

The politics of return from Jordan to Syria

Julia Morris

Return preparedness of Syrian refugees has become a prominent issue in Jordan, but the prospect of return raises numerous concerns.

An estimated 1.4 million Syrian refugees currently live in Jordan, of whom three quarters are calculated by non-governmental organisations (NGOs) to plan to return to Syria at some point in the future. Repatriation should be based on a free and informed decision with the full commitment of the country of origin to the reintegration process. Syrian returnees, however, face the prospect of returning to an authoritarian regime that has little interest in supporting their reintegration. Moreover, given the continued active conflict, guaranteeing any measure of security for returning refugees is difficult.

There have been significant numbers of spontaneous returns since the beginning of the conflict. However, the Jordanian government and affiliated agencies have so far taken no measures to facilitate large-scale formal voluntary returns. On the contrary, despite the reopening of the Jaber–Nasib

border crossing in October 2018, the Jordanian government has publicly announced that it does not support Syrians returning at the present time.¹ But while no formal returns programmes have been initiated between the two countries, return preparedness has become a prominent issue in Jordan.²

Barriers to return from Jordan

Unlike in other host countries from which Syrian refugees are returning, ‘go-and-see’ visits are not possible for refugees in Jordan. In the case of Jordan, UNHCR does not have the infrastructure in place, nor the arrangements with the Syrian and Jordanian governments, to facilitate the trips. The Jordanian government has maintained a semblance of diplomatic relations with Syria but not when it comes to arranging go-and-see visits. Furthermore, the very idea of a go-and-see visit is questionable given the continuing

insecurity inside Syria, and whether in fact refugees would be able to visit **and** return.

Under Syrian law, Syrian men between the ages of 18 and 42 must serve in the military or risk imprisonment or forcible conscription. Most conscripts have been kept in the army indefinitely since the conflict began, and raids by the authorities on neighbourhoods and homes in search of wanted conscripts and reservists have become common. The Assad regime has also utilised State media and religious leaders to promote the image of those serving in the army and their families as honourable, while depicting deserters in pejorative terms. A similarly negative image is projected of Syrians who left the country during the conflict, and many fear reprisals due to perceived cowardice or disloyalty to the regime.

Since the start of the conflict, rape and sexual violence have become a widespread tactic used by the Assad regime and rebel factions. Sexual violence in the Syrian conflict has been faced by both women and men alike. While women and girls often bear the burden of greater sexual violence, substantial evidence has also come to light of the systematic use of sexual violence and torture on adult men and boys, particularly in Syrian detention centres.³ For women and men, sexual violence is often made invisible, partially from a deep social stigma of speaking out about it, which obfuscates accountability. In other post-conflict situations, restorative justice methods have been used to hold actors accountable and to promote long-term reconciliation. If accountability and reconciliation strategies are to take root in Syria, they must take these factors into account.

LGBTIQ+ refugees also face specific barriers to return. Many have encountered levels of persecution within and outside Syria that are higher than those they experienced pre-conflict. Under Syrian law, engaging in homosexual activities carries a sentence of up to three years' imprisonment. LGBTIQ+ refugees also frequently have more difficulty in finding work and accessing familial and social networks – both in and outside their home regions – which can support

their sustainable integration or return.

While Jordan is a relatively liberal country, LGBTIQ+ refugees have still been found to face protection risks, discrimination and abuse.⁴ Understanding these contexts is essential when planning voluntary returns strategies, if return is to be a durable solution.

A culture of disorientation

The success of a formal returns project depends on refugees having complete information about the situation but rumours hamper the ability of many to make informed decisions. Social media platforms such as WhatsApp and Facebook have enabled people to find out the extent of devastation from family, friends and neighbours. However, the constant barrage of information about the situation and whether or not it is advisable to return led many refugees to speak to me of overwhelming feelings of disorientation.

For example, in April 2018 the Assad government passed a property law, Law No 10, which gave residents just 30 days to prove their property ownership in so-called redevelopment zones that are largely in the areas of the country which rebelled against the Syrian government after 2011. The law enables authorities to confiscate property without compensating the owners or giving them an opportunity to appeal. In November 2018, following international pressure, President Assad issued an amendment giving Syrians a year to return and claim their property. However, many refugees are unclear as to which is the real deadline, and the majority lack identification or property registration documents to make the claims in the first place. Another widespread claim – so far unfounded – is that Law No 10 allows Iranian companies (which have financial aspirations in Syria) to expropriate the property of Syrians in exile.

These chaotic conditions, frequent policy changes, and circulation of misinformation on social media have created a high level of anxiety and uncertainty. This is one area where humanitarian organisations have focused their energies, working to monitor the returns situation, reduce information gaps, and advocate to encourage the Assad regime

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to take these concerns into account. The International Rescue Committee, for example, has been developing its staff's social listening and social media management skills in order to be able to identify misinformation and support effective communication for refugees planning to return.

At the same time, humanitarian organisations face challenges in implementing formal voluntary returns. UN agencies and some civil society actors are active in Syria but, even though the border is open, no cross-border service work is permitted at the present time for organisations providing pre-existing services to Syrian refugees in Jordan. Instead, humanitarians will probably be negotiating with the Assad regime and Russian private sector actors to facilitate repatriation support.

The politics of 'voluntary' return

The Jordanian government has received immense financial aid from the European Union since the start of large-scale displacement to Jordan. Humanitarian practitioners I spoke with report that the reason why Jordanian officials have not publicly lobbied for a returns project as government policy is partially as a result of this aid funding tied to refugee integration in Jordan. However, as the conflict has continued, Jordan has encountered donor fatigue, and international investments have begun to drop. With these possible threats to funding, many humanitarian practitioners are questioning whether the Jordanian government might indeed soon consider encouraging returns.

Lebanon, like other major host States in the region, has already taken questionable steps to promote return to Syrian refugees. Portable displays explaining the logistics and benefits of returning to Syria have cropped up across the country in an effort to encourage refugees' return. Meanwhile, a generally oppressive culture towards refugees makes sustaining a decent livelihood next to impossible. In these circumstances, the idea of return being voluntary is difficult to take seriously. These developments have sparked new debates in Jordan with respect to its own Syrian refugee population. Social

attitudes towards refugees have altered over the years, as the Syrian population has added to substantial numbers of Palestinians, Iraqis, Yemenis, Sudanese and Somalis from earlier displacements. In public discourse, Syrians are often scapegoated for the scarcity of resources and are consequently increasingly being regarded as objects of blame and suspicion. The reopening of the border has coincided with the widespread sentiment among the Jordanian public that Syrians have overstayed their welcome in Jordan.

So long as there remains a question mark over return in safety, host countries should not provide push factors to incentivise refugee return but rather should continue with forms of local integration, such as through facilitating education, employment and training. The sectors in which Syrian refugees in Jordan can obtain employment have already been called into question as part of the much criticised Jordan Compact. By not including vital professions such as medicine, education and engineering among those sectors, the Jordan Compact prevents refugees gaining experience in such sectors, which are critical to rebuilding Syria. International and local NGOs are doing impressive work in offering university places and skills training to Syrian refugee youth, and Syrian refugees have set up a wide range of innovative businesses in Jordan. One Syrian businesswoman, for example, supports over 100 Syrian women on flexible contracts (some working from home) to produce soaps and textiles through a refugee women's cooperative, selling the products online and through social media. Yet many Syrian refugees still find their movements restricted and employment ambitions curtailed.

It is in everyone's interests that host countries make refugees welcome. Above all, the voices of refugees must be listened to if return and integration projects are to be successful. Restrictive, needlessly complicated, xenophobic policies that limit refugees' movement and access to work opportunities and basic services may drive spontaneous returns to a country that is not safe. By guaranteeing that refugees can return in safety to their host country, or move to

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another country if they choose, more people might engage in sustainable and voluntary return, and help create a Syria for the future.

Julia Morris morrisjc@uncw.edu

Assistant Professor of International Studies,
University of North Carolina Wilmington
<https://uncw.edu/int/morrisj.html>

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