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POLICYBRIEF

Migration diplomacy in the Eastern Mediterranean

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Introduction

The Syrian conflict has caused one of the largest population displacements of our time. About half of the population who lived in Syria in 2011 has been forcibly displaced, mostly within Syria and in neighbouring countries. Today, Turkey, Lebanon and Jordan host 5.2 million registered Syrian refugees, with more than two-thirds of these in Turkey alone. While Turkey is home to the largest refugee population in the world, Lebanon has the highest refugee-to-population ratio, followed by Jordan. In addition, 500,000 registered Syrian refugees are scattered across Iraq, Egypt and Sudan.² It should be noted that these figures include only registered Syrians, but in some countries such as Lebanon, there is a much larger number of non-registered Syrian refugees as a result of national registration policies. By comparison, European countries host only one million Syrian refugees.³ Syrian refugees now represent one of the world's largest refugee groups in a protracted refugee situation. While the basic conditions that would allow a large-scale return of refugees to Syria have not been met so far,⁴ the integration prospects of Syrian refugees in neighbouring countries are bound up with highly controversial political issues, as well as with tremendous socio-economic challenges, which since 2020 have been further exacerbated by the COVID-19 pandemic and Lebanon's economic, political and financial crises.⁵

¹ This policy brief has been reviewed by Christiane J. Fröhlich (GIGA Hamburg) and Gerasimos Tsourapas (University of Glasgow) as part of MAGYC's internal review process.

² See <https://data2.unhcr.org/en/situations/syria>.

³ See <https://www.unhcr.org/refugee-statistics/>.

⁴ Jasmine M. El-Gamal, *The Displacement Dilemma: Should Europe Help Syrian Refugees Return Home?* (London: European Council on Foreign Relations, 2019); Maha Yahya, Jean Kassir and Khalil el-Hariri, *Unheard Voices: What Syrian Refugees Need to Return Home* (Washington DC: Carnegie Endowment for International Peace, 2018).

⁵ United Nations, *Impact of COVID-19 on Migrants and Refugees in the Arab Region*, Technical Paper E/ESCWA/CL2.GPID/2020/TP.16 (Beirut: ESCWA, 2020).

The Syrian so-called refugee crisis has occurred in a region that was already struggling with the legacies of past large-scale forced displacements, be it the Palestinian exodus or the refugee and migration flows generated by the two Gulf Wars (1991 and 2003), in addition to intra-regional and international migration movements taking place for labour, education or family purposes. Middle Eastern governments have oscillated between *laissez faire*, liberal approaches and restrictive policies in the management of refugees and migrants, their stance often depending on changing local, national and international politico-diplomatic interests.⁶ Mounting European pressure to contain migrations flows has also played a major part in shaping migration governance in the region. Since the Arab Spring, and even more so since the 2015 “migration crisis,” the European Union (EU) has strengthened and expanded its external migration policy, which consists in transferring the responsibility for the management of migrants and refugees to countries of origin, transit and primary asylum, with a view to containing migration flows outside EU borders. Mainstreaming migration into foreign policies and using conditionality (to tie development aid, visa facilitation or the signing of a trade agreement to the implementation of migration control policies by third countries) are the key governmental strategies that have been used to promote this externalisation process.⁷

This brief seeks to analyse the impact of the Syrian refugee crisis on the diplomacy of migration in the Middle East. To what extent has this crisis redefined migration and asylum policies and politics in the region, including EU external migration policy? This brief draws on the notion of migration diplomacy to emphasise the interplay between mobility regime and foreign policy (see *Research Parameters* below).⁸ It argues that, rather paradoxically, this crisis has strengthened the negotiating position of those third countries hosting refugees vis-à-vis the EU. It suggests that such an evolution reflects the limitations of the EU’s strategy of externalisation as well as of its objective of migration containment and, accordingly, it calls for the creation of more balanced migration cooperation schemes between the EU and third countries in the Middle East, including significant resettlement opportunities as well as sustained humanitarian and development assistance, in order to share the burden of the Syrian protracted refugee crisis more equitably.

The following analysis, which focuses chiefly on the three main host countries of Syrian refugees (Turkey, Lebanon, Jordan), first examines the specificity of Middle Eastern migration and asylum regimes, then looks at national and local policy responses to the Syrian refugee crisis, and finally explores EU migration policy initiatives in response to the Syrian crisis since 2015.

Evidence and Analysis

Middle Eastern asylum regimes: ambivalence and temporariness

Middle Eastern migration and asylum policy regimes have been characterised by ambivalence and temporariness. While an open-door policy has usually prevailed, governments have, on occasion, closed their borders when refugee flows were perceived to represent a security or

⁶ Gerasimos Tsourapas, “Labor Migrants as Political Leverage: Migration Interdependence and Coercion in the Mediterranean,” *International Studies Quarterly* 62, no. 2 (2018): 383–395; H  l  ne Thiollet, “Migration as Diplomacy: Labor Migrants, Refugees, and Arab Regional Politics in the Oil-Rich Countries,” *International Labor and Working-Class History* 79, no. 1 (2011): 103–121.

⁷ For a definition of externalisation, see Sandra Lavenex and Frank Schimmelfennig, “EU Rules beyond EU Borders: Theorizing External Governance in European Politics,” *Journal of European Public Policy* 16, no. 6 (2009): 791–812.

⁸ Fiona B. Adamson and Gerasimos Tsourapas, “Migration Diplomacy in World Politics,” *International Studies Perspectives* 20, no. 2 (2019): 113–128.

political threat. For example, after the first Gulf War, Turkey closed its borders to Iraqi Kurds and Turkmens fleeing northern Iraq.⁹ In the mid-2000s, following the second Gulf War, Jordan, Syria and Egypt, after initially allowing free entry, restricted access to their territory for Iraqis. Middle Eastern countries, moreover, generally lack migration and asylum legal and policy frameworks (Turkey since 2013 being the exception, see below), and migration policy decisions are often made behind closed doors, at the highest governmental level.¹⁰ Middle Eastern states are not signatories of the 1951 Geneva Convention (or of the 1967 Protocol for that matter), except for Turkey, which, however, maintains a geographical limitation clause that *de facto* prevents non-European asylum seekers from obtaining conventional refugee status.¹¹ Refugee Status Determination (RSD) processes have, for the most part, been carried out by the United Nations High Commissioner for Refugees (UNHCR) under formal agreements – a Memorandum of Understanding was signed with Jordan in 1997 and with Lebanon in 2003 – or *de facto*, as was the case in Turkey until 2018.¹²

Refugee politics and policies in the region have been heavily shaped by the Palestinian exodus and the Arab-Israeli conflict. Although Arab states have consistently reaffirmed the importance of the right of return, to date they have remained unable to develop, let alone display, a coherent and common understanding of the key notions of return, compensation and resettlement.¹³ Similar patterns were in evidence during the more recent Iraqi and Syrian refugee crises. Middle Eastern governments have repeatedly insisted that refugees were hosted only temporarily and should return to their home countries or be resettled. For example, the aforementioned agreements that Jordan and Lebanon signed with the UNHCR explicitly state that both countries are merely transit countries and that the UNHCR should aim to resettle refugees within a year of their arrival, despite the fact that resettlement programmes actually fall outside the UNHCR's remit and are notoriously rare.

Migrants and refugees have, therefore, had no alternative but to resort on informality to cope with *ad hoc* policies, whereby residency status as well as access to mobility, employment, education and healthcare are often determined by a person's country of origin and by his or her ethnic or religious background. The Egyptian state's "strategic ambivalence" epitomises such a policy approach, whose objective is to neither drive out nor entirely integrate migrants in the host society.¹⁴ Likewise, the Lebanese "politics of uncertainty" exemplify many aspects of the "no-policy" policy and the *ad hoc* refugee regime, with policy decisions designed for each particular refugee group.¹⁵ The Syrian refugee crisis has exacerbated such trends in Lebanon given the state's dependence on foreign aid. As a result of the lack of border control strategies

⁹ Zeynep Sahin Mencutek, *Refugee Governance, State and Politics in the Middle East* (Abingdon and New York NY: Routledge, 2019).

¹⁰ Gerasimos Tsourapas, *The EU-Egypt Partnership Priorities and the Egyptian Migration State*, MAGYC, Deliverable D2.4 (2020), <https://www.magyc.uliege.be/wp-content/uploads/2020/04/D2.4-v1April2020.pdf>.

¹¹ Firat Genç, Gerda Heck and Sabine Hess, "The Multilayered Migration Regime in Turkey: Contested Regionalization, Deceleration and Legal Precarization," *Journal of Borderlands Studies* 34, no. 4 (2019): 489–508; Mencutek, *Refugee Governance, State and Politics in the Middle East*.

¹² Ruben Zaiotti, "Dealing with non-Palestinian Refugees in the Middle East: Policies and Practices in an Uncertain Environment," *International Journal of Refugee Law* 18, no. 2 (2006): 333–353; Michael Kagan, 'We Live in a Country of UNHCR': *The UN Surrogate State and Refugee Policy in the Middle East* (Geneva: UNHCR Policy Development and Evaluation Service, 2011); Kemal Kirişçi, "Turkey's New Draft Law on Asylum: What to Make of It?," in *Turkey, Migration and the EU: Potentials, Challenges and Opportunities*, ed. Seçil Paçacı Elitok and Thomas Straubhaar (Hamburg: Hamburg University Press, 2012), 63–83.

¹³ Jalal Al Hussein, "The Arab States and the Refugee Issue: A Retrospective View," in *Israel and the Palestinian Refugees*, ed. Eyal Benvenisti, Chaim Gans and Sari Hanafi (Berlin and New York NY: Springer, 2007), 435–460.

¹⁴ Kelsey P. Norman, "Migrants, Refugees and the Egyptian Security State," *International Journal of Migration and Border Studies* 2, no. 4 (2016): 345–364.

¹⁵ Nora Stel, *Hybrid Political Order and the Politics of Uncertainty: Refugee Governance in Lebanon* (London: Routledge, 2020).

and regulated reception processes, the responsibility for dealing with refugees has shifted from the state to the international community as well as local and non-state actors (international organisations, international and local non-governmental organisations, political parties, religious organisations, municipalities).

In contrast, Jordan and Turkey have developed more structured migration and refugee policy strategies, but the daily lives of migrants and refugees in these countries have also been marked by temporariness and informality. In Jordan, the rentier nature of the state have had a significant influence on the governance of migration and asylum, so much so that Jordan has turned into a “refugee rentier state.”¹⁶ Jordan lacks natural resources, but it has historically capitalised on its strategic location to secure external subsidies. In the mid-2000s, when some 500,000 to 750,000 Iraqis sought refuge in Jordan, the government devised a strategy to maximise the benefits of international assistance and funding. Indeed, the Jordanian government was accused of inflating the number of Iraqi refugees in the country and it moreover made it a requirement that international aid also benefit the local population. Such a strategy would foreshadow Jordan’s later political and policy responses to the Syrian refugee crisis.

In Turkey, the construction of a legal and institutional migration and asylum architecture since the early 2000s has been a product of multi-layered dynamics, involving various governmental and international actors and their attendant interests.¹⁷ On the one hand, migration and asylum have been a major theme of Turkey’s accession negotiations with the EU, a key requirement being that Turkey control “illegal” immigration into Europe. Successive Justice and Development Party (AKP) governments have fulfilled key EU demands: Turkey ratified the Palermo Protocols regarding human trafficking and human smuggling, enacted laws on work permits and naturalization, reformed visa regulations and deportation procedures, and developed the Integrated Border Management Strategy. On the other hand, Turkey has consistently refused to remove the geographical limitation clause of the 1951 Geneva Convention. The new Law on Foreigners and International Protection, which was passed in 2013, illustrates Turkey’s ambiguous position. While satisfying EU demands that Turkey adopt a new asylum legal framework, this law introduces two forms of international protection that are meant to be temporary: conditional refugee status for those under direct personal threat, and subsidiary protection status for those fleeing a situation of widespread violence. At the same time, Turkey’s migration and refugee regime has also been developed in response to state security concerns (especially regarding the Kurdish population) and to foreign policy interests with Middle Eastern and African countries. For example, in the 2000s, Turkey pursued its own migration diplomacy by lifting visa requirements for Middle Eastern and African countries, as part of a broader regional and international diplomatic strategy.

Facing the Syrian refugee crisis: from open-door to restrictive policies

During the first two years of the conflict, an unconditional open-door policy prevailed among Syria’s neighbouring countries. Jordan and Lebanon invoked pre-existing visa-free agreements to allow the unrestricted entry of Syrians, and Turkey formally designated Syrians as “guests.” During that period, and as had been the case before the war, Syrians could travel back and

¹⁶ Gerasimos Tsourapas, *The Jordan Compact*, MAGYC, Deliverable D2.4 (2020), <https://www.magyc.uliege.be/wp-content/uploads/2020/08/D2.6-v2August2020.pdf>; Christiane Fröhlich and André Bank, *Forced Migration Governance in Jordan and Lebanon: Lessons from Two EU Compacts*, MAGYC, Policy Brief D4.8 (2021), <https://www.magyc.uliege.be/wp-content/uploads/2021/04/D4.8-v1April2021.pdf>.

¹⁷ Genç, Heck and Hess, “The Multilayered Migration Regime in Turkey”; Mencutek, *Refugee Governance, State and Politics in the Middle East*.

forth to Syria, depending on the security situation and on the personal threats they potentially faced. Most Syrians could, moreover, freely settle in urban, semi-urban or rural areas, and only a minority were accommodated in refugee camps.¹⁸

In Lebanon, where hundreds of thousands of Syrians were already employed as seasonal or permanent workers in the construction industry and in agriculture,¹⁹ the government allowed the creation of informal settlements, but adamantly opposed the creation of refugee camps, a stance that reflected the historical legacy of Palestinian refugee camps during the civil war. In Jordan, the government allowed Syrians to self-settle across the country until June 2012, and then began to build large refugee camps with the help of the UNHCR and the Emirates. Besides security and political considerations, the construction of refugee camps was aimed at giving greater visibility and credence to Jordan's call for international support. The number of refugees in the Za'atari Camp, for instance, reached over 150,000 within a few months during the winter 2012-2013.²⁰

Syria's neighbours began to implement restrictive refugee policies in 2013, when it became clear that the conflict would not end soon. Restrictions focused on two main areas: refugee entry and refugee registration.

The timing and conditions of the implementation of restrictive entry policies varied from country to country, depending on each government's particular political agenda and perception of security threats. Jordan first denied entry to Palestinians coming from Syria in April 2012, and then limited the number of Syrians allowed to enter the country to 300 per day (January 2013). By mid-2014, Jordan's shift to a closed border policy was complete. In Egypt, the open-door policy initially implemented by Mohammed Morsi's government was ended in mid-2013, after the military returned to power. In Turkey, the government began to close its borders to Syrians in early 2014, in the context of deteriorating security conditions in the Kurdish areas. After issuing the October 2014 decrees, which heavily restricted border access and drastically tightened the regulations regarding status renewal for Syrians already in the country, Lebanon closed its border with Syria in January 2015. By 2015, then, all neighbouring countries had closed their borders to Syrian refugees, although a limited number of illegal border crossings could still be observed in Jordan and Turkey.²¹

Furthermore, Middle Eastern states adopted new regulations regarding the residency status of Syrians, which served to reaffirm the temporary nature of their presence in these countries, thus ruling out their integration into society. In Turkey, the government took systematic steps to register Syrian refugees from early 2014 onwards, and it moreover adopted a "temporary protection status" specifically designed for Syrians. The creation of such a status meant that, in practice, two separate legal and administrative asylum systems coexisted thereafter: one for Syrians and one for all other non-European refugees, with varying consequences in terms of legal status and access to living conditions, hence vastly different everyday experiences and expectations.²² In Jordan, the government created the Directorate of Security Affairs for the Syrian Refugee Camps in March 2013 and revised its agreement with the UNHCR in 2014. A

¹⁸ Tsouparas, *The Jordan Compact*; Alexander Betts, Ali Ali and Fulya Memişoğlu, *Local Politics and the Syrian Refugee Crisis: Exploring Responses in Turkey, Lebanon, and Jordan* (Oxford: Refugee Studies Centre, 2017); Lewis Turner, "Explaining the (Non-)Encampment of Syrian Refugees: Security, Class and the Labour Market in Lebanon and Jordan," *Mediterranean Politics* 20, no. 3 (2015): 386–404.

¹⁹ John T. Chalcraft, *The Invisible Cage: Syrian Migrant Workers in Lebanon* (Stanford CA: Stanford University Press, 2009).

²⁰ There were repeated disagreements between the UNHCR and the Jordanian government, the latter being accused of overestimating the number of refugees hosted in the country, both inside and outside refugee camps.

²¹ Tsouparas, *The Jordan Compact*; Genç, Heck and Hess, "The Multilayered Migration Regime in Turkey."

²² Genç, Heck and Hess, "The Multilayered Migration Regime in Turkey"; Mencutek, *Refugee Governance, State and Politics in the Middle East*.

bailout process was initially established to allow Syrians in refugee camps to settle in urban areas provided they could secure sponsorship from a Jordanian citizen. Well-off Syrians, thus able to pay middlemen and smugglers, could leave the camps, and indeed, this process was frozen following sharp criticism that it encouraged corruption and greed.²³ In 2015, the Jordanian government issued new security cards to Syrians living outside refugee camps, who were therefore forced to visit police stations every year to apply for or renew such cards. Those caught without proper documentation were threatened with relocation in refugee camps.

In Lebanon, following three years of “no-policy” policy, the adoption of the October 2014 decrees signalled a significant policy shift. With the aim of reducing the number of Syrians in the country, the government made the administrative procedures to obtain legal residency much more complicated, thus also restricting access to the labour market. Previously, under a pre-existing agreement between Lebanon and Syria, Syrians were granted a six-month residency permit at the Lebanese border, which allowed them to work. This permit could be renewed by returning to Syria for at least 24 hours or by paying a \$200 fee. While many Syrians were already unable to fulfil these requirements, for either financial or security reasons, as a result of the October 2014 decrees, many more Syrians were pushed into illegality as they found themselves without valid residency status, irrespective of the length of their presence in the country and the initial reason (labour or asylum) for their stay. After January 2015, Syrians wishing to renew their residency permit were required to provide a pledge of responsibility from a Lebanese sponsor (*kafil*) or a certificate of UNHCR registration, along with a pledge not to work and proof of their financial means. However, a few months later, the Lebanese government instructed UNHCR to suspend refugee registration altogether, and therefore the majority of Syrians became illegal residents.²⁴ The Lebanese government, moreover, expanded security measures targeting Syrians and channelled part of the international aid toward the Lebanese population in a bid to mitigate the socio-economic impact of the crisis.

The implementation of more restrictive asylum policies towards Syrians in the Middle East, combined with the worsening conflict in Syria, is one of the reasons explaining the sharp increase in the number of Syrians crossing the Mediterranean to seek asylum in Europe in 2014 and 2015 (first-time asylum applications by Syrians rose from 49,000 in 2013 to 378,000 in 2015).²⁵ The inflow of Syrians to Europe triggered a larger wave of migration, comprising both refugees (mainly from Syria, Afghanistan, Iraq, and Eritrea) and economic migrants (in particular from Albania). The EU, unable to agree on a common policy response, faced a major internal political crisis and thus decided to contain both refugees and migrants in countries of origin, transit and primary asylum.

The EU containment policy: political pitfalls and policy drawbacks

The EU first turned to Turkey, and in November 2015, both parties agreed on an EU-Turkey Joint Action Plan, whereby Turkey would better control its borders and improve the living conditions of Syrian refugees on its territory in exchange for €3 billion to develop physical infrastructures and institutional capacities. The EU moreover agreed to resume accession negotiations and to lift visa requirements for the Schengen Area for Turkish citizens. This initial

²³ Tsourapas, *The Jordan Compact*.

²⁴ Stel, *Hybrid Political Order and the Politics of Uncertainty*; Romola Sanyal, “Managing through *ad hoc* Measures: Syrian Refugees and the Politics of Waiting in Lebanon,” *Political Geography*, no. 66 (2018): 67–75; Maja Janmyr, “Precarity in Exile: The Legal Status of Syrian Refugees in Lebanon,” *Refugee Survey Quarterly* 35, no. 4 (2016): 58–78; Tamirace Fakhoury, *Refugee Governance in Crisis: The Case of the EU-Lebanon Compact*, MAGYC, Deliverable D2.3 (2020), <https://www.magyc.uliege.be/wp-content/uploads/2021/01/D2.3-v1December2020.pdf>.

²⁵ See <https://ec.europa.eu/eurostat/fr/data/database>.

agreement was soon complemented by a second and more ambitious deal. The EU-Turkey Statement (March 2016) reiterated the commitments of the Joint Action Plan and added two major elements: an additional €3 billion grant and a specific deportation procedure to return all migrants illegally crossing to Greek islands, regardless of their protection claims, to Turkey, in exchange for a pledge to resettle up to 72,000 Syrians from Turkey to the EU.²⁶ The EU-Turkey deal, together with the closure of the Balkan route and the creation of hotspots on Greek islands, where migrants were, and still are, kept in appalling conditions, deterred many refugees and migrants from taking the Eastern Mediterranean route.²⁷ Most refugees, therefore, were stranded in countries of primary asylum, or remained at risk in their countries of origin, and only a few chose to take alternative, often more dangerous, migration routes.²⁸

The EU-Turkey deal gave Turkey a prominent role in controlling European borders and managing mobility and asylum in the Middle East. In the context of growing tensions between the EU and Turkey, this led to the blatant instrumentalisation of refugees and migrants for political and diplomatic means.²⁹ Following the attempted coup of 15 July 2016, EU politicians and bureaucrats publicly declared that, due to backsliding on the rule of law and fundamental rights in Turkey, the opening of new accession chapters and the implementation of visa-free travel for Turkish citizens were no longer on the agenda. In response, the Turkish government, which had publicly justified the deal by emphasising the prospect of visa liberalisation and the acceleration of EU accession negotiations, threatened to renege on its obligations to control migration flows.³⁰ Similarly, against a backdrop of heightened diplomatic tensions with the EU regarding gas fields in the Eastern Mediterranean, support to warring parties in Libya, and Turkey's role in the Syrian conflict, in February 2020 President Recep Tayyip Erdogan called on refugees and migrants to walk to the Greek border, where Greek border guards pushed them back, in breach of the non-refoulement principle. Turkey's disillusionment with the agreement also had to do with the amount of EU financial assistance, considered to be insufficient, and the slow rate of disbursement of funds.³¹

At the same time, the EU mobilised funds on an unprecedented scale to support humanitarian and development projects, mostly in Jordan and Lebanon.³² The Supporting Syria and the Region donor conference, held in London in February 2016, raised around €9 billion in grants and loans, with some €2.4 billion pledged by the EU for 2016 and 2017. Major host countries and international donors agreed on the need to go beyond traditional humanitarian assistance to refugees, thus arguing that the crisis could create economic opportunities for both refugees

²⁶ Roman Lehner, "The EU-Turkey 'Deal': Legal Challenges and Pitfalls," *International Migration* 57, no. 2 (2019): 176–185.

²⁷ Ilse van Liempt, et al., *Evidence-Based Assessment of Migration Deals: The Case of the EU-Turkey Statement* (Utrecht: Utrecht University, 2017).

²⁸ Thibaut Jaulin, Alice Mesnard, Filip Savatic, Jean-Noël Senne and Hélène Thiollet, *Externalization Policies and their Impacts on Migrant and Refugee Flows to Europe during the "Crisis": A Preliminary Study*, MAGYC, Deliverable D8.1 (2020).

²⁹ Senem Aydin-Düzgit, E. Fuat Keyman and Kristen S. Biehl, *Changing Parameters of Migration Cooperation: Beyond the EU-Turkey Deal?* (Istanbul: Istanbul Policy Centre, 2019).

³⁰ Mencutek, *Refugee Governance, State and Politics in the Middle East*.

³¹ By late 2020, €2.6 billion from the first tranche had actually been disbursed, with a further €1.2 billion from the second tranche. See Nienke van Heukelingen, *A New Momentum for EU-Turkey Cooperation on Migration* (The Hague: Clingendael, 2021).

³² In comparison with Turkey, Jordan and Lebanon, Egypt received limited financial assistance under the European Union Trust Funds, although EU-Egypt cooperation on (illegal) migration has gained a lot of momentum since 2014, as evidenced by the Khartoum Process and the 2017 Partnership Priorities. See Jan Claudius Völkel, "Fanning Fears, Winning Praise: Egypt's Smart Play on Europe's Apprehension of more Undocumented Immigration," *Mediterranean Politics* (2020), <https://doi.org/10.1080/13629395.2020.1758450>; Muhammad al-Kashef and Marie Martin, *EU-Egypt Migration Cooperation: At the Expense of Human Rights* (Copenhagen and Brussels: EuroMed Rights, 2019).

and host communities.³³ Particular attention was given to the integration of refugees into the labour markets of host countries: this fitted into a broader narrative focusing on the need to allow refugees to have dignified and self-sufficient lives and to help host countries reap the potential economic benefits of the demographic boost resulting from the massive inflow of refugees. In addition to increased support for job creation, the EU and major donors agreed to provide preferential access to their markets as well as access to concessional financing to refugee-hosting countries in order to support economic growth.

The London conference also emphasised the principle of mutual commitments, whereby international support would go hand in hand with the implementation of policy reforms, in particular regarding access to the formal labour market for refugees. Yet, as the following section will show, by remaining staunchly committed to its objective of migration containment, the EU has, rather paradoxically, strengthened the negotiating position of refugee-hosting countries: while fully benefiting from EU financial assistance, they have successfully resisted EU demands for the adoption of policy reforms to promote refugee rights and integration.

Following the London conference, the EU signed bilateral Partnership Priorities and Compacts with both Jordan and Lebanon, with a view to combining EU financial support with national strategies for policy action. With the Compacts, the Syrian crisis became a central aspect of EU relations with Jordan and Lebanon. Both Compacts are a mixed bag of policy instruments, including as they do humanitarian assistance and socio-economic development. Most of the non-humanitarian component of EU support is channelled through the EU Regional Trust Fund in Response to the Syrian Crisis (“Madad Fund”), which focuses on longer-term needs and objectives. For instance, providing employment opportunities for Syrian refugees is a key objective, as it is meant to foster the *de facto* integration of Syrians into host countries.³⁴

In Jordan, the narrative that the authorities presented to the international community aimed to portray the country as a cooperative “model reformer” and as a hub for innovative policy designs in migration governance. Jordan advocated a holistic approach to address the impact of the Syrian refugee crisis on its economy and thus insisted on the importance of attracting foreign investment, opening up the EU market to Jordanian exports and creating job opportunities for both Syrian refugees and Jordanians.³⁵ Some components of the Compact were already present in earlier donor programs, such as multi-year grants or the conditioning of aid on refugee children going to school and on the provision of vocational training to refugees. What was specifically new was the objective of creating 200,000 job opportunities within three to five years. In exchange for allowing refugees to work, albeit in low-skilled jobs, Jordan had, indeed, hoped to stimulate the development of its manufacturing sector by integrating refugees into Special Economic Zones (SEZs) and securing access to the EU market for goods produced in the SEZs.

However, the actual results of the Compact have fallen short of these expectations. In Jordan, the goal of issuing 200,000 work permits to Syrians was not reached until 2020. The country’s bureaucratic maze and the lack of trust of many refugees in the Jordanian authorities are some of the reasons explaining why this process went more slowly than expected. Moreover, the Compact has not led to a significant development of SEZs, which by 2019 employed just 1,000

³³ Fröhlich and Bank, *Forced Migration Governance in Jordan and Lebanon*; Lorenza Errighi and Jörn Griesse, *The Syrian Refugee Crisis: Labour Market Implications in Jordan and Lebanon* (Luxembourg: Publications Office of the European Union, 2016).

³⁴ Peter Seeberg and Federica Zardo, “From Mobility Partnerships to Migration Compacts: Security Implications of EU-Jordan Relations and the Informalization of Migration Governance,” *Journal of Ethnic and Migration Studies* (2020), <https://doi.org/10.1080/1369183X.2020.1851465>.

³⁵ Fröhlich and Bank, *Forced Migration Governance in Jordan and Lebanon*; Betts, Ali and Memişoğlu, *Local Politics and the Syrian Refugee Crisis*.

workers in total, only 291 of whom were Syrians.³⁶ Last but not least, Syrians have been mostly employed in low-skilled jobs, which previously were usually fulfilled by Egyptian, Sudanese and Southeast Asian labour migrants. In 2020, the Jordanian authorities launched a campaign to tighten controls on work permits for labour migrants and to remove those found to be illegal workers, mainly Egyptians.³⁷

In Lebanon, the Compact was from the outset a “statement of intent” rather than an actionable policy option.³⁸ Following a pragmatic approach, it did not include binding or conditional measures, but instead consisted of a set of weakly formalised measures, such as a pledge to create 300,000 new jobs in Lebanon, of which 60% would be allocated to Syrians. Moreover, the EU expected the Compact to result in the (partial) lifting of the complex and costly registration procedures for Syrians and to help extend access to education for Syrian children. However, the Compact merely led to the removal of the residency fees imposed on Syrians, while at the same time the Lebanese government embarked on a campaign against “foreign labour” and kept calling for the repatriation (“voluntary return”) of Syrian refugees. In hindsight, the stated objectives of the Lebanese Compact appear unrealistic indeed, and Lebanon’s economic, financial and political crisis poses a dilemma for donors, as supporting bottom-up initiatives and stabilisation efforts may be more effective but means circumventing the Lebanese government.³⁹ Rather than a robust policy framework for migration cooperation, the Lebanon Compact consisted in a political arrangement lacking long-term common interests between the parties.

Policy Implications and Recommendations

The Syrian refugee crisis has led to a hardening of political attitudes and government policy regarding the European objective of migration containment, as evidenced by a recent statement by the EU Ministers of Home Affairs: in the wake of the US withdrawal from Afghanistan, they agreed to “act jointly to prevent the recurrence of uncontrolled large-scale illegal migration movements faced in the past.”⁴⁰ Although, as part of its response to the Syrian refugee crisis, the EU has developed countless political and policy initiatives with Middle Eastern countries since 2015 and has funded humanitarian and development projects on an unprecedented scale, the results have been rather disappointing. If we look at the stated objective of turning the Syrian crisis into an economic opportunity for both refugees and host communities, the fact is that the EU has barely managed to keep the Syrian refugee population out of extreme poverty. And this is before we consider the dramatic impact of the Lebanese economic crisis and of the COVID-19 pandemic, which has yet to be fully assessed. Furthermore, the EU has remained firmly committed to the objective of migration containment, and this stance has not only led to the blatant instrumentalisation of refugees and migrants for political means, but also, and rather paradoxically, has strengthened the negotiating position

³⁶ Katharina Lenner, “‘Biting our Tongues’: Policy Legacies and Memories in the Making of the Syrian Refugee Response in Jordan,” *Refugee Survey Quarterly* 39, no. 3 (2020): 273–298.

³⁷ Tsourapas, *The Jordan Compact*.

³⁸ Fakhoury, *Refugee Governance in Crisis*; Tamirace Fakhoury, “Governance Strategies and Refugee Response: Lebanon in the Face of the Syrian Displacement”, *International Journal of Middle East Studies* 49, no. 4 (2017): 681–700; Peter Seeberg, “EU Policies Concerning Lebanon and the Bilateral Cooperation on Migration and Security – New Challenges Calling for New Institutional Practices?,” *Palgrave Communications* 4, art. no. 136 (2018), <https://doi.org/10.1057/s41599-018-0192-7>.

³⁹ Carmen Geha, *People before Politicians: How Europeans Can Help Rebuild Lebanon* (London: European Council on Foreign Relations, 2021); Will Todman, *Supporting Syrian Refugees amidst Lebanon’s Crises* (Geneva: Geneva Centre for Security Policy, 2021).

⁴⁰ Council of the European Union, “Statement on the Situation in Afghanistan,” 31 August 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/08/31/statement-on-the-situation-in-afghanistan/>.

of refugee-hosting countries, which have successfully resisted EU demands for the adoption of policy reforms to promote refugee rights and integration. So far, migration and asylum policies across the region, including in Turkey, have remained characterised by ambivalence and temporariness. In light of these concluding remarks, this brief calls for the creation and implementation of migration cooperation frameworks that do not define migration containment as the primary objective and that genuinely take into account the political, social and economic challenges faced by refugee-hosting countries in the Global South.

Research Parameters

This policy brief is based on research conducted as part of the Horizon2020 project “Migration Governance and Asylum Crises” (MAGYC, grant agreement number 822806) for the Work Package (WP) no. 8 “External dimensions of the crisis,” led by Sciences Po (Paris, France). This WP seeks to understand how the EU’s externalisation policy intersects with intra-regional dynamics in the Middle East and Africa. Research conducted under this WP pays particular attention to local and intra-regional political dynamics in non-EU countries, including inter-state and non-state relations, formal and informal dynamics, and the role of international organisations operating locally. This WP examines the following issues: how policies deployed at the border and beyond the borders of the EU have an impact on mobility across different regions; how EU and international governance mechanisms intersect with local, national, regional and transnational dynamics; and how these mechanisms shape the interests and policies of target states, both in terms of migration diplomacy and domestic politics. The originality of this WP is that, drawing on the expertise of scholars of non-EU countries and partner research institutions in Middle Eastern and African countries, it looks at externalisation practices and policies from the perspective of non-EU countries.

As part of this WP, Task #3 “Crisis spillover and governance feedback: migration diplomacy and domestic politics in the Middle East” explores the recent rise of European migration cooperation with Middle Eastern countries in the context of the Syrian refugee crisis. While several reports and the grey literature have emphasised the role of hospitable neighbouring countries (especially Turkey, Jordan and Lebanon), which have taken in millions of Syrians, the research conducted under this Task aims to re-politicise the policies of asylum and labour migration in the sub-region. It looks at a variety of scales – local, regional, international – and revolves around processes related to EU regional initiatives, such as the Khartoum Process, the Jordan and Lebanon Compacts, and the EU-Turkey Statement.

This policy brief draws on the concept of “migration diplomacy,” which recent Migration Studies and International Relations scholarship has proposed to describe the ways in which migration and asylum have been used “as” diplomacy, and the manner in which states rely on diplomatic tools, processes and procedures to manage cross-border population movements.⁴¹ By placing power relations and classic diplomatic concerns front and centre in the study of the international politics of migration, and by moving away from Western-centric scholarship in foreign policy and diplomacy as well as in Migration Studies, this concept has contributed to a better appreciation of the interplay between foreign policy and mobility. Given the impact of the COVID-19 pandemic on the fieldwork originally planned for this study, this brief is based on an extensive desk review and the author’s long research experience in the region.

⁴¹ Adamson and Tsourapas, “Migration Diplomacy in World Politics”; Thiollet, “Migration as Diplomacy.”

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 – April 2023 (54 months).
BUDGET	EU contribution: 3,175,263.70€.
WEBSITE	https://www.magyc.uliege.be/
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FURTHER READING	Thibaut JAULIN and Hélène THIOLLET, <i>Migration diplomacy in the Horn of Africa</i> , MAGYC Policy Brief, D8.12, 31 st October 2021. Samet Apaydin, Meltem Muftuler-Bac, Sabanci University, <i>Formal and Informal Dimensions of Turkish Migration Governance: Linkages between Domestic and Transnational Politics</i> , MAGYC Working Paper, D8.4, 31 st October 2021

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