### **Elusive practices**

To gain a deeper insight into how Lebanon has disregarded some EU instruments on the ground, it is important to look at how 'resistant rhetoric' has been constitutive of practices on the one hand (Dixon 2017) and how the GoL's behaviour has departed from its rhetorical commitments on the other. The GoL has formally declared that it has upheld its pledge towards facilitating refugee inclusion (National News Agency 2018c). In practice, the extent to which the government has translated its commitments into actions, has remained ambiguous. Policy makers' critical framings of EU proposals have paved the way for a roadmap allowing them to disregard or reverse negotiated commitments. Through such interventions, which have iterated Lebanon's limited capacities and

construed some EU solutions as inadequate to the Lebanese context, these framings have buttressed elusive policy practices. Despite varied statements in which the GoL has pledged to facilitate temporary refugee inclusion, key political executives have in various instances dismissed previously adopted commitments. In the aftermath of the 2018 Brussels Conference, officials asked for retracting the EU-UN statement calling for easing refugee access to work, despite prior commitments to the contrary.

The GoL's pledge to facilitate refugee inclusion has moreover not been matched by a policy process monitoring the implementation of these commitments. For instance, the EU-Lebanon Compact promised to waive the 200 US dollar refugee residency fee and reduce refugee registration documents. One year later, human rights organizations decried inconsistent registration procedures and the selective application of the fee waiver policy (Human Rights Watch 2017). The GoL has subsequently expressed a firmer commitment to ensuring that 'eligible refugees' can renew their residency without paying fees (Council of the EU 2018c). Tracking reforms on the ground has, however, been elusive.<sup>17</sup> According to the UNHCR, about 78 percent of surveyed Syrians above the age of 15 lack legal residency (UNHCR 2019b). Reasons have been attributed to Lebanon's limited administrative capacity, <sup>18</sup> endemic constraints (Huang and Ash 2018), and to its intent to maintain 'ambiguity' as a refugee governance strategy (Nassar and Stel 2019).

An understanding of Lebanon's elusive cooperation with the EU also requires looking into how the state has engaged in behavior disregarding EU positions. A case in point is Lebanon's dismissal of EU calls to facilitate return only when a Syrian political settlement is in place. Declaring their intent to uncouple repatriation from 'some, possibly very distant, political solution' (Faul 2018), political factions have started organizing refugee returns (Yusof 2018).

### The motives for contention

Why has Lebanon sought to shape some EU scripts despite the Union's funding power and toolbox of 'positive incentives'? and has it done so successfully?

Contesting and adapting the EU's refugee approach serves a variety of strategic functions, while mirroring what James Hampshire (2016, 572) frames as the 'asymmetries of power' upon which migration governance is predicated. Usually depicted as a weak state, Lebanon has exploited its role as a key refugee-hosting state to upscale its influence as a policy shaper (Geha and Talhouk 2019). Amid strains, Lebanon has moreover sought to contest its role as a 'refugee warehouse' and to advocate for its interests by lobbying for more resources. <sup>19</sup> Still, in contrast with Turkey (which has exploited its contiguity to Europe to ask for visa facilitation schemes) and with Jordan (which has used some of its attributes such as the Special Economic Zones to negotiate trade schemes), Lebanon has not been able to leverage the refugee issue as it could have.<sup>20</sup>

Elite antagonisms and divided bureaucracies over the refugee issue have prevented the country from formulating a grand bargain. In a context of unmet financial pledges, declining global appetite for resettlement, and domestic tensions, Lebanese politicians have gradually engaged in more vocal contestation (Azhari 2019). Also, as Gerasimos Tsourapas argues, the EU was vulnerable to external pressure by host states not only if these states contained *sizeable numbers of forcibly displaced individuals* but also if they

were considered as *geopolitically important*.<sup>21</sup> Unlike Turkey which contained sizeable refugee populations in the immediate proximity of the EU, Lebanon is no gatekeeper. In that regard, critical storylines have not produced the intended result in terms of leveraging negotiations on refugee aid.

Though Lebanon has not been able to pressure the EU, contesting and recasting EU policy scripts has served broader instrumental objectives, including justifying Lebanon's recalcitrance to uphold refugee obligations. Lebanon has historically shielded itself from pressures to reform its asylum system, portraying refugees as a threat to its multi-sectarian composition. In the context of Syrian displacement, one strategy has been to argue that, contrary to its European neighbors, it has done more than enough to help mitigate the overall issue. Moreover, politicians' instrumentalization of EU proposals should be understood within Lebanon's sectarian power-sharing model, and within the broader geopolitics of Syria's post-2011 war. Politicians' rejection of refugee inclusion has often served as an avenue for reinforcing their communal and electoral base (Geha and Talhouk 2019). Additionally, ruling coalitions that are staunch allies of the Syrian regime have contested EU calls for refugee inclusion in Lebanon as a tactical measure to bolster the disputed legitimacy of the Bashar el Assad regime. Proclaiming that the time has come for refugee return serves the 'narrative of a stabilised Syria' that is 'ready for the repatriation of refugees' and for 'post-war reconstruction.' (Yusof 2018). Conversely, Lebanese factions that have favored the Syrian regime's demise have shown support for the EU's refugee approach in Lebanon with a view to boosting their international alliances (El-Gamal 2019).

Additionally, understanding the underlying motives for contesting the EU's refugee scripts requires an incisive look into how governing powers have drawn on the politics of asylum to deflect accountability over the country's most recent collapse. In October 2019, mass protests compounded by a financial crash broke out in the small polity. Protesters have demanded the resignation of Lebanon's political elite, accused of dilapidating public funds.

Deflecting accountability over their role in the collapse, key governing powers have shifted the blame to external factors, including the little support that the international community has shown to Lebanon in the context of the refugee challenge (Malmvig and Fakhoury 2020). In the context of deteriorating livelihoods for both refugee and host communities, grassroots activists have called for tracking EU funding power in Lebanon, and have cautioned EU member states against cooperation with 'corrupt' incumbents.<sup>22</sup> In the context of Lebanon's multiple crises ranging from the financial crash to the 'Beirut Blasts' in August 2020, the EU has vowed to revamp its politics of aid, making it conditional on politicians' readiness to embark on reforms.

Beyond the country's recent episode of collapse, Lebanon's role in disputing EU proposals and reshaping parameters for compliance reflects a critical engagement with the divergent interests and hierarchies in the 'EU Mediterranean region'. EU external migration policy has collided on the ground with Lebanese historical legacies, domestic divides, and local understandings of 'resilience' in a conflict-ridden environment. EU proposal to facilitate refugee integration in exchange for aid has elicited fears that established laws long excluding refugees from Lebanon's sectarian political system would be eroded.<sup>23</sup> As domestic groups have clashed over the governance of the refugee challenge, EU proposals for refugee inclusion have become part and parcel of Lebanon's internal divisions. The following table, which summarizes the arguments above, relates some scenarios illustrating Lebanon's role as a contentious actor on refugee politics with the EU. It highlights the means and tactical performances the country has drawn on to enact a contentious role. It also relates some of the policy objectives and underlying motives driving this contentious politics.

### Conclusion

EU external migration action in the MENA has long sought to feed into a region-building perspective aligning cooperation with bordering and 'governance at a distance'. This approach has not, however, yielded convergence in regional policies (Wunderlich 2010); instead, EU engagement with neighboring states has revealed a wide variety of outcomes as a result of the EU's bilateral ties with multiple actors (Collyer 2016). Moreover, countries' 'longer-established national political goals' have clashed with the EU's 'novel construction of a EU Mediterranean region' (Jones and Clark 2008, 578). In that vein, EU external migration policy represents a major geopolitical field where tensions and incoherencies at the heart of regional cooperation play out (Lavenex and Piper 2022).

Syrian displacement has provided the EU with an opportunity to reframe its engagement in its Neighborhood as stabilization and resilience-building. Through strategies such as devising refugee prospects 'within the region' and strengthening cooperation on security and borders, the EU has sought to produce guiding structures and frames of region-making. These frames have however remained shrouded in vagueness (Badarin and Schumacher 2020). Also, neighboring governments have challenged the EU's capacity to wield regulatory power (Allen William et al. 2018, 228).

This article has specifically focused on EU refugee approach as a contested dynamic with fragmented regional outcomes. Using an in-depth case study, it has contrasted EU refugee policymaking with Lebanon's enactment of its role as a refugee-hosting state. It has shown that the GoL has not been a quiescent borrower of the EU's refugee script as *support to resilience* 'within the region' and at a distance. To that end, the article has identified some prominent accounts of how and why governmental stake-holders have reframed EU policies through rhetoric and actions. It has also placed these accounts within the context of Lebanon's politics, highlighting some of the stakeholders' motives.

The case of contentious refugee politics between Lebanon and the EU generates several insights. First, it calls for studying the tensions underlying the external, regional, and bilateral dimensions of EU migration policy (Collyer 2016), and how states' engagement with these overlapping dimensions plays out on the ground. EU attempt to shape its Neighborhood 'from beyond' while providing differentiated recipes opens spaces for ambiguities and contention. Governments recast EU instruments and question its external migration policy as a vector for regional order-making. Further, EU attempt to provide common scripts of migration management becomes embroiled in the target countries' political order and interests (Del Sarto and Cassarino 2018)

Secondly, the article suggests that the uneven impacts of the EU's external migration approach can be better understood by unravelling EU interactive dynamics with individual countries, emphasizing a reflexive perspective on governance (Wiener 2004, 190). There is substantial literature criticizing EU ability to project authority in the Mediterranean (Bicchi

Means	Tactical performances	Policy objectives	Underlying motives
Critical rhetoric	Referring to the 'toll of displacement' and Lebanon's limited capacities Criticizing EU search for prospects	Signalling tensions and overstretched capacity Leveraging 'hospitality' Justifying non-	Attracting more international aid Asserting the legitimacy of Lebanon's decision-making vis- a-vis asylum
	in regions of origin Calling out the EU on limited burden-sharing	compliance with commitments	Obscuring accountability and shifting the blame
Adapting EU refugee tools	Shifting the gaze to 'host' and 'working' population	Claiming its role as a 'policy shaper'	Strengthening ruling coalitions' communal base
	Ensuring that the EU acknowledge refugee presence as 'temporary'	Asserting local practices and legacies	Resisting pressures to improve asylum system Bolstering the legitimacy of the
	Decoupling refugee aid from trade		Syrian regime
	Calling for redirecting aid to Syria		
Dismissing EU tools and	Reversing previously adopted pledges	Elusive policy-making	Avoiding reform
stances	Engaging in actions disregarding EU positions.		

Table 1. Contentious refugee politics between Lebanon and the EU.

2006). Still, we know little about variation in states' responses to the EU, and the contexts and motives enabling them to challenge EU migration policy as a modality for regulating regions. To what extent do states internalize EU proposals? Through which strategic performances do they seek to reconfigure them? Beyond cooperation on migration, what interests and ambitions propel them to accept, disregard or leverage EU tools? (see Table 1). Tracing how EU external actions interact with domestic settings expands our understanding of these questions. It also generates insights into the multi-layered expressions of power that shape regional cooperation over displacement, often at the detriment of refugees' rights.

Lastly, an inquiry into how governments react to EU instruments helps to move the debate beyond the methodological focus on EU engagement in constituting regions beyond its territory. Often, this perspective glosses over the characteristics of neighboring countries, positioning them as vessels as opposed to agents (Edmunds and Juncos 2020). The literature on EU external migration policy as one the EU's 'region-making endeavors' (Bialasiewicz et al. 2013, 69) has yet to study the diversity of environments to which EU policy travels or to understand how states' legacies and interests break it down into multiple (dis)orders. Further research could draw on this illustrative case study to deepen these reflections.

### Notes

- 1. Interview with Dallal Stevens, Prato, June 2019,
- 2. Dawn Chatty, Oxford, July 2019.
- 3. Rawan Arar, San Diego, April 2019.
- 4. Erin Agich, Byblos, April 2019.
- 5. Interview with EU official, Brussels, March 2018.
- 6. Interview with Lebanese officials, Beirut, February 2019.
- 7. Interview with Lebanese policy expert, Beirut, April 2019
- 8. Interview with Lebanese official, Beirut, March 2019.
- 9. Idem.
- 10. Idem.

- 11. Interview with Lebanese officials, Beirut, March 2019
- 12. Interview with Lebanese official, Beirut, March 2019
- 13. Interview with Lebanese officials, Beirut, February, and 29 March 2019.
- 14. Interview with Lebanese officials, Beirut, February 2019
- 15. Interview with Lebanese official, Beirut, March 2019.
- 16. Interview with Lebanese officials, Beirut, February 2019
- 17. Conversations with scholars and civil society activists, Beirut, March 2019.
- 18. Interview with Lebanese official, Beirut, February 2019.
- 19. Interview with Rawan Arar. Interview with Lama Mourad, Toronto, July 2019.
- 20. Interview with Lebanese officials, Beirut, February 2019, and May 2019
- 21. Gerasimos Tsourapas, Birmingham, March 2021
- 22. Interviews with grassroots activists, Beirut, October 2019-April 2020.
- 23. Jean-Pierre Cassarino, Rome, April 2019.

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