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Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

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Empfohlene Zitierung / Suggested Citation:
Bank, A., & Fröhlich, C. (2021). The governance of Syrian refugees in the Middle East: Lessons from the Jordan and Lebanon Compacts. *Digest of Middle East Studies*, *30*(4), 256-261. https://doi.org/10.1111/dome.12247

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Mitglied der Leibniz-Gemeinschaft

Diese Version ist zitierbar unter / This version is citable under:
https://nbn-resolving.org/urn:nbn:de:0168-ssoar-80348-8

Received: 30 June 2021 | Accepted: 17 July 2021

DOI: 10.1111/dome.12247

ARTICLE

Digest of Middle East Studies WILEY

The governance of Syrian refugees in the Middle East: Lessons from the Jordan and Lebanon Compacts

Special Issue (SI) of *Digest of Middle East Studies*, ed. by Kelsey Norman: Contribution to "Taking Stock of Middle East Migration since the Arab Uprisings"

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Funding information
This project has received funding from the European Union's Horizon2020 research and innovation program under grant agreement No. 822806. The content reflects solely the views of the authors, and the European Commission is not responsible for any use that may be made of the information it contains

Abstract

Fleeing war, repression, and economic breakdown in their home country, Syrians have become the largest group of refugees in the Middle East. Relative to their own populations, neighboring Jordan and Lebanon have hosted the most Syrians per capita. While both are small, middle-income, and resource-poor countries, the perception of their respective governance of Syrian refugees has been diametrically different: While the 2016 Jordan Compact has been hailed as a success story of innovative refugee governance, the Lebanon Compact has never achieved similar recognition. Instead, Lebanon has been criticized for applying a largely laissez-faire, non-policy approach to the Syrian crisis. The main objective of this short intervention is to evaluate both compacts 5 years after their signing and to outline a more reflective potential EU policy approach.

KEYWORDS

Jordan, Lebanon, migration governance

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1 | TEN YEARS OF ARAB UPRISINGS, FIVE YEARS OF COMPACTS FOR SYRIANS

This year marks the 10th anniversary of the Arab Uprisings, which aimed to overturn the political and economic status quo in the Middle East and North Africa. States in which the anti-regime protests of spring 2011 quickly transformed into internationalized civil wars—Libya, Syria, and Yemen—have since seen terrible human suffering. Not only have hundreds of thousands of people died in these conflicts, but the violence, continued repression, and ensuing economic breakdown have also forced millions to flee, leading to the region's largest displacement dynamic in recent history.

Syrian displacement stands out in this regard, with more than half of its pre-2011 population of 22 million having been displaced, whether internally or across its borders. Today, approximately six million Syrians live abroad, most of them in the direct regional neighborhood—a pattern consistent with global forced migration trends. Relative to the size of the receiving societies, Jordan and Lebanon have taken in the largest number of Syrians. Most Syrians in Jordan and Lebanon live in urban or semi-urban settings rather than in refugee camps, typical of global displacement dynamics.

Jordan and Lebanon have addressed the livelihood demands of Syrians with varying and limited administrative capacities. In addition, the Jordanian and Lebanese national and municipal authorities have acted alongside—and sometimes in opposition to—a plethora of international and local (non) governmental organizations (cf. Lenner, 2020, cf. Tamirace Fakhoury in this SI). This complex constellation, which has also been shaped by policy legacies vis-à-vis earlier refugee communities, especially Palestinians (cf. Lillian Frost in this SI), has resulted in a rather fragmented and ad-hoc refugee governance in both states. The degree of fragmentation is further illustrated by the lack of coordination between all actors involved—for instance, participants in international donor conferences (such as Kuwait I-III 2013–2015), regional response plans, and national resilience plans. The recent Brussels V Conference, which took place on March 29–30, 2021, underscored this with numerous calls for better coordination between international, national, and local actors when it comes to humanitarian aid.

Against this broader backdrop, and in response to hundreds of thousands of Syrians arriving in Europe in 2015, European Union (EU) member states began to design a more coherent framework for regional refugee governance, with the overall goal of keeping as many Syrians out as possible. The EU states' first pillar in this regard has been the Jordan and Lebanon Compacts, launched at the London donor conference in February 2016. The second pillar has been the EU–TURKEY DEAL of March 2016 (Soykan, 2017). In this contribution, we focus on the Jordan and Lebanon Compacts, take stock of their effects on the ground 5 years later, and draw some lessons for a hopefully more (self-) reflective future policy approach.

2 | THE COMPACTS BETWEEN "HELP SYRIANS HELP THEMSELVES" AND TRADITIONAL HUMANITARIAN AID

In the run-up to the London donor conference of February 2016, the broader policy discourse on Syrian refugees had gradually changed, especially in Europe. For a number of years prior, and building on smaller changes within the United Nations which introduced more resilience-related templates, the policy consensus had already begun to veer away from traditional humanitarian aid and toward an "empowerment" of Syrians that would enable them to live dignified, self-sufficient lives, preferably in the MENA region (cf. Wendy Pearlman in this SI). Illustrative of this discursive shift was the call by Oxford University professors Alexander Betts and Paul Collier—then director of the Refugee Studies Centre and a prominent development economist, respectively—for Syrians to be granted legal

work opportunities in regional host states, elucidated in their widely cited *Foreign Affairs* article "Help Refugees Help Themselves" (Betts & Collier, 2015). It was this policy recommendation that was to become the central innovation of the newly established compacts, with the goal of giving 200,000 Syrians legal work permits in Jordan and creating an equal number of jobs for Syrians in Lebanon. In essence, Betts and Collier called for a shift from humanitarian assistance to development aid, thus openly acknowledging that the Syrian crisis was nowhere close to being solved and needed to be addressed with more long-term measures.

Overall, however, both compacts are a mixed bag of very different and often non-binding policies. The Jordan Compact combines traditional humanitarian assistance with the new self-reliance, labor market, and pro-business components. This corresponds to the HASHEMITE KINGDOM'S status as a quintessential "refugee rentier state" (cf. Gerasimos Tsourapas' SI contribution): Ensuring a steady, ideally ever-increasing inflow of foreign aid, and keeping in good standing with external donors, has been crucial for Jordanian regime survival. Toward this end, it has been of particular importance that Jordan present the image of being a cooperative "model reformer": a country that is in some cases a regional or even international hub for innovative policy designs, for example, in the field of migration governance.

Zooming in on the specifics of the Jordan Compact, there are some important continuities from earlier external donor programs, among them multi-year grants, and loan schemes conditioned on Syrian children going to school and on Jordan providing vocational training opportunities to refugees. Turning to how the Jordan Compact differs from earlier donor programs, in addition to Jordan granting 200,000 work permits for Syrians for specified sectors, the European Union also committed to relaxing trade regulations to stimulate exports from 18 designated special economic zones (SEZ) and industrial areas in Jordan, in return for employment quotas for Syrian refugees in these businesses. At the same time, the Hashemite government has committed both to instituting reforms aimed at improving its business and investment environment and to formalizing Syrian businesses in Jordan.

The Lebanon Compact, adopted in November 2016 for the period from 2016 to 2020, is embedded in the bilateral EU–Lebanon Association Agreement and the European Neighborhood Policy Action Plans, but was created specifically to alleviate the economic, political, and societal burden that accompanied the arrival of hundreds of thousands of Syrians in Lebanon from 2011 onward. Compared to other states in the region, Lebanon hosts the highest number of displaced persons and refugees per capita. The compact included the immediate allocation of a minimum of 400 million EUR from the European Union to Lebanon in 2016 and 2017 to enhance economic growth and create jobs, improve security and counter terrorism, and strengthen governance and the rule of law. Similar to the Jordan Compact, the Lebanon Compact also included specific mutual commitments concerning the "Syrian crisis," with Lebanon, in turn, promising to provide Syrian refugees more opportunities and security vis-à-vis their residency status—that is, make it easier for them to stay in Lebanon by, for instance, waiving residency fees and simplifying documentation requirements, along with improving access to education, the labor market, and Lebanese society in general.

With the Lebanon Compact, the Syrian crisis had become a, if not *the*, central aspect of EU–Lebanese cooperation, arguably determining Lebanese foreign policy maneuvering (cf. Fakhoury in this SI). The European Union and Lebanon shared an interest in preventing a destabilization of Lebanon, though they did not necessarily agree on how to do that. The European Union was arguably interested in signaling to its member states that measures were being taken to alleviate the suffering of Syrians in Lebanon so that they would stay out of Europe (Seeberg, 2018). Lebanon, for its part, needed tangible assistance to stabilize its struggling economy. Overall, the compact can be interpreted as a set of weakly formalized policy instruments and measures following a pragmatic approach to acute problems (Seeberg, 2018, p. 6). One of the more tangible measures adopted was the pledge

to create 300,000 to 350,000 new jobs in Lebanon, of which 60% were to go to Syrians residing in Lebanon; this measure, however, has yet to be implemented.

In sum, both compacts signal an end of traditional humanitarian assistance, which is a common short-term response to crisis. They aim to enhance the self-reliance and (de facto, albeit not de jure) integration of Syrians into regional host societies, thereby implicitly acknowledging the protracted nature of the situation. At the same time, their new approach was born out of thinly veiled self-interest among the drafting parties: The European Union needed to find a way to keep Syrians out of its territory after the inflow of 2015 had created a number of problems within and among EU member states (even though there was and is no data to support the idea of a mass Syrian exodus to Europe). Jordan and Lebanon needed to find a way to stabilize their struggling economies. Thus, the compacts represent a pragmatic approach to common problems, albeit not necessarily those of displaced Syrians.

3 | SUCCESSFUL JORDAN COMPACT VERSUS UNSUCCESSFUL LEBANON COMPACT?

Five years after their inception, how do we evaluate the stated goals of the Jordan and Lebanon Compacts given the actual situations on the ground? For Jordan, the results have been, at best, ambiguous. The central innovation of the Jordan Compact—200,000 work permits for Syrians—has been formally reached, but this took until 2020, 4 years after its initial inception. The reasons for this relatively slow process are manifold, ranging from a bureaucratic "work permit maze" (Jordan INGO Forum, 2016) to the general hesitancy and lack of trust among many Syrians to formally register with Jordanian authorities, especially the security apparatus.

Moreover, those Syrians who received a work permit in Jordan are predominantly male, indicating a problematic gender gap: While a little more than 50% of UNHCR-registered Syrian refugees in Jordan are women, they represented only 11,000 of the 215,000 work permit holders in late 2020. Put differently, legalizing work for Syrians in Jordan has contributed to a re-traditionalization of gender roles, with Syrian men as the main breadwinners; Syrian women, meanwhile, have been pushed into unpaid care work and less secure and poorly remunerated informal jobs to make ends meet in what is one of the most expensive countries in the Middle East.

In terms of sectoral distribution, most Syrians legally work in construction, agriculture, manufacturing, and wholesale and retail. In Jordan, these sectors have traditionally been dominated by Egyptians, Sudanese, and South and Southeast Asian workers—and not by Jordanians. Jordanian fears of Syrians replacing them on the job market in the respective sectors are thus largely unfounded (Hartnett, 2018). De facto, Syrian workers have crowded out Egyptians, Sudanese, and South and Southeast Asians, further endangering the latter's already precarious livelihoods in Jordan. Still, the arrival of many Syrians, especially in the north of Jordan, has contributed to the increase in prizes there, including for housing. This has also negatively affected those Jordanians who do not own property and whose rents have massively increased within a short period of time. With regard to the 18 designated SEZ for Syrian workers, by March 2019 they employed only 291 Syrians and just over 1000 workers in total (Lenner, 2020), indicating that, at least with regard to the SEZ, the Jordan Compact cannot be considered a success.

In contrast to the Jordan Compact, not only did the Lebanon Compact lack concrete implementation mechanisms from the start, it also did not include formal linkages between trade and refugee employment. It should be viewed as embedded in broader efforts to develop business, infrastructure, and the job market for Lebanon in general, with the idea of this benefitting Syrian refugees remaining a nebulous possibility rather than a tangible deliverable. This is partly due to a discrepancy between

the compact's logic and the Lebanese approach toward refugees (or displaced individuals, *nazihin*, in Lebanese official discourse): By 2016, when the compact was signed, Lebanon had already started tightening regulations and limiting refugee rights through curfews and fees, so integration seemed even more out of reach than it had in the first 5 years of the crisis. Since the compact was signed, the Lebanese government, itself in crisis, has been advocating for the repatriation or "voluntary return" of refugees as the most desirable outcome.

In sum, the few successes of the Lebanon Compact—for instance, the removal of the residency fee imposed on Syrian refugees—pale in comparison to everything it has not delivered 5 years after its inception. Instead of creating jobs for Syrians and Lebanese, the Lebanese government has increased its persecution of "foreign labor," including Syrian refugees, in the context of its own severe financial crisis, which has led to a sharp increase in poverty in both refugee and host communities in Lebanon. The COVID-19 pandemic has exacerbated this trend by driving an additional six million people into poverty across the Middle East, pushing the goals formulated in the Lebanon and Jordan Compacts further and further out of reach.

4 | CONCLUSIONS: MOVING BEYOND THE COMPACTS

It has been argued that the compact model is a "game changer" for refugee responses all over the world (Huang & Ash, 2018). Nonetheless, major problems persist. With regard to the Jordan and Lebanon Compacts, it is particularly important to reflect on how little they consider the root cause of the issue they were supposed to address: the Syrian war. They were created as technical policy tools with European, Jordanian, and Lebanese audiences in mind, hoping to address economic, societal, and political woes while pretending there could be a lasting solution for Syrians without addressing the situation in Syria. It is essential that any future attempt to solve the Syrian (or any) crisis places a stronger focus on achieving tangible outcomes for refugees and their hosts. This can be achieved by identifying political, societal, and economic barriers to success and addressing them through policy dialogue. Regularly and systematically involving refugees in the design of such solutions is crucial, and the civil society movements in both states can function as a model for this approach: Here, intersectional approaches which identify vulnerabilities regardless of citizenship or other "markers" are already a lived reality. These are prerequisites for success and align with the compacts' stated aspiration to "help refugees help themselves." What is more, such an integrative approach could help to restore some of the credibility which the European Union arguably has lost by designing two compacts whose effects on the livelihood situation of Syrians on the ground have been ambivalent, to say the least.

ACKNOWLEDGMENTS

The authors thank Luca Rochowski and Kyra Kösler for their great research assistance, as well as the helpful comments by two reviewers.

CONFLICT OF INTEREST

No potential conflict of interest was reported by the authors.

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How to cite this article: Bank, A., & Fröhlich, C. (2021). The governance of Syrian refugees in the Middle East: Lessons from the Jordan and Lebanon Compacts. *Digest of Middle East Studies*, 30, 256–261. https://doi.org/10.1111/dome.12247