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Non-Paper on the International Response to the Syrian Refugee Crisis

The Syrian refugee crisis represents one of the greatest humanitarian challenges the international community has faced over the recent years, prompting record-high levels of international aid. In view of the complexity of the political and social environment in which these challenges arise and the historical scale of the population affected, innovative and creative programmatic responses are essential to address the short and middle-term needs of refugees and reducing instability in the Middle East region.

Key Facts

- **The ongoing conflict in Syria has generated the displacement of over two million refugees since the beginning of the conflict in 2011, resulting in one of the largest refugee crises in recent history.¹ It is projected by UNHCR that by end of 2014, the total refugee population in the region, particularly in Jordan, Lebanon, Turkey, and Iraq, could reach up to four million people.**
- **Causes of displacement are multifaceted.** Political violence within Syria remains a primary cause of the displacement of populations seeking security within the country and across its borders. Additional causes include increasing communal violence due to the collapse of law and order in some areas as well as the lack of access to food, shelter, health and other services. **As such, it is very difficult to predict the pattern and flow of displacement due to the constantly evolving circumstances within Syria and at its borders.**
- **There is an increasing proportion of Syrian refugees who are choosing to reside in urban settings compared to camp settings, where available.** In the five key hosting countries (Turkey, Lebanon, Iraq, Egypt, and Jordan), 81% of refugees currently live in non-camp/urban environments, and UNHCR projects that the number of refugees in the region living in non-camp settings will rise to 84% in 2014.² Even those who initially settle in camp settings often choose to migrate to urban environments. Between April

¹UNHCR, “2014 Syria Regional Response Plan,” December 16, 2013. Accessed January 12, 2014, <http://www.unhcr.org/syriarrp6/docs/Syria-rrp6-full-report.pdf>.

² UNHCR, “2014 Syria Regional Response Plan.”

23rd and December 31st 2013, while Jordan registered an additional 106,629 refugees the Zaatari camp population dropped from 202,993 to 124,105, a loss of nearly 40% of registered refugees.³ **The image of a refugee living in a remote tent city in Jordan is therefore unrepresentative.**

- **The tendency of refugees to move to urban environments and out of camp settings has been a factor in exacerbating existing vulnerabilities and pressuring coping mechanisms.** Generally, aid and coverage in most forms of humanitarian assistance like access to food, water, sanitation, shelter, education and healthcare for urban refugees remain significantly lower than for camp-based refugees. Furthermore, humanitarian protection challenges both in the camps and in urban settings remain, including gender-based violence and criminal activities.
- In both camp and urban settings, **Syrian refugees are not authorized to work. Therefore, they are heavily reliant on international aid, which they complement with income-generating activities in the informal sector.** Such activities include the trade and sale of relief assistance, which 27% of families in the Zaatari camp use to generate income.⁴ According to NGO reports, other forms of activities include child labor, trafficking, and prostitution. **The NGO ACTED reported that an estimated 30,000 children, representing 16% of Syrian refugee children, are currently engaged in child labor in Jordan. This is a four-fold increase compared to the rate of child labor in Syria before the crisis.**
- **The presence of Syrian refugees in urban areas has had a significant impact on the livelihood of local inhabitants, particularly among the poorest communities.** In Jordan, there are concerns over the continuing affordability of housing in the northern regions. As an example, housing rents in northern Jordan have increased from JOD 40-50 per month before the crisis to an average of JOD 300 currently in these areas.⁵ As a result, it appears that several families in northern Jordan have been evicted from their houses. Some have reportedly moved into makeshift camps made of UNHCR tents.
- **Refugee influx is also increasing pressure on natural resources such as water and electricity. The government of Jordan has projected that water demand will rise by 16% in 2014 alone compared to an average of six percent annual growth in previous**

³ Calculated from data available on UNHCR's Syria Regional Response Inter-agency Information Sharing Portal. Population flow examined from April 23, 2013 to December 31, 2013, representing the difference between Zaatari camp's peak population to the end of the calendar year. Data available at:

<http://data.unhcr.org/syrianrefugees/country.php?id=107>.

⁴ ACTED, "Za'atari Livelihoods Assessment," August 2013.

⁵ MercyCorps, "Mapping of Host Community-Refugee Tensions in Mafraq and Ramtha, Jordan," May 2013, 9.

years. Oxfam has reported that the depletion of groundwater is three times the recharge rate, fueling resource concerns around accommodating the refugee population. Furthermore, there are concerns over contamination of the aquifers below Zaatari camp by waste, despite differing scientific opinions over the true impact.

- **At present, host countries bear approximately 30% of the costs of supporting refugees.**⁶ In Jordan, the cost per refugee to the country is approximately USD \$2150 per year, but the provision of international aid to the Syrian refugees has declined from \$1953 per refugee in 2012 to \$1513 per refugee in 2013, demonstrating the need to bring donor contribution in line with the increasing refugee population.⁷

Current Debates

The Syrian refugee crisis has prompted a number of policy debates that have had a significant impact on the design of local, national, and international responses. This paper will survey the following policy issues, drawing in particular from the experience in Jordan:

1. **Borders:** Ensuring the freedom of movement of affected populations across borders while maintaining the territorial integrity and security of the host country;
2. **Camp vs. Urban Settings:** Differences in preferences for and responses to camp and non-camp settings;
3. **Refugee Livelihoods:** Maintaining of the livelihoods of Syrian refugee populations within host countries;
4. **Host Communities:** Mitigating the impact of the presence of refugee populations on host communities and capitalizing on their presence;
5. **Responsibility:** Role of national governments and international donors in responding to the Syrian refugee crisis;

Issue 1: Borders - Ensuring the freedom of movement of affected populations across borders while maintaining the territorial integrity and security of the host country

The flux of refugees into host countries is dependent on regulation of borders and is an issue of great importance for all countries surrounding Syria. There are conflicting narratives in relation to border strategies across the region and varying levels of transparency on whether borders are open or closed.

⁶ “Total Funding to the Syrian Crisis 2013” last modified December, 2013, <http://fts.unocha.org/pageloader.aspx?page=special-syriancrisis&year=2013>.

⁷ “Total Funding to the Syrian Crisis 2012” last modified December, 2013, <http://fts.unocha.org/pageloader.aspx?page=special-syriancrisis&year=2012>.

Jordan, Lebanon, and Turkey reportedly maintain open border policies. According to UNHCR, the reported number of people crossing the Jordanian border daily has decreased and leveled off within recent months. However, multiple reports from NGOs suggest there are more people trying to cross into Jordan from Syria than are being allowed.⁸ It therefore appears that there have been border-crossing restrictions. In addition, selection criteria regarding who can cross the border from Syria into Jordan are unclear. Several categories of individuals seem to have difficulty crossing the border: Palestinian refugees from Syria, unaccompanied men who cannot prove family ties in Jordan, people without identity documentation, Iraqi refugees living in Syria, Druze, and Alawites. There is an additional lack of clarity about the conditions under which refugees can be forcibly returned to Syria and/or are detained by the Jordanian government.

Accordingly, there appears to be tension between Jordan's desire to welcome refugees and its need to maintain its security. In discussion with NGOs, the risk of infiltration of armed elements was raised, which may explain a tightening of border control by Jordanian security forces.

To address such issues, host governments could consider clarifying and communicating their respective policies regarding the regulation of their borders and the crossing of refugees. In particular, decisions on who is and who is not allowed into Jordan, Turkey, Lebanon, and Iraq need to be clearly communicated and monitored. Through the implementation of clear monitoring and accountability mechanisms, neighboring countries in the region will be better placed to predict and manage the flow of refugees to and from Syria. They will also be able to balance national security interests and the desire to offer a safe environment to populations affected by hostilities in Syria. A greater predictability of border crossing is key to ensuring that people fleeing Syria will receive proper international assistance and protection, have freedom of movement across the border, and are not left waiting on the Syrian side, detained or returned for unclear reasons. In this context, there is a need for independent monitoring of refugees crossing in order to ensure an efficient and on-going movement of populations fleeing violence and conflict.

Issue 2: Camp vs. Urban Settings - Differences in preferences for and responses to camp and non-camp settings

Despite large numbers of Syrian refugees residing outside camps, humanitarian aid continues to be disproportionately allocated to refugees in camp environments. In the first half of 2014, according to UNHCR's Regional Response Plan, camp refugees who comprise only 16% of the total refugee population in Jordan will receive 32% of the country's overall funding.⁹ This

⁸ "Iraq/Jordan/Turkey: Syrians Blocked from Fleeing War," last modified July 1, 2013,

<http://www.hrw.org/news/2013/07/01/iraqjordanturkey-syrians-blocked-fleeing-war>; Amnesty International,

"Growing Restrictions, Tough Conditions: The Plight of Those Fleeing Syria to Jordan," October 2013, 10-13.

⁹ UNHCR, "2014 Syria Regional Response Plan."

translates to an annual cost of \$1900 per refugee in a camp-based setting and \$980 per refugee outside of camps.¹⁰

In the Zaatari camp alone, the agency's operating costs are estimated to be half a million U.S. dollars per day.¹¹ As noted above, Zaatari camp's population is declining despite the fact that the process of exiting the camp is difficult. According to the official "bail out" system, a Zaatari resident must present a Jordanian guarantor and pay a fee of JOD 15.¹² Many refugees are unable to meet these requirements and turn instead to unofficial means of leaving the camp. According to a 2013 CARE International Survey, more than 50% of participating refugee households living outside Jordanian camps reported incurring debts to smugglers of between JOD 75 and 1500.¹³ Voting with their feet, Syrian refugees in Jordan appear to exhibit a strong preference for non-camp settings.

The implementation of the 2009 UN Refugee Agency's revised Policy on Refugee Protection and Solutions in Urban Areas policy has been impeded by questions over how best to target funding and programming in urban areas where the assistance and protection needs of refugees differ from more familiar camp settings. At present, the international community faces a unique challenge and opportunity to resolve this dilemma by recalibrating the cost-benefit analysis of states hosting refugees as well as the distribution of funding and programming for refugees in urban areas. In particular, governments should consider increasing the provision of funding and programming in urban areas and improving the distribution of that vis-a-vis camp settings. They should also consider programs designed to assist urban refugees beyond emergency needs to tackle development challenges.

Issue 3: Refugee Livelihoods - Maintaining the livelihoods of Syrian refugee populations within host countries

Syrian refugees face significant barriers to maintaining basic living standards within the host countries. As noted above, Syrian refugees are not authorized to work in Jordan, Turkey, and Iraq. The Center for Strategic Studies at the University of Jordan reported at the end of 2012 that Syrians were illegally working in 38,000 Jordanian jobs. This number is likely to have increased

¹⁰ These figures are calculated based on the proportion of the 2014 Syria Regional Response Plan funds designated for Syrians in camps or in urban areas. They represent a "projection" of the total cost in 2014, should the plan be fully funded.

¹¹ Mark Tran, "Jordan's Zaatari refugee camp mushrooms as Syrians set up shop," The Guardian, November 18, 2013, accessed January 12, 2014, <http://www.theguardian.com/global-development/2013/nov/18/jordan-zaatari-refugee-camp-syria-shops>.

¹² UNHCR, "Joint Assessment Review of the Syrian Refugee Response in Jordan," January 2014, data.unhcr.org/syrianrefugees/download.php?id=3970.

¹³ CARE, "Syrian Refugees in Urban Jordan," April 2013, <http://data.unhcr.org/syrianrefugees/download.php?id=1922>.

over the past year. The restricted access to employment has also exacerbated Syrian households' already significant debt. According to a survey of CARE International, 72% of Syrian refugee households stated that they were in debt, with an average household debt of just over JOD 500.

There is also a distinct lack of affordable housing available for Syrians. Inflation of rental prices, due to increased demand, appears to force Syrian refugees to sell aid provisions, work illegally, and even engage children in employment. As noted above, the housing rents in northern Jordan have increased significantly. The dearth of housing and economic opportunities have resulted in an average Syrian household size of 6.2, forcing large numbers of people into unsuitable settlements such as tents, chicken coops, and garages, based on NGO reports. These overcrowded informal settlements lack basic amenities, such as electricity, heating, and access to water.¹⁴

Syrian refugees' demand for medical care remains high and the prevention and management of chronic and non-communicable diseases (NCDs) is weak. Furthermore, there are public health concerns regarding communicable diseases, particularly after the 2013 measles outbreak in Jordan and reported cases of tuberculosis among Syrians. According to reports from WHO and the Jordanian Ministry of Health, the number of refugees in public hospitals has increased by almost 250%, while the number requiring surgical operations in Jordanian government facilities has increased by almost 600%. Bed occupancy rates in hospitals in the north are now higher than 95%, while medicine stocks (normally at 100% of demand) are now at 30%.¹⁵

On the issue of education, there have been claims that Syrian students are not being offered the full curriculum available to Jordanian students. Stressed teachers, running overcrowded classrooms, are insufficiently supported and unable to offer adequate educational or psychosocial support.¹⁶ In addition, there have been bureaucratic and physical barriers to enrollment and attendance, such as a lack of transportation to school. At the level of higher education and vocational training, there is a programmatic and policy vacuum for Syrian refugees. There is no recognition of partially completed Syrian degrees or ability to transfer credits. The lack of scholarships, research opportunities, and legally available jobs means there are no avenues for educated Syrians to utilize or develop their skills.

¹⁴ MercyCorps, "Quick facts: What you need to know about the Syrian refugee crisis," last modified October 17, 2013, <http://www.mercycorps.org/articles/iraq-jordan-lebanon-syria/quick-facts-what-you-need-know-about-syrian-refugee-crisis>.

¹⁵ Humanitarian Practice Network, "Out of the Spotlight and Hard To Reach Syrian Refugees in Jordan Crisis," last modified November 2013, <http://www.odihpn.org/humanitarian-exchange-magazine/issue-59/out-of-the-spotlight-and-hard-to-reach-syrian-refugees-in-jordans-cities>.

¹⁶ MercyCorps, "Mapping of Host Community-Refugee Tensions in Mafraq and Ramtha, Jordan," May 2013, 13; UNHCR, "2014 Syria Regional Response Plan."

Present thinking on the crisis focuses largely on the threat of Syrian refugees to host country economies. However, policies that do not offer work opportunities or training threaten economic instability by breeding desperation and encouraging illegal employment. When developing policies with the aim of improving the situation of Syrian refugees, donors and institutions need to focus on furthering access to employment and education. Potential avenues could include integrating policies that encourage Syrian business ownership, payment of taxes, and skill development that will benefit host countries' long-term economies.

Issue 4: Host Communities - Mitigating the impact of the presence of refugee populations on host communities and capitalizing on their presence

The Syrian refugee crisis has placed an unprecedented burden on neighboring countries which have collectively accepted approximately 2.4 million refugees.¹⁷ Since May 2011, debate has arisen around the need to balance welcoming refugees and mitigating the socio-economic costs of their presence as the conflict continues. It has been argued that establishing camps is the primary vehicle for reducing the impact of refugees on host countries. Yet as noted above many refugees have chosen to live outside the official camps in Jordan.¹⁸

In the case of Jordan, despite an initial warm welcome, the country's humanitarian policy of receiving Syrian refugees fleeing conflict has inevitably resulted in high socio-economic costs, including increased housing rents, higher costs of living, and substantial strains on public education, health services, and water and energy resources. This is illustrated by the pressure on Jordanian public schools, which have had to accommodate approximately 106,000 Syrian students along with the 1.1 million Jordanian students already enrolled.¹⁹ Overcrowding of the public school system in certain districts has forced some schools to run double shifts, heightening social tensions between refugee and host communities.

While the Syrian refugee crisis has affected Jordan at a macro-level, the Ramtha district in Irbid governorate and the Mafraq governorate have shouldered a disproportionately large share of the socioeconomic impact. This is even more problematic due to the fact that, they are "poverty pockets" with poverty rates greater than 20%.²⁰ Additionally, the influx of international donor

¹⁷ UNHCR, "2014 Syria Regional Response Plan: Jordan," December 2013, 8.

¹⁸ CARE Jordan, "Syrian Refugees in Urban Jordan: Baseline Assessment of Community-Identified Vulnerabilities Among Syrian Refugees Living in Irbid, Madaba, Mafraq and Zarqa." April 2013, 7.

¹⁹ UNICEF, "Syria Crisis: Education Interrupted," December 13, 2013, 7. Accessed January 12, 2014, http://www.unicef.org/media/files/Education_Interrupted_Dec_2013.pdf.

²⁰ United Nations Development Program (UNDP) and Ministry of Planning and International Cooperation, "Thinking Differently about The Poor: Findings from Poverty Pockets Survey in Jordan," November 2012, 7. Accessed January 12, 2013, http://www.undp.org/content/dam/jordan/docs/Poverty/Jordan_Poverty%20Pocket%20Report.pdf.

assistance has primarily benefited Syrian refugees and excluded local host communities, thus further impoverishing Jordanians despite their suffering. This has led to the paradox of some Jordanians being driven to purchase UNHCR tents from Syrian refugees to shelter themselves after eviction. This has contributed to growing tensions between the communities. In a nationwide poll, 65% of Jordanians opposed admitting more Syrians into the country and 80% favored segregating Syrian populations into camp communities.²¹

The Syrian refugee community in Jordan also brings with it substantial human capital that has not been harnessed to mitigate the costs of their presence or benefit host communities. To protect social cohesion between diverse communities and ensure sustainability, this situation requires a fair sharing of costs between the following key actors: the Jordanian government, Jordanian host communities, Syrian refugees, and international donors. Because Syrian refugees have thus far been primarily viewed through the perspectives of cost and economic burden, their opportunity to contribute to the economic growth of their host communities and reduce existing social tensions has not been optimized by existing policies and programming.

Jordan has the unique opportunity to take a proactive stance towards developing innovative programmatic and policy solutions which move beyond traditional camp paradigms to jointly empower refugees and host communities and offer a new model for refugee response in the region. Several avenues can be considered to mitigate impact on host communities and capitalize on the skills of the refugees:

- **Syrian Skills Registry.** As there has been little research investigating the array of professional and vocational skill-sets of the Syrian refugee community, there is a need to implement a comprehensive skills registry which identifies potential areas of cooperation with the aim of cultivating Jordanian national development.
- **Jordan Research Center on Refugee Affairs.** Establish a Jordanian-led Refugee Research Center that draws on the long-term expertise of Jordanian policymakers and academics in the realm of refugee response to become an international leader on refugee issues.
- **Community Service Initiatives.** There is a unique opportunity to cultivate a culture of community service across Jordanian and Syrian communities. This could take place within the camps and urban areas to address some of the most pressing needs, including community clean ups, community-led night-time patrols, community babysitting, or housing improvement projects. This low-hanging fruit reduces the costs of providing these services while reducing resolvable social tensions.

²¹ Nicholas Seeley, "Most Jordanians Say No More Syrian Refugees," Christian Science Monitor, October 1, 2012, accessed January 12, 2014,

<http://www.csmonitor.com/World/Middle-East/2012/1001/Most-Jordanians-say-no-to-more-Syrian-refugees>.

Issue 5: Responsibility - Role of national governments and international donors in responding to the Syrian refugee crisis

The Syrian refugee crisis is the largest recorded displacement of population that the Middle East has witnessed, and developing a commensurate response requires host countries and the international community to share responsibility. Yet, international law and principles of state responsibility do not provide adequate frameworks to guide these efforts. The massive scope of this crisis highlights the need for unprecedented frameworks to be created to assign responsibility for refugees in both this and future refugee crises. It also provides an opportunity for novel solutions to be established.

Various legal frameworks exist on the international, regional, and national levels which aim to guide refugee response efforts, but they have been inadequate in organizing the response to the refugee crisis. National and international responsibilities to refugees have been assigned through the UN 1951 Refugee Convention and the 1967 Protocol, which define refugee status, refugee rights, and the legal responsibility of both signatory states and the UNHCR to protect these rights. The majority of countries bordering Syria have not signed these agreements (Iraq, Jordan, and Lebanon), or they have signed with geographic limitations exempting responsibility for Middle Eastern refugees (Turkey). Therefore, international law does not properly cover the rights and obligations of host countries most critical for accepting and protecting the rights of Syrian refugees. Regional agreements delineating national responsibility for ensuring refugee rights have been created and agreed upon in Latin America, Africa, and Europe, but no such regional agreement has been implemented in the Middle East.

It is interesting to note that a Memorandum of Understanding was agreed upon in 1998 between the UN and Jordan, which states that Jordan and the UNHCR would cooperate in protecting the specific rights of refugee populations. But this agreement is limited in scope compared to the 1951 Refugee Convention. Additionally, Article 21 of the Jordanian constitution acknowledges non-refoulement of refugees. However, these laws are too limited in scope to guide the national and international response to the Syrian refugee crisis.

Several innovative approaches could contribute to the creation of comprehensive frameworks in responding to the Syrian refugee crisis in the Middle East. These include:

- At the national level:
 - **Ratify UN Refugee Convention.** Encourage countries to ratify the 1951 Refugee Convention and its 1967 Protocol.

- **Develop Memorandums of Understanding.** Encourage the creation of MoUs between host countries and the UNHCR to jointly address the rights of refugees.
- At the regional level:
 - **Pan-Arab Relief Fund.** Create a pan-Arab relief fund dedicated to supporting Arab countries in need of economic support during times of crisis.
 - **Middle East Humanitarian Institute.** Establish a Middle East Humanitarian Institute dedicated to the study of refugee response needs in the region.
- At the international level:
 - **Expert Forum.** Develop an independent International Expert Forum on Refugee Issues tasked with (1) studying the economic and social impact of the Syrian refugee crisis and (2) proposing national and international policy recommendations.
 - **Refugee Conference.** Host an Annual Refugee Crisis Conference in Amman, Jordan to discuss the proposed policies.

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