POLICYBRIEF

Forced Migration Governance in Jordan and Lebanon: Lessons from two EU Compacts

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The document provides a critical discussion of the Jordan and Lebanon Compacts five years after their creation and ten years after the beginning of the Syrian war, and draws lessons for future EU cooperation with key host states for forced migrants in the Middle East.

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Introduction

Fleeing war, repression, and economic breakdown in their home country, Syrians have become the largest group of forced migrants in the Middle East. Relative to their own populations, neighbouring Jordan and Lebanon have hosted the largest number of Syrians per capita. While both are small, middle-income, and resource-poor countries, the perception of their respective governance of Syrians has been diametrically different: while the 2016 EU-Jordan Compact has been hailed as a success story of innovative refugee governance, the EU-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, which then turned into heavy securitization of Syrian immigration. This policy brief evaluates both compacts five years after their signing and outlines a more reflective potential EU policy approach.

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[1] This policy brief has been reviewed by Tamirace Fakhoury (LAU), and Thibaut Jaulin (Sciences Po), as part of MAGYC's internal review process.

Evidence and Analysis

Ten Years of Arab Uprisings, Five Years of Compacts for Syrians

This year marks the tenth anniversary of the Arab Uprisings, which aimed to overturn the political 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 neighbourhood—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 peri-urban settings rather than in refugee camps, again typical of global displacement dynamics.

Jordan and Lebanon have addressed the livelihood demands of Syrians with varying and limited administrative capacity. 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.[2] This complex constellation, which has also been shaped by policy legacies vis-à-vis earlier refugee communities, especially Palestinians, has resulted in a rather fragmented and ad-hoc forced migration governance in both states. This 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 29 and 30 March 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 in the region 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 agreement

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[2] Lenner, Katharina (2020), 'Biting our tongues': Policy legacies and memories in the making of the Syrian refugee response in Jordan, *Refugee Survey Quarterly*, 39(3), 273-298; Fakhoury, Tamirace (2017), 'Governance Strategies and Refugee Response: Lebanon in the Face of Syrian Displacement', *International Journal of Middle East Studies*, 49(4), 681–700.

of March 2016.[3] In this policy brief, we focus on the Jordan and Lebanon Compacts, take stock of their effects on the ground five years later, and draw some lessons for a more (self-)reflective future policy approach.

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. The consensus veered away from traditional humanitarian aid and towards an "empowerment" of Syrians that would enable them to live dignified, self-sufficient lives, preferably in the MENA region. 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".[4] This policy recommendation resonated with the Jordanian government and 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, labour-market, and pro-business components. This corresponds to the Hashemite kingdom's status as a quintessential "refugee rentier state":[5] 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 presents 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, e.g. 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, confessional loan schemes, and the conditioning of such aid on Syrian children going

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[3] Soykan, Cavidan (2017), Turkey as Europe's Gatekeeper: Recent Developments in the Field of Migration and Asylum and the EU-Turkey Deal of 2016, in: *Der lange Sommer der Migration*, ed. by Sabine Hess et al., 2. ed., Grenzregime 3, Berlin/Hamburg: Assoziation A, 52-60.

[4] Betts, Alexander / Collier (2015), Help Refugees Help Themselves. Let displaced Syrians join the labor market, *Foreign Affairs*, 94(6), 84-92.

[5] Tsourapas, Gerasimos (2019), The Syrian Refugee Crisis and Foreign Policy Decision-Making in Jordan, Lebanon, and Turkey, *Journal of Global Security Studies*, 4(4), 464-481.

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 EU 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 Neighbourhood 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 onwards. 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 EU 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 labour 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 manoeuvring.[6] The EU and Lebanon shared an interest in preventing a destabilization of Lebanon, though they did not necessarily agree on how to achieve this goal. The EU was also arguably interested in signalling 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.[7] Lebanon, for its part, needed tangible assistance to stabilize its struggling economy, with the compact adding to the much larger overall EU funding agreements.

Overall, the compact can be interpreted as a set of weakly formalized policy instruments and measures following a pragmatic approach to acute problems. One of the more tangible measures adopted was the pledge to create 300,000 to 350,000 new jobs in Lebanon, of which 60 percent were to go to Syrians residing in Lebanon; this measure, however, never materialised and is unlikely to be implemented in the current climate.

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

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[6] Fakhoury (2017), op. cit.
[7] Seeberg, Peter (2018), EU Policies Concerning Lebanon and the Bilateral Cooperation on Migration and Security – New Challenges Calling for New Institutional Practices?, *Palgrave Communications*, 4(1), 1-9.

(*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 self-interest: The EU needed to find a way to keep Syrians out of its territory after the inflow of 2015 had exposed political divides within and among EU member states regarding EU asylum policy. 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.

Successful Jordan Compact vs. Unsuccessful Lebanon Compact?

Five years after their inception, how do we evaluate the stated goals of the Jordan and Lebanon Compacts given the actual situation 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, four years after its initial inception. The reasons for this relatively slow process are manifold, ranging from a bureaucratic "work permit maze"[8] 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 percent 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-traditionalising 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. Since almost no Jordanians work in these sectors, Jordanian host communities have not been negatively affected, which illustrates that fears of Syrians replacing Jordanians on the job market are largely unfounded. On the flipside, Syrian workers have crowded out the Egyptians, Sudanese, and South and Southeast Asians who have traditionally dominated these sectors, further endangering the latter's already precarious livelihoods. With regard to the 18 designated SEZ for Syrian workers, by March 2019 they employed only 291 Syrians and just over 1,000 workers in total,[9] 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 was the Lebanon Compact vague and lacking concrete implementation mechanisms from the start, it also did not include formal linkages between trade and refugee employment. It should be viewed as

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[8] Jordan INGO Forum (2016), *The Work Permit Maze*, 13 December,
https://jordaningoforum.org/2016/12/13/the-work-permit-maze/ (Accessed: 31 March 2021).
[9] Lenner (2020), op. cit.

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 towards 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 five 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, for instance in the most recent Lebanon Crisis Response Plan (LCRP).[10]

In sum, the few successes of the Lebanon Compact—for instance, the removal of the residency fee imposed on Syrian refugees, even though implemented to varying degrees—pale in comparison to everything it has not delivered five years after its inception. Instead of creating jobs for Syrians and Lebanese, the Lebanese government has increased its persecution of 'foreign labour,' 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) Compact further and further out of reach.

Policy Implications and Recommendations

It has been argued that the compact model is a "game changer" for refugee responses all over the world.[11] 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 problem 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 appease economic, societal, and political woes while suggesting there could be a lasting solution for Syrians without addressing the situation in Syria itself. It is essential that any future attempt to solve the Syrian (or any) crisis place a stronger focus on achieving tangible, legally binding 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. While this is a labour, time and resource intensive approach, it will make sustainable solutions much more likely and durable. Regularly and systematically involving refugees in the design of such models is absolutely crucial. These are prerequisites for success and align with the compacts' stated aspiration to "help refugees help themselves."

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[10] Interview with high-level employee of the Lebanese Ministry of Social Affairs, April 2021.

[11] Huang, C. and Ash, N. (2018) *Jordan, Lebanon Compacts Should Be Improved, Not Abandoned*, *Refugees Deeply*. Available at: jordan-lebanon-compacts-should-be-improved-not-abandoned (Accessed: 31 March 2021).

Research Parameters

This policy brief is based on the authors' long-term research experience focusing on Jordan, Lebanon and the Syrian crisis, most recently in the Horizon2020 project "Migration Governance and Asylum Crises" (MAGYC, grant agreement number 822806), which seeks to assess how crises like the mass exodus of Syrians analysed in this policy brief shape policy responses to migration on the domestic, regional and international level. The research presented here was part of the work package "Comparing Crises: Lessons from 'Migration Crises' in the Middle East, North Africa and the greater Horn of Africa", led by the German Institute for Global and Area Studies (GIGA) in Hamburg, which is particularly interested in how state stability and survival interact with migration movements and their governance in the Middle East, North Africa and the Horn of Africa.

The aim of this research was to evaluate the effectiveness of relatively novel so-called "compacts" as tools of cooperative (forced) migration governance in the EU's neighbourhood. Applying qualitative research methods such as semi-structured interviews and long-term participant observation, as well as secondary literature and document analysis, it explored the evolution of two such tools of forced migration governance in two key refugee host states, namely Jordan and Lebanon. It showed that the prioritization of national (Lebanon, Jordan) and institutional (EU) interests have decisively contributed to the creation of an approach to forced migration governance which does not put the interests of the displaced at the forefront and is, therefore, limited in its success. The theoretical framework was based on theories of refugee rentier states[12] and the politics of international organisations.[13]

The topic is of high political relevance due to the on-going refugee influx into Europe that includes hundreds of thousands of Syrians. Generally, the ineffectiveness of the compacts analysed in this policy brief calls for answers to the question how future attempts to govern regional forced migration cooperatively with states in the EU's Southern neighbourhood can achieve the aspiration of 'helping refugees help themselves.'

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[12] Tsourapas (2019), op. cit.

[13] Barnett, Michael N. and Finnemore, Martha (1999), The Politics, Power, and Pathologies of International Organizations, *International Organization*, 53(4), 699–732.

Project Identity

PROJECT NAME	MAGYC - Migration Governance and AsYlum Crises
COORDINATOR	The Hugo Observatory (Université de Liège), Liège, Belgium. hugo.observatory@uliege.be
CONSORTIUM	Centre National de la Recherche Scientifique - Institut français du Proche-Orient (Beirut, Lebanon) GIGA Institute of Global and Area Studies (Hamburg, Germany) IDMC (Geneva, Switzerland) Lebanese American University (Beirut, Lebanon) Lund University (Lund, Sweden) Sabanci University (Istanbul, Turkey) Sciences Po (Paris, France) SOAS University of London (London, UK) University of Economics in Bratislava (Bratislava, Slovakia) University of Macedonia (Thessaloniki, Greece) University of Milan (Milan, Italy)
FUNDING SCHEME	This project has received funding from the European Commission's Horizon 2020 Research and Innovation Programme (2014-2020), Societal Challenge 6 – Europe in a changing world: inclusive, innovative and reflective societies", call MIGRATION-02-2018 — Towards forward-looking migration governance: addressing the challenges, assessing capacities and designing future strategies.
DURATION	November 2018 – October 2022 (48 months).
BUDGET	EU contribution: 3,175,263.70€.
WEBSITE	https://www.magyc.uliege.be/
FOR MORE INFORMATION	**Contact:** Lucia Ragazzi: lucia.ragazzi@uliege.be
FURTHER READING	Fakhoury, T. (2020) 'Refugee return and fragmented governance in the host state: displaced Syrians in the face of Lebanon's divided politics', *Third World Quarterly* 43(1), 162-180. Müller-Funk, L. and Fransen, S. (2020) 'Return aspirations and coerced return: A case study on Syrian refugees in Turkey and Lebanon', *IMI Working Papers Series*, 162, 1–31. Adamson, F. B. and Tsourapas, G. (2020) 'The Migration State in the Global South: Nationalizing, Developmental, and Neoliberal Models of Migration Management', *International Migration Review*, 54(3), 853–882. Tsourapas, G. (2019) 'The Syrian Refugee Crisis and Foreign Policy Decision-Making in Jordan, Lebanon, and Turkey', *Journal of Global Security Studies*, 4(4), 464–481.