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REFUGEE MOVEMENTS IN THE MIDDLE EAST: OLD CRISES, NEW IDEAS

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ABSTRACT

The MENA region has been dealing with waves of refugee crises for decades. Addressing urban and protracted refugee crises in the region contributed to triggering reflection on the global governance of refugee protection. The Global Compact on Refugees now sets out the parameters for stronger solidarity and responsibility-sharing, based on multi-stakeholder partnerships, inclusive and comprehensive solutions, and stronger emphasis on host community support and engagement as the new way forward.

1. OVERVIEW OF DISPLACEMENT IN MIDDLE EAST AND NORTH AFRICA

1.1 HISTORIC LEGACY OF ASYLUM AND CONFLICT-RELATED VOLATILITY

The Middle East and North Africa (MENA) region has experienced complex conflict and transitional phases throughout its contemporary history, and displacement has been a prominent result. The region has seen its fair share of refugee crises: from the world's largest and most protracted one – that of Palestinian refugees starting in 1948 – to the Sudanese and Iraqi situations in the 1990s and early 2000s, to those who fled instability in Libya, Yemen, Iraq, and Syria in 2011 and beyond.

Neighbouring countries to those facing turmoil have by and large received those seeking access to safety, mainly through informal protection frameworks. This may be attributed in part to long-standing and well-established traditions of granting asylum in Arab and Islamic culture, which predate – and, some would argue, lay the foundations for – modern international refugee law. Values of hospitality, fraternity and solidarity are likewise often associated with policies regarding the acceptance of refugees fleeing conflict in the region.

Such trends and regional dynamics continue to impact the region today, with geopolitical shifts and ongoing instability since 2011 having important implications for forced displacement and population movements, in particular the Syrian refugee crisis.

This section lays out the contemporary framework for the protection of refugees as a collaboration between host states, the United Nations High Commissioner for Refugees (UNHCR) and numerous other stakeholders and partners.

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1.2 POLICY AND PROTECTION FRAMEWORKS

The absence of a regional legal framework for refugee policies has been considered from different angles by academics and some practitioners. In order to ensure that refugee protection is upheld, UNHCR conducts refugee status determination based on its mandate in close coordination with respective national authorities. In situations of mass movements, such as those induced by ongoing conflicts in the region, UNHCR abides by a set of protection and policy priorities to support persons of concern and host countries.

In addition to new waves of displacement post-2011, policies and protection frameworks have been put in place to address the needs of displaced persons, and a number of key strategic policy priorities include (UNHCR 2018d):

- Country-driven, regionally coherent responses: UNHCR and the United Nations Development Programme (UNDP) are co-leading the Regional Refugee and Resilience Plan (3RP) together with over 200 partners across the region. These are country-driven, regionally coherent plans, in which the needs and priorities of vulnerable populations, refugees and members of affected communities are central to the response. Strategic directions include strong national leadership, enhancing economic opportunities, continued outreach and partnerships, and providing durable solutions for Syrian refugees.
- *Protecting children and youth*: Refugee children and adolescents face a number of protection risks, including unaccompanied and separated children, child labour, child marriage, sexual and physical violence against children, detention of children, trafficking, lack of documentation for children and children associated with armed groups or forces.
- *Birth registration*: Increasing birth registration and access to civil status documentation forms a central component of the MENA approach to statelessness given the increased risks of statelessness for unregistered children due to conflict, displacement, family separation and gaps in documentation.
- *Education*: The education sector across the region faces major challenges, with significant needs in terms of access, quality and capacity of education systems in affected countries.
- *Strengthening community-based protection responses*: Engaging in community-based protection offers dividends for all actors involved in the humanitarian response through the support of formal and informal networks in identifying the most urgent needs of both refugees and host communities, potentially through the improvement of national protection services and fostering improved co-existence.
- *Building resilience*: Along with efforts to strengthen local and national systems and improve service delivery for all, an important dimension of building resilience is expanding livelihoods and employment opportunities for vulnerable men, women and, especially, youth, in compliance with national laws and regulations, and in line with national priorities.

2. PRE-2011 REFUGEE MOVEMENTS

Before the waves of instability that swept across MENA in 2011, the region hosted significant numbers of Iraqi, Sudanese and other refugee groups. According to the UNHCR Global Resettlement Needs report for 2019 (UNHCR 2018b: 48-49), these refugees continue to rely on protection and assistance provided by UNHCR and its partners, despite reduced funding and declining global





interest in their plight.

The 2003 war in Iraq and the subsequent internal conflict produced millions of Iraqi refugees and internally displaced persons (IDPs). Additionally, armed conflict in the Darfur region of Sudan produced around 2 million IDPs within Sudan and an additional 650,000 refugees who fled Sudan and neighbouring countries, including Chad and South Sudan (UNHCR 2018a). These waves of population movement had a significant impact on the infrastructure of neighbouring countries, including Jordan and Syria, which served as host countries for many of those who were displaced (UNHCR 2007).

Processing, registration and documentation for those seeking asylum is often a function of a number of factors, including the magnitude of the influx and the nature of their flight, which can also define the nature of the protection framework in place. Refugees from Iraq and Sudan with compelling protection needs continue to require resettlement, and are referred to receiving countries along with Syrian refugees from all the countries in the Middle East and the Gulf (UNHCR 2007). UNHCR continues to advocate for an increased and diversified resettlement quota in order to address the needs of the most vulnerable refugees from Iraq and Sudan (UNHCR 2007). This is also in line with the "one refugee" policy guidance, which highlights the need for refugees of different nationalities to receive similar access to services and inclusion in related national referral mechanisms.

3. NEW WAVES OF DISPLACEMENT POST-2011

The developments of 2011 and beyond led to instability and displacement, which changed the face of the region and dramatically transformed the way in which humanitarian assistance is shaped. Whether in Libya, Iraq, Yemen or Syria, the scale and scope of the turmoil and its impact over the past seven years had ripple effects across the world, and in many ways, some would argue, triggered a general rethink about the global governance of large-scale refugee movements.

3.1 LIBYA

The hostilities of 2011 spurred the displacement of many, with Libyans fleeing to Tunisia, Egypt and Chad, as well as several European countries across the Mediterranean. In terms of internal displacement, host communities within Libya absorbed the majority of IDPs but their resources have been overstretched as the situation has become protracted, with stalled political processes. The magnitude of the situation is further intensified by the current volatile security situation, making the potential for return more complex, and the lack of access to some parts of the country rendering the delivery of assistance extremely challenging.² The direct humanitarian impact has been that hundreds of thousands of people continue to face living in unsafe conditions, with little access to life-saving health care, essential medicines, food, safe drinking water, shelter or education.

² See UNHCR website: *Operations: Libya: 2018 Plan Overview - Working Environment*, http://reporting.unhcr.org/ node/12003?y=2018#year.





As of December 2018, a total of 1.1 million people in Libya were in urgent need of basic humanitarian assistance including food, education, shelter and health care, and approximately 57,546 refugees and asylum seekers were registered with UNHCR, among an estimated 100,000 persons in need of international protection. In addition, there were some 187,423 IDPs and 403,978 IDP returnees (UNHCR 2019a). As of November 2018, 23,011 persons had arrived in Italy by sea.³ While Libya remains the main country of departure for persons of various nationalities arriving in Italy by sea, only 56 per cent of the total departures crossed from Libya; this is significantly lower than departures in 2017 (IOM 2018: 13).

3.2 YEMEN

One of the worst "forgotten crises" in the world, since 2011 Yemen has been faced with the continuous decline of its economy, security and socio-political structures. The threat of famine and a major outbreak of cholera have compounded this already dire situation, leaving 22.2 million people (three-quarters of the population) in need of humanitarian assistance or protection.

The humanitarian crisis in Yemen resulting from the above-mentioned political instabilities reached unprecedented levels in 2018, with an acute protection crisis across the country. As of December 2018, the refugee and asylum-seeker population stood at 282,000 people, all of whom continue to live in precarious situations.⁴

Despite the war, an estimated 60,000 refugees and migrants arrived in or transited through Yemen in 2017. As of December 2018, there were around 2 million IDPs in Yemen, 89 per cent of whom had been internally displaced for over a year (UNHCR 2019b). Despite being in the midst of violent conflict, Yemen still hosts and receives refugees from Somalia attempting to cross the Gulf of Aden, risking their lives on unseaworthy vessels controlled by smugglers and traffickers.

3.3 IRAQ

Iraq has continued to face humanitarian challenges since the war against extremist elements, with the escalation of conflict throughout 2017 resulting in new waves of displacement. To support Iraq through its transition from crisis, a policy that shifts its focus from emergency response to longer-term planning for refugees and IDPs, through national systems, whether they are returning home or remaining in camps and host communities was adopted. For the 252,000 Syrian refugees seeking protection in the Kurdistan region of Iraq (UNHCR 2018e), UNHCR continues to collaborate with government authorities to take a progressive approach towards finding solutions to displacement. This takes the form of a strategy that achieves self-sufficiency and access to legal, social and economic rights for Syrian refugees.⁵ The strategy invests in host communities and public services, promotes access to education and health, and encourages economic activity

³ For updated data, see the Italian Ministry of Interior website: *Cruscotto statistico giornaliero* (Daily Statistical Dashboard), http://www.libertaciviliimmigrazione.dlci.interno.gov.it/it/node/1300.

⁴ See UNHCR website: *Operations: Yemen: 2019 Plan Overview - Working Environment*, http://reporting.unhcr.org/ node/2647?y=2019#year.

⁵ See UNHCR website: *Operations: Iraq: 2019 Plan Overview - Working Environment*, http://reporting.unhcr.org/ node/2547?y=2019#year.





to help refugees realize their potential.

3.4 SYRIA

Although the Syria crisis began in March 2011, most of the waves of refugees fleeing into neighbouring countries occurred from early 2013 to mid-2015. At the end of 2012, the number of registered refugees from Syria in neighbouring countries was 407,070. By the end of 2014, that number had risen to a staggering 2.5 million, and by the end of 2015, 4.5 million refugees had been registered.

As of December 2018, more than 5.6 million people had fled Syria since 2011, seeking safety in Lebanon, Turkey, Jordan, Iraq and Egypt, and with millions more displaced inside Syria. Nearly half of Syria's pre-crisis population has been internally or externally displaced. New displacements and returns occurring in parallel in 2017 brought the total number of IDPs by the end of 2017 to 6.3 million. In view of the expected increasing return trends, this number is anticipated to decrease to 5 million by the end of 2018.⁶

Destroyed infrastructure and reduced availability of basic services have further aggravated the humanitarian situation in Syria. The crisis and repeated displacement have resulted in the loss of livelihoods and strained the coping capacities of Syrians across the country, exposing many of them to a range of protection and other risks.

The countries neighbouring Syria remain at the forefront of the refugee response. Out of 5.6 million registered Syrian refugees as of December 2018, Turkey hosts 64 per cent of the Syrian refugee population, Lebanon 16.8 per cent, Jordan 12 per cent, Iraq 4.5 per cent and Egypt 2.3 per cent.⁷ Syria's neighbours continue to shoulder the greatest responsibility and enhanced support to the host communities, and national infrastructures remain a high priority. As the conflict dynamics shift, discussions about comprehensive and durable solutions to the crisis are taking on a new impetus, and the involvement of all stakeholders in the exploration of the widest range of scenarios is ongoing.

4. JORDAN'S REFUGEE RESPONSE MODEL

Throughout its history, particularly over the past six decades, large regional movements of people have significantly affected Jordan. The country's long history of providing asylum has led to rapid population growth and changes in the overall composition of the population, as well to its economic and social developmental trajectory and regional role. Many would argue, however, that Jordan has also managed to ensure that the contribution refugees can make to their host communities is better understood and taken into consideration when planning longer term outlooks and solutions.

⁶ See UNHCR Operational Portal: *Situation - Syria Regional Refugee Response*, last updated 31 December 2018, https://data2.unhcr.org/en/situations/syria.





Jordan played a central role in hosting large waves of refugees resulting from various conflicts in the region. In 1948, two years after Jordan gained its independence, the country received a large number of Palestinian refugees. In 1967, Jordan received a second wave of Palestinian refugees. Since then other groups of refugees have continuously been received, including Iraqi refugees who arrived in 1991 and in 2006 after the conflict peaked in Iraq following the 2003 conflict. Since March 2011 unprecedented numbers of Syrian refugees fleeing the civil war have arrived in Jordan (Athamneh 2016), and now more than 691,000 are registered with UNHCR.⁸

4.1 ACCESS AND INCLUSION

The majority of Syrian refugees in Jordan reside in four governorates: Amman (27.5 per cent), Mafraq (24.1 per cent), Irbid (20.5 per cent) and Zarqa (16.4 per cent). Some 79 per cent of registered refugees live outside camps in rural, urban or semi-urban areas. For many living in urban settings, financial constraints are a significant problem. It is estimated that two-thirds of the urban-based Syrian refugees in Jordan live below the absolute poverty line (McNatt and Boothby 2018: 6).

A wide variety of actors continue to play a significant role in developing and implementing policies that aim to improve the lives of refugees and host communities in Jordan. To address these needs, the Jordanian government, led by the Ministry of Planning and International Cooperation, developed the 'Jordan Response Plan' (JRP) which provides a three-year plan that aims to ensure that much needed humanitarian interventions, both critical and longer-term, are incorporated in the humanitarian response design, further strengthening local and national resilience capacities. This is in line with the 'Regional Refugee and Resilience Plan 2018–2019' (3RP) which emphasizes the important role national systems and local responders can play in humanitarian response. While the 3RP is a regional initiative, it continues to be a nationally led process that fully incorporates national response plans, including the JRP. (McNatt and Boothby 2018: 6)

4.2 THE JORDAN RESPONSE PLATFORM AND HOST COMMUNITIES

Among the key objectives of refugee response plans is addressing ways to enhance services and support for host communities that are often exhausting their resources in order to provide essential services to persons of concern. In this regard, significant elements of the JRP focus on the support of host communities through the provision of services (see JRPSC 2017, 2018), including:

- enhancing food security of Syrian refugee and host communities through support for food chain activities;
- expanding the provision of healthy school meals to a wider network of schools in host communities and to children studying in refugee camps;
- increasing awareness among Syrian and host communities on good nutritional practices;
- promoting local agricultural production and marketing channels to provide high quality food commodities to Syrian refugees and host communities;
- the "Enhancing Community Security and Access to Justice in Host Communities and other Fragile Areas in Jordan" project;
- establishing a unit to set up a national legal aid system and provide information, counselling

8 See UNHCR website: *Operations: Jordan*, http://reporting.unhcr.org/node/2549.





and a legal assistance programme to refugees and vulnerable Jordanians in host communities;

- enhancing the capacities of the Ministry of Justice and all affected courts in host communities and its administrations to address the increased demand, especially in Azraq, Ramtha, Mafraq and Irbid, either by reutilizing existing space or by building new courthouses;
- supporting centres and legal clinics in host communities by improving their resources and accessibility and establishing new centres where needed;
- addressing social imbalances and improving social cohesion in host communities;
- promoting economic development and opportunities for all and providing further financial support to Syrian refugees, host communities and Jordanian institutions;
- supporting public schools and educational programmes to ensure quality education within the host communities.

4.3 EMPLOYMENT AND LIVELIHOODS

According to the World Bank, 14.4 per cent of Jordan's population live below the poverty line, a figure that has seen a gradual increase since 2004. The Jordan Response Platform to the Syria Crisis reported that 26 per cent of out-of-camp refugee households depend on income generated through socially degrading, exploitative, high-risk or illegal temporary jobs in order to meet their basic food needs. Through sequential reforms the government has been working to address unemployment rates, which have been between 12 and 14 per cent in the past decade and have disproportionately affected women and youth. Within the framework of the JRP, it is planned to create new employment and livelihood opportunities for vulnerable Jordanians and Syrian refugees, and to strengthen the coping mechanisms of the most vulnerable segments affected by the crisis.⁹

The livelihoods sector generally has been underfunded, leaving the economic and livelihoods development provisions of the Jordan Compact, which is a holistic approach between Jordan and the international community to deal with the Syrian refugee crisis, in need of investment and expansion in order to turn the Syrian crisis into an opportunity for development, which is designed to attract new investments as well as create new jobs for both Jordanians and Syrian refugees. The response plan helps with self-reliance support for both Jordanians and Syrians, through increasing short-term income and employment opportunities around the camps and local infrastructure within a framework which is age, gender and disability sensitive, and that ensures sustainability within water, waste, energy, forestry and range-land practices (JRPSC 2018).

The plan aimed to encourage protection-oriented and dignified short-term employment for Syrian refugees in preparation for durable solutions, and provide short-term employment activities in municipal waste management and land management through cash for work. Additionally, it sought to promote local economic recovery leading to sustainable livelihoods for Jordanians and Syrians, through the EU–Jordanian trade agreement that gives Jordanian companies easier access to the EU market, in which qualified companies will be required to employ a certain number of Syrian refugees (JRPSC 2018).

⁹ World Bank Data: *Jordan*, https://data.worldbank.org/country/Jordan.





The JRP also aims to launch projects providing refugee women with jobs and training to increase their engagement and economic participation, as well as improving access to job readiness, counselling and employment matching services that benefit both refugee and Jordanian job seekers. It highlights the value of providing refugees with skills recognition, equivalency and vocation certification to increase their chances of obtaining jobs; and supports agricultural cooperatives by submitting work permit applications for agricultural labourers, an alternative to functioning through the standard employer contract modality. Finally, the JRP seeks to create long-term employment opportunities and inclusive economic growth through the encouragement of private sector and small business development, including increased access to markets and financial services, and refining policies on wages, as well as labour migration management and higher work standards with the objective of creating an environment that is conducive to investments. (JRPSC 2018). Jordan's management of the refugee crisis through this plan has thus been an example of inclusive policies. These incorporate the benefits that refugee employment and access to services can prioritize, and address protracted displacement in innovative ways until comprehensive and durable solutions can be found.

5. INNOVATION AND NEW WAYS OF WORKING AS A RESULT OF MENA REFUGEE CRISES

On 19 September 2016, all 193 member states of the UN General Assembly (UNGA) adopted the New York Declaration for Refugees and Migrants (UNGA 2016). This Declaration reaffirms the importance of the international protection regime and represents a commitment by member states to strengthen and enhance mechanisms to protect people on the move. It proved to be a turning point in the history of refugee protection, as it was the first time since the 1951 Convention relating to the Status of Refugees that such a large number of states had come together to discuss the issues at such a high level, ultimately adopting the Declaration and reaffirming the relevance of global refugee issues and of UNHCR's role therein.

The New York Declaration presented the Global Compact for Safe, Orderly, and Regular Migration (GCM) and Global Compact on Refugees (GCR).¹⁰ The latter includes the Comprehensive Refugee Response Framework (CRRF), already included in the Declaration, supplemented by a preamble and concluding paragraphs (UNHCR 2018c). The second part of the GCR comprises a programme of action that will draw upon best practices from around the world and set out specific measures to be taken by UN member states and others to operationalize the principles of the New York Declaration.

The recently adopted GCR sets out the parameters for cooperation and consultation with member states and other relevant stakeholders on a number of interconnected areas, including:

- the application of the CRRF to specific countries or situations, including by drawing lessons from existing or past refugee situations;
- informal thematic discussions to identify the actions that are essential to the type of refugee response envisaged in the New York Declaration and thus inform the application of the CRRF and the development of the GCR; and

10 All documents available in the UN website *Refugees and Migrants*, https://refugeesmigrants.un.org.





 stocktaking to assess progress made, identify lessons learned and lay the groundwork for the GCR. All of this will be undertaken in accordance with the multi-stakeholder, "whole of society" approach endorsed by the General Assembly in the New York Declaration, which involves "national and local authorities, international organizations, international financial institutions, regional organizations, regional coordination and partnership mechanisms, civil society partners, including faith-based organizations and academia, the private sector, media and the refugees themselves".

In line with the core objectives of the GCR, reinforcing strategic partnerships in the MENA region with civil society, including academic institutions, remains a key priority to strengthen UNHCR's ability to mobilize public support and inform public discourse in the region. Academia comes to the table with knowledge and experience. Civil society's response to the refugee crisis has been broad and deep, with qualitative and expert engagement that should be further built upon. In this regard, the potential contribution that academia can make to addressing displacement is unique, as academic institutions can help inform a deeper understanding of local, national and regional socio-political dynamics.

Significant progress has been made with regard to the overarching goal of expanding and enhancing engagement and collaboration between academics in the MENA region, as well as between academics and practitioners in the region. Embracing the "whole of society" approach, engagement between UNHCR and MENA-based academic institutions at local and regional levels has picked up significant momentum and is being used to help refine regional policy discussions and perspectives.

Much of the above-mentioned work has been mobilized through the MENA Civil Society Network for Displacement (MENA CSND), which aims to bring together local and regional civil society actors to strengthen advocacy on displacement issues, build national capacities and share lessons learned. This includes wider and deeper engagement with stakeholders from academia, think tanks, policy research institutes, foundations and the media in order to bridge the gap between research and displacement-related policy formulation and advocacy in the region.

The MENA CSND, and its embodiment of the principles of the GCR, has been instrumental in providing new and innovative approaches to working towards displacement response and prevention, focusing on local capacities to induce positive change. Such change can no longer be considered an addition or a luxury; rather it has become a necessity, given the extent of displacement in the region, and the continued volatility that may lead to further displacement. A rethink of global refugee protection, based on the concepts of solidarity and responsibility-sharing, has thus in part been shaped by the situation in MENA and the innovative thinking and operational advances made in a highly complex environment. Such innovation and solidarity, together with the concerted efforts that are being made to end existing regional conflicts and prevent additional ones from unfolding, remain at the core of the way forward when addressing large-scale refugee movements in a region that is weighed down by instability, yet is still full of hope and potential.





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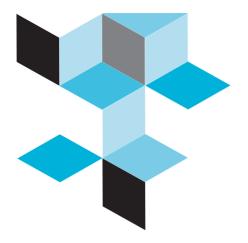
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Middle East and North Africa Regional Architecture: Mapping geopolitical shifts, regional order and domestic transformations (MENARA) is a research project that aims to shed light on domestic dynamics and bottom-up perspectives in the Middle East and North Africa amid increasingly volatile and uncertain times.

MENARA maps the driving variables and forces behind these dynamics and poses a single all-encompassing research question: Will the geopolitical future of the region be marked by either centrifugal or centripetal dynamics or a combination of both? In answering this question, the project is articulated around three levels of analysis (domestic, regional and global) and outlines future scenarios for 2025 and 2050. Its final objective is to provide EU Member States policy makers with valuable insights.

MENARA is carried out by a consortium of leading research institutions in the field of international relations, identity and religion politics, history, political sociology, demography, energy, economy, military and environmental studies.

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