

Dossier: Mobility and Refugee Crisis in the Mediterranean

Syrian Refugees in Jordan and Lebanon: between Refuge and Ongoing Deprivation?

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Jordan and Lebanon have both generously received refugees from Syria since the outbreak of the crisis in 2011. Of all neighbouring countries, they host the largest number of Syrian refugees relative to their overall populations. Yet after years of relative openness, new regulations have made entry and movement more difficult while making lives more precarious. Syrian refugees have also been severely affected by funding shortages in the global humanitarian response. The resulting squeeze has led to an increasing sense of despair and many have attempted to leave both countries. The situation, however, is arguably worse in Lebanon than it is in Jordan. Syrian refugees in Jordan have experienced glimpses of hope since the February 2016 donors conference, which promised to facilitate their access to the labour market. This article introduces some parallels, as well as notable differences in the way the Syrian refugee crisis has evolved in both countries, particularly over the course of 2015 - 2016.

Syrian and Other Refugee Communities

Lebanon and Jordan are home to an exceptionally large number of refugees relative to their overall populations. According to estimates, registered refugees (with UNHCR as well as UNRWA) make up around 1/3 of the total population in both cases. Jordan, with approximately 9.5 million inhabitants, hosts 2.1 million registered refugees from Palestine

(including their descendants), who came in 1948, 1967 and 1990/91. Hundreds of thousands of Iraqis have sought temporary or permanent refuge in Jordan over the past 25 years due to the Gulf wars, and more than 650,000 Syrians have registered as refugees since 2011. Governmental sources suggest around 1.4 million Syrians now live in Jordan, as they estimate 750,000 Syrians were in the country when the war began.

Lebanon, in comparison, has a population of around 6.2 million. Of these, approximately 450,000 are Palestinian refugees and 50,000 are Palestinian refugees from Syria (PRS). An estimated 30,000 to 50,000 are Iraqi refugees and almost 1.1 million are UNHCR-registered Syrian refugees. The number of non-registered Syrians is unknown but substantial. In addition, both countries host smaller refugee communities, such as Somalis, Sudanese and Yemenis.

The way in which Syrians have been received in both countries is strongly connected with these previous experiences with other refugee populations, as well as with the broader political and socio-economic dynamics in both settings. More than anything, the Palestinian experience has led to a reluctance to admit a new population of refugees as anything more than temporary guests. This aversion is so powerful that Jordan has even refused to let PRS enter the country.

Government Responses and Status Questions

Neither Jordan nor Lebanon have signed the 1951 Geneva convention, and neither have specific asylum laws. Cooperation with the UNHCR functions on the basis of memoranda of understanding

(MoU). In Jordan, UNHCR registers Syrians as refugees, giving them *prima facie* status without the need for a status determination process. In Lebanon, the lack of an updated MoU pertaining to Syrian refugees implies that the Lebanese government does not recognize UNHCR registration as a type of legal status, and thus most Syrian refugees remain vulnerable to arrest as illegal immigrants. Indeed, the Lebanese government instructed UNHCR in May 2015 to temporarily suspend registration for both new arrivals and those already within the country. This helps explain, apart from refugees leaving Lebanon or not being able to enter, the slight reduction of UNHCR registered Syrian refugees over the past year.

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Given these different approaches, it is unsurprising that governmental and international actors interact differently in Jordan and Lebanon. In Jordan the government negotiates its policy priorities with UNHCR and its partners, and has a significant role in the planning process. In Lebanon, due to a largely non-functional government and weak state institutions, UNHCR has led the 'crisis response.' The Lebanese government tried to both reassert itself and reduce arrivals in late 2014 by replacing its open door policy with new visa and residence regulations. These regulations, which went into effect on 5 January 2015, delineate two 'categories' of Syrian refugees: those registered with UNHCR and those with a Lebanese national 'sponsor.' The former must sign a pledge not to work in order to receive a residency permit. The latter must have their subsistence guaranteed by their sponsor. For both categories, the annual renewal of the residence permit for persons over 15 years of age costs \$200.

The new regulations have complicated entry to Lebanon and the renewal of residence permits enormously. More than half of the displaced Syrians in Lebanon are now estimated to be without

valid status papers. The number of undocumented PRS is even higher. This precarity greatly increases the vulnerability of refugees in Lebanon. It impedes access to healthcare and other services and restricts mobility within the country. It is also dangerous, as the principle of non-refoulement is, in practice, increasingly disrespected. Finally, the risk of becoming stateless for refugees from Syria in Lebanon increases the longer the war and the displacement last.

In Jordan, the status of most refugees is less precarious. Registration with UNHCR is relatively uninhibited, and there is an ongoing process of status verification that requires all Syrians – not just registered refugees – to register with the closest police station to obtain a Jordanian identity card. This process was greatly hampered during 2015 by fees (e.g. for a health certificate) and other bureaucratic requirements. After intense negotiations with UNHCR the government agreed to reduce these requirements and the process is now picking up speed, but to date it has still only registered around 500,000 of the purported 1.4 million Syrians. Syrians who left one of the camps unofficially and do not have proper bail-out documentation face a severe protection gap. Those who did so after July 2014 can neither register with UNHCR outside the camps, nor with the police station. The number of those who have become illegalized as a consequence is unknown, but appears less significant in scale than in Lebanon.

Housing and Mobility

Jordan has official camps while Lebanon does not, however new regulations have strongly curtailed mobility in both countries over the past year. The Lebanese government largely left the humanitarian response to different local and international organizations. It has, however, maintained a firm position against the establishment of formal refugee camps for Syrians. This is in part due to security concerns. Palestinian refugee camps were important sites of the Lebanese civil war (1975-1990), and officials are wary of repeating that experience. At the same time, this non-camp policy is also connected to demands for a readily available Syrian workforce.

This non-management allowed those fleeing Syria to mobilize their long-standing social relations and work contacts within Lebanon. Syrian refugees now live across the country, concentrating in the Bekaa Valley, the west/central Mount Lebanon region, and north Lebanon. Living conditions vary widely: while so called 'informal tented settlements' have grown, and other refugees live in ruins, building shells and garages, more than half rent regular accommodation. This freedom of settlement and movement is becoming more restricted. Since 2014, some municipalities have imposed curfews, and throughout 2015/16 more and more people have lost their mobility along with their regular status papers. Many now remain within a small radius of their living area for fear of being stopped at a checkpoint.

Refugees in Jordan are primarily impeded by the government's attempt to channel all displaced Syrians into camps. The first and largest camp, Al-Zaatari, was only opened in July 2012, over a year after large numbers started to arrive. Early arrivals thus settled in urban areas where they could mobilize their family and social networks. Until mid-2014, those who did enter the camp system could exit it again relatively easily through a sponsored bailout procedure. Consequently, an estimated 80% of the Syrian refugee population now lives outside the camps in the northern governorates of Mafraq, Irbid, Zarqa, and in the capital Amman. Controls over camp residents were tightened as of mid-2014, and the bailout procedure was suspended entirely in February 2015. Syrian refugees – some 140,000 people – can now only leave the camps for a holiday period of up to 15 days, with very few exceptions.

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Meanwhile, the over 17,000 refugees allowed into Jordan from the Al-Rukban border area since March 2016 have been put into a fenced-off, monitored, jail-like 'village' in Azraq camp. This flow has now

entirely stopped along with the closure of the border following an attack there in June 2016. As of this writing, up to 85,000 people are currently stranded in the no-man's land between Jordan and Syria, with very limited access to aid, and unacceptable living conditions.

Access to Labour Market and Education

In spite of recent changes, refugees continue to face barriers in accessing formal work opportunities and education. In Lebanon, the government's laissez-faire approach facilitated a quick and unbureaucratic first refuge. The large informal labour market that has traditionally included many Syrians also contributed to absorbing the arrivals from Syria. Yet the abovementioned registration system has curtailed access to this labour market, while at the same time the formalization of work relations has not come with increased legal or social protection for Syrian employees. Rather, it has increased dependency on the employer, creating employment situations which heighten the risk of exploitation. For those registered with UNHCR the work prohibition has further increased the dependency on humanitarian assistance.

Syrians were largely prevented from accessing Jordan's formal labour market from 2011 to 2015. Given their treatment as normal migrant workers, they were, in principle, allowed to apply for work permits. Yet high fees and often unattainable requirements – such as possessing a valid passport – made this difficult. Camp residents were also effectively shut out of the labour market.

While the number of work permits issued to Syrians was negligible, many Syrians found work in the informal economy, which has expanded significantly over recent years. They mostly work in construction, agriculture, retail and sales as a highly exploitable workforce that accepts lower wages than other workers in order to survive. While allegations that Syrians are taking Jordanians' jobs have proliferated in state-controlled and private media, existing studies show that this has only happened to a limited degree. Indeed, Syrian unemployment has become more prevalent now that the Ministry of Labour has stepped up inspections. If found without a work permit, Syrians are sent back to the camps, or even deported to Syria. While deportations are infrequent, enough sto-

ries exist to spread fear among refugees. As a consequence, many have stopped working, shifted to working at night, or sent children to work instead, hoping that they will be treated with more lenience.

In spite of the bleak situation in both countries, glimpses of hope are currently on the horizon in Jordan. Since the beginning of 2016, the government has committed to facilitating formalized access to the labour market for Syrians

While school participation has slightly increased since 2013, 35% of school-age Syrians remained out of school in May 2016. Such bleak figures have been countered by various informal initiatives, but these temporary initiatives cannot be substitutes for formal education. The renewed commitment of government and international actors at the London donors conference in February 2016 to prevent the emergence of a 'lost generation' has yet to bear fruit. The situation is similar in Lebanon, with comparably low levels of formal school enrolment (33.47%) and many parallel informal initiatives. Yet higher education is largely left out of the 'emergency response.' Thus even if Syrians in Lebanon can make a living they remain largely excluded from any possibility of upward social mobility.

In spite of the bleak situation in both countries, glimpses of hope are currently on the horizon in Jordan. Since the beginning of 2016, the government has committed to facilitating formalized access to the labour market for Syrians, waived fees and eased requirements. Various initiatives have also been put in place to either replace other migrant labour with Syrians, or to formalize the informal jobs Syrians are working in anyway. This promised policy change has raised hopes among an increasingly impoverished Syrian refugee population, who have been hit hard by repeated assistance cuts. Yet it remains to be seen how many Syrians will actually be reached by these measures. The number of work permits distributed to Syrians doubled after the institution of a three-month grace period from April to

July 2016, in which employers did not have to pay administrative fees, from 5,500 annually to almost 12,000 in the beginning of July 2016. Yet in comparison to the pool of around 200,000 potentially eligible Syrians, this is still a drop in the ocean. The process might also quickly reach a ceiling, once the 'easy cases' have been processed. Arguably, the formalization of informal jobs will not be particularly attractive for employers, who often have both Syrians and other irregular migrant groups working informally under them, and who are reluctant to pay fees and social security contributions for their employees. Through substitution measures, the status of these other migrant workers might become as precarious as that of most Syrians today.

Stuck in Transition?

The limited access to the labour market and to education, the precarity of their legal status, and the risk of further turmoil in the region have induced many refugees to leave the region. Most Syrians with sufficient resources have already left for Europe. It is impossible, however, for the majority to travel on regular flight and migration routes. European border policies, as well as increasingly restrictive Turkish border policies, have severely complicated onward migration for refugees in Jordan and Lebanon. More and more are also returning from Jordan to Syria. This trend has been exacerbated by repeated funding cuts to humanitarian aid programmes over the course of 2015.

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Those who are still present in both countries are stuck. Particularly in Lebanon, remaining refugees have to deal with the daily dimensions of exploitation

and are extremely marginalized due to their precarious status. In Jordan, there is a glimpse of hope that there might be some prospects for a dignified, self-reliant life. But it is yet to be seen whether the new commitment to provide formal access to the labour market will actually make changes to people's lives.

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Despite local tensions and security incidents – Lebanon has witnessed fighting in Tripoli and Aarsal among other places, while Jordan has seen incidents at the Syrian border – the refugees in both countries have been received relatively peacefully. The risk of further violent escalation, however, persists. The countries' resources and infrastructure are increasingly strained, and the large community of the displaced remains deprived of many basic needs. With no sign of the Syrian conflict abating the refugee population will undoubtedly continue to grow, further feeding into potential conflicts.

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