Beyond Survival

Setting Priorities in Livelihoods Research and Education for Refugees in the Middle East

Clarke Initiative for Law & Development in the Middle East & North Africa

Cornell University Law School

The Ottoman and Turkish Studies Initiative

Global Emergency Medicine Division at Weill Cornell Medicine
Beyond Survival

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FOREWORD

In November 2015, Cornell University hosted a three-day conference, “Beyond Survival: Livelihood Strategies for Refugees in the Middle East,” at Cornell Law School in Ithaca. The conference was sponsored by the Clarke Initiative for Law and Development in the Middle East and North Africa, and supported by the Law School, the Global Emergency Medicine Division at Weill Cornell Medicine, and the Ottoman and Turkish Studies Initiative. “Beyond Survival” was the first major extended academic conference at a U.S. university to focus on the Middle East refugee crisis.

The Clarke Initiative explores the role of global and local law in shaping the meaning and content of economic and social development in the Middle East. The patterns, causes, and consequences of migration are central to understanding development in the region.

But within this larger context of migration, the issue of refugees, asylum seekers, and other displaced persons exposes, perhaps more acutely than any other international problem today, a deep entanglement of the international order in three conflicting aspects of global reality: first, the principled commitments to justice, compassion, inclusion, and universal equality that inform refugee and human rights law; second, the norm of sovereign state territorial control that justifies exclusionary practices and can lead to insufficient applications of the laws protecting refugees; and finally, the ongoing territorial invasions of some states by others in a range of contexts, from war to humanitarian intervention, that can create or augment these displaced populations.

Nowhere have these effects proved clearer than in the Middle East, where significant refugee populations have constituted an ongoing feature of life throughout modern times, from the beginnings of the contemporary international order in 1948 to today—with the region generating the majority of refugees in the world.
Yet population displacement through conflict and disorder is a problem of truly global proportions—it includes recent refugee surges to the United States from Mexico and Central America; to Indonesia, Malaysia, and Thailand from Myanmar in Southeast Asia; to Australia and New Zealand from South Asia; to North Africa and Israel from sub-Saharan Africa; and on and on—and so with this conference we wanted to understand the scale and scope of refugee crises, by engaging in localized analysis of specific contexts in the Middle East, while also connecting the dots to a broader historical and geographical perspective.

For the past two decades, the lives of people in the Middle East have been increasingly marred by uprisings and regional and civil wars. Sustained violence and upheaval have engendered an unprecedented level of displacement, with a massive movement of populations fleeing war in Syria and Iraq. Four million Syrians, half of whom are under age eighteen, have been displaced to neighboring countries since March 2011, with scarce access to education, health care, and labor markets and an increasing strain on host governments and communities due to limited resources and insufficient aid.

What are our obligations to people beyond our borders or to those who come to our countries because of civil turmoil within their own countries? Are we responsible for that turmoil? Even if not, do we have self-interested reasons for addressing the needs of these displaced people? For refusing to do so? What about reasons beyond self-interest? As fellow human beings, are we morally obligated to help displaced people, regardless of their nation of origin? And at what cost? What are the limits of our obligations? And, within those limits, what are the most pressing needs, and what are the most effective means of addressing them?

Universities in general, and Cornell University in particular, with its vast breadth of fields of study, are uniquely situated to address these complex and challenging questions. The expertise to take on these questions lies with scholars who have dedicated their lives to the study of disciplines like medicine, economics, history, political theory, philosophy, law, and many others.

Questions of law are, of course, of particular relevance to the Law School. In addressing the questions posed, states inevitably consider not only their moral obligations but their legal obligations and their legal constraints. And, in addressing these same questions, states inevitably act through the law—through law enforcement or, at times, through legal transformation.

The political and legal debates surrounding the arrival of unaccompanied Central American children at the southern border of the United States exhibited both of these dynamics, with some calling for rigid law enforcement to detain these refugees and return them to their home countries, some seeking space in the existing law for a more flexible response, and some seeking legal reform, either
to accommodate them or to more effectively exclude them. For every conceivable position, law was at the center of the conversation—what the law is, what the law should or could be.

In addition, as institutions that are disciplinarily open (some might say “promiscuous”), law schools are well suited to host the kinds of broad-based discussions necessary to address these questions in a satisfying and effective way—that is, to do exactly what this conference aimed to accomplish.

We invited a broad range of speakers to the conference, including academic experts from law, economics, history, and medicine and public health; field practitioners; senior representatives from the United Nations and the World Bank; and social entrepreneurs. Cornell faculty, students, and members of the general public also attended the conference. The program was marked by lively Q&A sessions after each panel, insightful keynote addresses, and a concluding roundtable discussion to strategize next steps.

This report on the conference proceedings summarizes participant discussions and lists key recommendations made at the concluding Roundtable. While this document does not represent the official voice of refugees, host governments, or donor countries, it captures the deliberations of those intimately involved in aid response and development initiatives in the region.

Conference speakers laid particular emphasis on the enormity of lost human capital as refugees heavily dependent on quickly dwindling aid struggled to become self-reliant in the face of seemingly insurmountable barriers to work. The Roundtable discussion explored strategies that universities (in the United States, Europe, and the Middle East) could adopt to promote access to education and work through collaboration, training, research, and advocacy.

These proceedings will be made publicly available and shared widely with the academic community, humanitarian practitioners, and relevant government and aid agencies, with the aim of:

a. promoting a multidisciplinary (and urgent) exploration of strategies to improve short- and long-term livelihoods opportunities for refugees in the Middle East and the Mediterranean basin;
b. encouraging dialogue among students and faculty on university campuses to engage with the greatest humanitarian crisis of our time;
c. seeking innovative, evidence-based solutions to meet the pressing need for education and employment among the displaced millions (and their host communities).

Finally, the conference organizers would like to thank all of our participants for giving generously of their time and traveling long distances to join us in Ithaca.
We would especially like to thank Tyler Johnson and Kristine Hoffmeister for their tireless dedication in handling the conference logistics, Michael d’Estries for his technological assistance, and Tasher Losenegger for serving as rapporteur.

These proceedings would not have been possible but for the invaluable support provided by Kent Schull, Christopher Szabla, and Maria Cristina Garcia (Historical Context); Salem Ajluni (Economic Barriers); Kathleen Hamill, Jaya Ramji-Nogales, and Michael Kagan (Labor Laws); Henia Dakkak (Gender); Adrienne Fricke (Education); and Philippe Fargues and Alexander Betts (Keynotes).

Eduardo Peñalver
Chantal Thomas
Josyann Abisaab
Satchit Balsari
Mostafa Minawi
Laura Spitz

This foreword includes inaugural remarks made by Dean Peñalver and Professor Thomas at the “Beyond Survival” conference.
PROGRAM

FRIDAY November 6, 2015
12:00–2:00 P.M.
Opening Luncheon (Breakout Space, New Wing)

12:00–12:15 P.M.
Welcome / Setting the Stage: Why Should Universities Be Involved?
Eduardo M. Peñalver, Allan R. Tessler Dean and Professor of Law, Cornell Law School
Chantal Thomas, Professor and Director, Clarke Initiative, Cornell Law School
Laura Spitz, Vice Provost, Cornell University and Associate Dean, Cornell Law School

1:00–1:45 P.M.
Keynote: Mediterranean Migrant Crisis: Facts, Questions, and Responses from South and North (Rm 184)
Philippe Fargues, Robert Schuman Chair and Director of the Migration Policy Centre, European University Institute
Commentator / Moderator:
Satchit Balsari, Assistant Professor, Weill Cornell Medical College

2:00–3:45 P.M.
Panel: Refugees and Migration: Historical Context / Global Perspectives (Rm 184)
Moderator: Aziz Rana, Professor, Cornell Law School
Kent Schull, Associate Professor, Binghamton University
Chris Szabla, Ph.D. Candidate, History, Cornell University
Susan Akram, Clinical Professor of Law and Director, International Human Rights Clinic, Boston University School of Law
Maria Cristina Garcia, Howard A. Newman Professor of American Studies, Cornell University

3:45–4:00 P.M. Break

4:00–6:00 P.M.
Panel: Refugees and Migration: Current Crisis / Community Perspectives (Rm 184)
Moderator: Lisel Hintz, Postdoctoral Fellow, Mario Einaudi Center for International Studies, Cornell University
Şenay Özden, Cofounder, Hamisch Syrian Cultural Center
Rabih Shibli, Director, Center for Civic Engagement and Community Service, American University of Beirut
Andrew Harper, United Nations High Commissioner for Refugees, Representative to the Hashemite Kingdom of Jordan

6:30–8:00 P.M.
**Dinner Reception & Video Presentation** (Breakout Space, New Wing)
Presenter: Hashem Abushama, UNRWA Graduate, Current Student in Peace and Global Studies, Earlham College
Commentator / Moderator: Chantal Thomas, Professor and Director, Clarke Initiative, Cornell Law School

**SATURDAY November 7, 2015**
8:00–8:30 A.M.
**Breakfast** (Breakout Space, New Wing)

8:30–9:15 A.M.
**Keynote:** Refugee Economies: Forced Displacement and Development (Rm 184) *by Skype
Alexander Betts, Director of the Refugee Studies Centre and Leopold Muller Professor of Forced Migration and International Affairs, Oxford University

9:30–11:00 A.M.
Panel: **Labor Laws and Access to Livelihoods** (Rm 184)
Moderator: Angela Cornell, Clinical Professor, Cornell Law School
Michael Kagan, Associate Professor and Co-Director of the Immigration Clinic, UNLV William S. Boyd School of Law
Jaya Ramji-Nogales, I. Herman Stern Professor of Law and Co-Director of the Institute for International Law and Public Policy, James E. Beasley School of Law, Temple University
Kathleen Hamill, Human Rights Lawyer, Fellow at the FXB Center for Health and Human Rights, Harvard School of Public Health and Adjunct Assistant Professor, The Fletcher School, Tufts University
Andrew Harper, United Nations High Commissioner for Refugees, Representative to the Hashemite Kingdom of Jordan

11:00–11:15 A.M. Break

11:15–12:45 P.M.
Panel: **Economic Barriers to Work** (Rm 184)
Moderator: Nancy Chau, Professor, Charles H. Dyson School of Applied Economics and Management, Cornell University
Sibel Kulaksız, Senior Country Economist, World Bank
Salem Ajluni, Consultant, International Labour Organization
Tendayi E. Achiume, Assistant Professor, UCLA School of Law
1:00–2:00 P.M.
**Lunch** (Moot Court Room)
Speaker: **Henia Dakkak**, Technical Adviser, United Nations Population Fund
Commentator / Moderator: **Josyann Abisaab**, Assistant Professor, Weill Cornell Medical College

2:15–3:45 P.M.
Panel: **Skills to Work: Education and Training** (Moot Court Room)
Moderator: **Mostafa Minawi**, Assistant Professor and Director of the Ottoman and Turkish Studies Initiative, Cornell University
**Adrienne Fricke**, Consultant for Physicians for Human Rights, specializing in human rights and refugee-related issues in the Middle East and Africa
**Firas Suqi**, Project Coordinator, Kayany Foundation (Beirut)
**Dominique Hyde**, Deputy Director of Public Partnerships Division—New York, UNICEF
**Wissam Yafi**, Founder, TidWiT Inc.

3:45–4:00 P.M. Break

4:00–5:30 P.M.
Panel: **Health, Protection, and Rights** (Moot Court Room)
Moderator: **Muna Ndulo**, Professor and Elizabeth and Arthur Reich Director, Leo and Arvillla Berger International Legal Studies Program, Cornell University
**Gilbert Burnham**, Professor, Johns Hopkins Bloomberg School of Public Health
**Noor Shakfeh**, M.H.S. Student in Molecular Microbiology and Immunology, Johns Hopkins Bloomberg School of Public Health
**Noura Erakat**, Assistant Professor, George Mason University
**Jennifer Leaning**, François-Xavier Bagnoud Professor of the Practice of Health and Human Rights and Director, FXB Center for Health and Human Rights, Harvard University (by Skype)

6:30–8:00 P.M.
**Dinner** (Conference Speakers)

**SUNDAY November 8, 2015**

9:00–10:00 A.M.
**Breakfast** (Breakout Space, New Wing)

10:00–noon
Roundtable/Participant Discussion: **Beyond Survival** (Rm 184)
Led by
**Philippe Fargues**, Robert Schuman Chair and Director of the Migration Policy Centre, European University Institute
**Satchit Balsari**, Assistant Professor, Weill Cornell Medical College
HISTORICAL CONTEXT

This panel on refugees and migration sought perspectives from scholars on the deep historical roots of the current refugee crisis in the Middle East, historical reasons for gaps in refugee protection under international law, and historical lessons concerning the acceptance and integration of refugees in domestic politics. These discussions are summarized below.

I. A History of Refugees in the Middle East: Imperialism, Nationalism, and Displacement

There are currently at least 20 million refugees and internally displaced persons (IDPs) in the Middle East and North Africa (MENA). While the immediate causes of this crisis include the U.S. invasion of Iraq, the Arab Spring uprisings, and the ongoing wars in Syria, Libya, Yemen, and Gaza, some of the root causes can be traced back nearly two centuries; a toxic combination of imperial rivalries, colonialism, MENA’s economic peripheralization, and the problems of political representation of the multitude of ethno-religious groups in the age of nationalism has resulted in the death or displacement of an estimated 60 million people across the Middle East.

Refugees began to appear in the Middle East as early as the mid-nineteenth century, when the Ottoman and Russian empires fought a series of wars that led to the expulsion of millions of Muslims from the Caucasus and Crimea. The creation of independent polities in the Balkans led to the expulsion of millions more to Anatolia and the Middle East during the late nineteenth and early twentieth centuries. Thus, by the beginning of World War I, the Ottoman Empire had already absorbed more than 5 million refugees. Millions more were displaced during the war years as a result of man-made famine, ethnic cleansing, and a number of “population exchanges” between Turkey and Greece. As the Great Powers staked their claim to territories in postwar MENA, the violence of European colonial rule and policies aimed at achieving an artificial ethno-religious homogeneity led to the forced displacement of millions during the interwar period.

In 1948, over 750,000 Palestinians were forcibly displaced to neighboring countries and territories, fleeing the violence that accompanied the declaration of the State of Israel. In 1967 more Palestinians were displaced from the West Bank and Gaza. The Palestinian refugee crisis continues seventy years later: there are still over 5 million UN-registered Palestinian refugees, 1.5 million of whom live in fifty-eight refugee camps in Syria, Lebanon, Jordan, Gaza, and the West Bank. Since 1948, more than 800,000 Jews were also expelled from countries across MENA, from Iran to Morocco, most of whom became citizens of the newly founded State of Israel. In Algeria, Yemen, Iran, and Lebanon, bloody wars of independence, revolution, and civil wars raged in the aftermath of European occupation, often as proxy wars of the Cold War rivals, or, in some cases, as various regimes attempted to “homogenize” the national population of often
multiconfessional and multiethnic nation-states. Perhaps no group has suffered more from the brutality of state-enforced ethnic nationalism than the Kurdish populations of Turkey, Syria, and Iraq. Despite decolonization, Western countries have continued to meddle in MENA through direct and indirect economic, political, and military intervention, often with catastrophic short- and long-term consequences that have created a seemingly never-ending cycle of violence and displacement in the region.

II. A Major Gap in Refugee Protection in International Law: History and the Potential for Revision

International law provides various protections for refugees in states that are signatories of the UN 1951 Refugee Convention. These protections include access to courts, safeguards against discrimination, and a prohibition against being returned to their countries of origin, among others. However, this treaty protects only certain types of refugees—those who possess a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”—failing to include IDPs and refugees fleeing indiscriminate violence, or ecological or economic catastrophes. In total, it excludes more than 80 percent of refugees from protection.

The definition of a refugee under international law was not always so narrow. While limited to certain nationalities, refugee protection between the world wars was also available to those fleeing famine and generalized disorder. Historians have proposed that the definition was narrowed by 1951 because of (1) a Cold War compromise that permitted the Soviet Union’s relatively few dissidents to flee but allowed it to retain the manpower of those who might have fled for nonpolitical reasons, or (2) a correction to what policymakers saw as refugee law’s earlier lack of focus on persecution in the wake of Nazi German war crimes.

Other explanations include the experience of aiding the many types of refugees granted protection between the world wars and the simultaneity of decolonization and postwar prosperity in Europe. Refugees in Europe before 1951 were largely European, but these events raised the specter that refugees from the Global South would be pushed into Europe by colonial wars of independence or partition, or pulled there by its growing wealth. (The 1951 treaty was initially limited to European refugees, but its drafters were thinking ahead to its future application worldwide.)

While some of these factors may indicate that conditions have changed such that there might be political will to expand the current definition, others offer less hope. Preserving a Cold War compromise is no longer necessary, and many refugee-generating challenges today, like climate change, do not resemble those faced by the victims of World War II. If the treaty was meant to avoid the pitfalls of refugee assistance between the world wars, detailing the problems with the interwar system unrelated to its definition of refugee might also make the case
that revision is workable. But if the 1951 definition was meant to prevent flight from the Global South to Europe—a pattern that continues—northern states’ agreement to revision may rest on their accepting greater responsibility for southern dynamics than they have.

III. Refugee Admission and Assistance: Historical Lessons from the United States

In October 2015, the Obama administration announced that it would increase the United States’ annual refugee quota over the next two years to accommodate a larger number of Syrians. The quota, which has stood at 70,000–80,000 for over a decade now, will increase to 100,000 by October of fiscal year 2017—the largest number since 9/11. Yet Syrians and others from the Middle East and Mediterranean basin will face numerous bureaucratic hurdles in securing one of the coveted refugee visas. In the wake of 9/11, the Bush administration restructured the immigration and refugee bureaucracies. The State Department reports that refugees can now expect, on average, eighteen to twenty-four months of security screening and processing, but NGOs report that thousands of applications have been stalled for years. It is doubtful that the new quota will be filled. Historically, the number of refugees admitted annually to the United States has never met the quota.

When U.S. refugee policy is examined historically, certain lessons can be learned that may help improve the likelihood of refugee admission, integration, and assistance. These are the following:

1. Advocacy matters. In the United States, the executive branch, in consultation with Congress, sets the annual number of refugees the country will admit from different regions of the world. Geopolitical and domestic interests compete to determine both overall numbers and how the quota will be allocated. The favoring of particular regions of the world reflects the strategic interests of the State Department, and the overall numbers reflect the interests of the Departments of Homeland Security and Justice. But the allocations also reflect the influence of advocacy groups, who appeal for particular populations’ inclusion. Humanitarian aid workers, journalists, clergy, scholars, lawyers, judges, politicians, and even university administrators have played an important role in prying open the door to the United States for select populations.

2. A social safety net is needed. Services such as vocational training and education (particularly in English), child care, and physical and mental health care are necessary for successful integration. The commitment of local communities is especially critical. Cities such as Utica, Minneapolis, and Baltimore have experienced economic growth when they agreed to resettle refugees, but city leaders must foster dialogue between groups to undermine the discourse that refugees will instead consume finite resources.
3. *The United States has a moral obligation to provide assistance* to the Office of the United Nations High Commissioner for Refugees (UNHCR) and to NGOs. In 2007, the United States supplied $20 million to the UNHCR to assist Iraqi refugees. As generous as this appears, it paled in comparison to the estimated $2 billion a week the United States had spent to wage the war that “directly or indirectly … caused four million Iraqis to be forced from their homes.”
Panel participants identified two key issues meriting urgent attention. The first was the immediate need for refugee access to labor markets in host countries (and the consequent need to provide sound economic evidence to host governments that allowing refugees to work legally would improve and not damage host economies or worsen unemployment in host populations). The second was the need to expand education opportunities to refugees, including higher education, vocational training, and the means to retain and enhance existing skills. Participants also explored current barriers to work, including the economic arguments against allowing refugees to integrate with the host communities, and the legal barriers that make it difficult for refugees to participate in the formal economy of host countries.

(Photo: J. Abisaab. Market in Zaatari Refugee Camp)

**Economic Barriers to Work**

**I. Macroeconomic Impacts**

Turkey, Lebanon, and Jordan have borne significant economic and social costs in hosting millions of Syrian refugees. In general the fiscal budgets of these three states have had to absorb the main initial impacts of the influx of refugees, with donor states offering varying degrees of external budget assistance. Most direct humanitarian relief to refugees in Lebanon and Jordan has come from external sources via multilateral and charitable organizations, while in Turkey, state organizations and domestic NGOs have provided relief. Trade and transport dislocations vis-à-vis Syria have also resulted in initial losses for businesses in the three countries.

At the same time, Syrian refugees have spent whatever income and savings they had at their disposal on rent, food, and other necessities in host-country markets. Likewise, infusions of Syrian refugee capital and entrepreneurial acumen have led to new business activity. Thus, consumption and investment by refugees have served to boost private expenditures in the three host countries. In addition, economic activity and employment generated by the international assistance effort in Lebanon and Jordan in particular have been significant. Finally,
merchants and businesses in Lebanon have been able to expand exports to Syria to fill supply gaps caused by the destruction of productive capacity there.

II. Labor Market Impacts

For their part, wherever possible and necessary, Syrian refugees have pursued livelihoods through informal work in the three host countries. The evidence suggests varying degrees of indigenous labor displacement combined with downward wage pressure in localized informal markets. The negative consequences of Syrian labor competition have been borne by vulnerable, low-wage, and mainly informal workers. But lower-cost Syrian labor has been a boon for some businesses, construction firms, and agricultural producers in the three countries. This very cheap source of labor has allowed certain enterprises to expand and, in the case of Turkey at least, to increase employment for relatively higher-skilled and well-paid indigenous workers.

Lebanon. The largest and most negative labor market impacts have probably been in Lebanon, where there is a long-standing and large presence of Syrian labor migrants. Impacts include greater competition for low-paying jobs, particularly in construction, agriculture, and, to a lesser extent, service activities. While Lebanon has no regular labor force surveys, the International Labour Organization (ILO) has provisionally estimated Syrian refugee employment at about 160,000 in mid-2014, with another 80,000 Syrians searching for work. The vast majority of refugees have occupied low-skill, low-wage jobs. The actual displacement of Lebanese labor, based on anecdotal evidence, has been marginal, but average wage rates in areas of high Syrian refugee density have declined significantly because of increased competition.

Turkey. Until late 2014 Turkey had an open-door policy toward Syrian refugees, who were treated as “guests” under temporary protective status. In principle, Syrians who entered the country through the official border crossings and who had passports could apply for residence permits and later for work permits. In practice, the long, bureaucratic process resulted in, at most, several thousand such permits being issued by late 2014. Thus, the overwhelming majority of Syrians working in Turkey were doing so informally.

A World Bank study in 2014, based on a Turkish labor force survey and government data on Syrian refugees, concluded that there was large-scale displacement of informal and low-skilled Turkish workers in regions of high refugee density, particularly among women and in fieldwork. This was accompanied by increased demand for skilled Turkish workers in businesses taking advantage of lower wages caused by Syrian refugee competition. The World Bank estimated a net positive impact on Turkish incomes, with the higher-wage employment gains exceeding lower-wage employment losses.
**Jordan.** In the case of Jordan, where the legal obstacles to work for Syrian refugees have been greatest, the ILO estimates that there were as many as 40,000 refugees employed in the Jordanian private sector in mid-2014. For the most part, they have worked in informal petty commerce and services, construction, and agriculture on a mainly intermittent basis. Displacement of Jordanian labor has been minimal; more likely has been Syrian competition with other migrant laborers, Egyptians in particular. This has been accompanied by downward pressure on wages in the informal economy. Of note, labor force surveys since 2012 indicate declining unemployment rates among Jordanians, although some of this decline is due to workers’ exit from the labor force. Likewise, average real wages of Jordanian workers continued to grow over this period, suggesting no net negative effect of Syrian refugees.

**III. Policy Parameters**

The above leads to a more general observation regarding the burdens and benefits of working refugees. Along with their detrimental impacts on local labor markets (i.e., displacement and lower wages), Syrian refugees embody a great deal of human potential. Thus, even the limited informal labor of Syrians has already contributed to national output, income, and productive capacity in the three host countries.

Both the harm inflicted and the contributions made are the evidentiary and normative basis for advocating for the greater formalization of labor markets in the three countries. Formalizing informal labor markets through better research, policy, and regulation would serve to enhance decent work for indigenous and refugee labor. Thus, an enforced higher minimum wage would protect and improve the labor incomes of those now harmed by informal refugee competition. Inspection and regulation of labor conditions would reduce overwork, child labor, and/or hazardous working situations and conditions for hosts and refugees alike. Finally, better regulation and monitoring of foreign labor make it possible to better match skills of refugees with gaps in the host labor market.

Beyond this, and given the anticipated long-term nature of the Syrian refugee presence, it behooves governments and aid agencies to assist in skills acquisition consistent with the host countries’ labor market needs. It is also befitting that host countries permit resourceful Syrians to establish small businesses in the same way that these countries court, encourage, and facilitate large Syrian investors. This means opening entrepreneurship training and microfinance opportunities to Syrian refugees. In the process, governments can require Syrian-owned firms to employ a minimum number or share of host-country workers.

In general, advocacy for expanding livelihoods opportunities for Syrian refugees should emphasize that the presence of refugees is an opportunity to make use of their effort, talents, and capital in expanding host-country economies and
capacity while at the same time reducing refugee dependence on humanitarian assistance. Increasing formal employment opportunities for refugees and host communities alike will only strengthen and expand local economies (and increase fiscal revenues for the local governments).

**Labor Laws and Access to Livelihoods**

Panelists focused their remarks on the rights of Syrian refugees to work in relation to national and international legal frameworks, political foundations, and practical realities in Lebanon, Jordan, and Turkey.

As of the end of 2015, the governments of these three countries had not explicitly ensured the legal right to work for Syrian refugees seeking safety within their borders. This possibility, however, is under active scrutiny and consideration at various levels in these neighboring countries, where the vast majority of Syrian refugees live. Meanwhile, Syrian refugees are already working in large numbers across informal sectors, often risking their legal status in host countries in order to support themselves and their families in the face of their own depleted resources and insufficient humanitarian assistance. Panelists discussed the legal concept of a refugee as well as legal distinctions and convergences between refugees and migrant workers under international law. They explored legal questions and considerations related to the prospect of expanding access to the formal labor market for Syrian refugees in host countries.

(Photo: J. Abisaab. Adolescent working at Zaatari Refugee Camp)

I. Practical Realities and Work Permit Requirements

Distinct legal and administrative barriers currently deter Syrian refugees from exercising the right to work in neighboring host countries. These barriers include work permit requirements, residence requirements, and border entry requirements. They pertain to work in the formal and informal sectors, and they discourage both. Although the specific parameters vary by country, these factors have significant bearing upon the right to work for Syrian refugees in Lebanon, Jordan, and Turkey.
Because the 1951 Refugee Convention and its 1967 Protocol do not apply to Syrian refugees in these three host countries, the right to work is not ensured to them under international refugee law. Although in 2014 Turkey established a temporary protection regime that applies to Syrians, both Jordan and Lebanon lack formal asylum or refugee frameworks. This compounds challenges already facing refugees in exercising the right to work—especially since the governments of Jordan, Turkey, and Lebanon do not officially recognize them as refugees under domestic law. It is worth noting that ratification of the Refugee Convention alone does not seem to resolve the problem in practice, given that Egypt is a party to the treaty but nevertheless restricts refugees’ right to work.

In Jordan, work permit requirements are difficult for most Syrians to meet. As identified by the Ministry of Labor, these requirements include a valid passport, a Ministry of Interior security card, a work contract, registration of the employer’s business, proof of the worker’s social security subscription, and annual work permit fees ranging anywhere from JD200–800 depending on the type of job. In addition, Syrian eligibility for work permission has also hinged on their entry point into the country and whether they came through an official or unofficial border crossing. Meanwhile, employing Syrian refugees without work permits in Jordan can lead to fines for employers and can have strict consequences for workers, who may be sent back to a refugee camp, deported altogether, barred from entering the country for several years, or prohibited from future work in Jordan. Additionally, Jordan’s Labor Ministry maintains a list of “closed” professions for which Syrian refugees are not eligible. The Ministry of Labor also maintains quotas based on economic sectors for migrants, including Syrians, employed in various categories so that work opportunities are guaranteed for local host communities. Given the fact that fewer than 6,000 Syrians received official authorization to work in Jordan in 2014, official measures may be taken in order to facilitate Syrian refugees’ lawful access to the labor force—whether in camps, qualified industrial zones, or host communities. Further, if Syrian refugees are allowed to work in Jordan in certain sectors, it remains to be seen if the government will allow them to maintain their status as UNHCR-registered refugees while residing in the country.

In Turkey, the legal parameters surrounding work permits differ slightly. The Turkish government recently enacted the 2014 Law on Foreigners and International Protection recognizing Syrians’ need for protection (although not full refugee status). The government has also drafted corresponding bylaws and implementing legislation around the right to work specifically. These measures have specified certain sectors and geographic zones for which Syrian refugees would be allowed to apply for work permits. This implementing legislation was expected to pass easily through the Turkish Parliament in 2015. But it did not, as a distinct result of the turbulent political situation in the country. Instead, in the late summer of 2015, Turkey’s minister of labor announced that the government
would not “give refugees the right to work.”¹ The Turkish Parliament, nevertheless, is expected to take up more serious debate in 2016 about the legal authorization of work permits for Syrian refugees. (In early 2016, the Turkish Parliament passed into a law a bill to allow the issuance of work permits for Syrian “guests” living in Turkey.)

In Lebanon, displaced Syrians are currently discouraged from working even more so than they are in Turkey and Jordan. According to Ministry of Labor data, only about 1,500 work permits were issued to Syrians in 2014. UNHCR-registered refugees in Lebanon are deterred from entering the formal and informal labor markets because they must sign a notarized pledge not to work. Refugees cannot renew their annual residence permits authorizing their legal stay in Lebanon without signing this pledge, among other requirements, in addition to paying a $200 yearly residency fee. According to the labor minister’s annual decree in 2014, Syrians are eligible to work only in the following three sectors: construction, agriculture, and cleaning. Even if Syrians do find employment in these areas, they must also have an official Lebanese sponsor in compliance with the regulations of the Directorate General for General Security. In other words, employers must agree to take personal responsibility for Syrian workers and serve as their legal guarantor in the country. This situation is compounded for Syrian refugees by Lebanon’s recently enacted border requirements at the frontier with Syria. These requirements prohibit “displaced” Syrians from traveling back and forth across the border. They also make it difficult for Syrians to enter into Lebanon as migrant workers without ample documentation and advance proof of official work sponsorship.

In practice, the current situation on the ground raises many questions:

- Do Syrians have the legal right to work in neighboring host countries, and what law applies in this regard?
- Should Syrian refugees be authorized to work in neighboring countries?
- Should any limitations or qualifications be placed on the scope of the right to work for refugees in neighboring countries?
- Should displaced Syrians be expected to forgo their status as UNHCR-registered refugees in Jordan and Lebanon or their status under temporary protection in Turkey if they decide to seek official permission to work?

Regardless, the right to work is a contested and contentious one in the context of the Syrian refugee crisis and one that is under active debate and consideration at the local level. It represents a potential source of self-reliance for refugees and relative independence from insufficient humanitarian aid and the trappings of the UN surrogate state. But realizing the right to work for displaced Syrians in

practice will inevitably require a significant amount of legal, political, bureaucratic, and diplomatic maneuvering. Trade-offs will have to be made, and negotiations will have to be guided by a deep understanding of the competing interests, rights, and dilemmas at stake.

II. Legal Frameworks and the Right to Work under International Law

Meanwhile, from an international law perspective the right to work for Syrian refugees raises several significant livelihoods concerns and raises questions about relevant legal frameworks. First, the right to work contains at least two separate rights: the right to be eligible to work and the right to get a job. To be effective, rights must be enforceable against a state, and the right to obtain employment raises questions about whether a rights-based approach is the most appropriate way to conceptualize the issue of refugees and the right to work. Second, the refugee/laborer dichotomy presents a problematic separation that depicts refugees as vulnerable aid recipients rather than human beings with skills and talents and a strong desire to work. Finally, the value of international law’s expressive function—namely, laying out norms that guide law, policy, and decision making—should not be underestimated, even if those norms are not legally binding. International legal norms can be used to repair the refugee/laborer dichotomy and make the case in the public imagination for refugees as workers.

What does international law say about Syrian refugees and the right to work? The treaty law provides little by way of binding law applicable in the three countries that host the vast majority of Syrian refugees: Jordan, Lebanon, and Turkey. The Universal Declaration of Human Rights, an aspirational and nonbinding document, appears to offer a right to obtain a job. The International Covenant on Economic, Social, and Cultural Rights provides the right to training and economic development aimed at earning a living, but this treaty offers only suggestions to states for progressive development rather than immediately binding law. As mentioned above, the UN Convention Relating to the Status of Refugees provides recognized refugees with the varying levels of rights leading to eligibility to work, but this treaty does not apply to Syrian refugees in Jordan, Lebanon, or Turkey. Nonetheless, it is notable that the Refugee Convention conceptualized refugees as laborers, either in wage-earning employment, self-employment, or the liberal professions. Indeed, the U.S. representative to the drafting conference stated that “without the right to work all other rights were meaningless.” Though international labor law has been interpreted in some situations to cover all migrants, the treaty law tends to focus on migrants who are lawfully present and to envision migration for employment; it is not sufficiently in conversation with refugee law. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families specifically excludes refugees and stateless persons from its protections. In short, the relevant treaty law on refugees and the right to work is not binding on the countries hosting the vast majority of Syrian refugees.
The soft law developed by international organizations plays a particularly important role, given the dearth of binding law on refugees and the right to work. This is especially the case where, as here, the relevant international organization, UNHCR, is so influential, and can use the soft law to offer helpful messages and identify obstacles that other refugees have faced in accessing work opportunities. Two sources of soft law, UNHCR Executive Committee Conclusions and its Global Strategy for Livelihoods (2014–18), suggest three messages that may be useful politically in persuading populations to welcome and assist refugees: self-reliance, family security, and unity. These sources also identify a variety of subsidiary rights needed to ensure refugees’ right to work: access to work permits, freedom of movement, access to agricultural land, equivalency of qualifications, access to training/learning, freedom of association, and access to financial services.

Finally, international organizations can assess the situation on the ground to determine the scope and appropriateness of soft law. This is not a rights-based approach but helps bring awareness to the problem, reframe policy responses, and draw lessons for future situations. The UN Regional Refugee and Resilience Plan identifies additional obstacles facing refugees seeking to work in Jordan, Lebanon, and Turkey: lack of access to the asylum process, unfair asylum procedures, dearth of available work, and social tensions with the host communities. The latter two problems point to the limitations of a rights-based approach, which does not, under international law, address the situation of nationals. It may be preferable to incorporate refugees’ labor interests through a development-based approach. These problems surface the need to shift the international legal conversation to reflect more accurately the reality of migrants—refugees need to work, and those seeking work may also have protection needs. To that end, international law may function most effectively as expressive, agenda setting, providing information, and guiding policy.

III. Political Foundations and Legal Constructs Relating to the Right to Work

In an ideal world, it would be enough to state a purely legal case for refugees having the right to work. But implementation of human rights law is weak, especially in the Middle East, both in countries that have fully ratified the 1951 Refugee Convention and in those that have not. International law should set minimum objectives and benchmarks for refugee protection—including the right to work and to economic autonomy generally. But law alone is insufficient as a means to achieve these ends. At the same time, it would be wrong to conclude that refugees have not enjoyed any human rights protection in the Middle East, or that there is no refugee policy framework on which to build. We need to understand the political foundations of refugee policy, and develop strategies to build on this foundation to expand refugee rights in practice. The challenge here is that the nature of this foundation is largely invisible to the conventional
analytical tools used by international lawyers, which focus on treaties, other sources of positive international law, and domestic legislation.

The legal restrictions on refugees’ social and economic rights in Arab host states, and to some extent in Turkey, relate to a long-standing division of labor between international agencies and host governments that facilitates hosting large numbers of refugees for long periods of time while simultaneously preventing their integration. This strategic arrangement involves both allocation of substantive responsibilities and political symbolism, and is manifested in the operation of a UN surrogate state, which predates the Iraqi and Syrian crises. This division of labor between states and the UN has been partially codified through Memoranda of Understanding between UN agencies and some host governments. But it mainly exists as a de facto yet relatively durable pattern of operation. The basic patterns that we see in operation today can be found in the early responses to the Palestinian refugee crisis beginning in late 1948. In the prevailing pattern, host governments primarily limit their role to refraining from negative actions against refugees, a practice that has been called “the tolerance regime.” Meanwhile UNHCR and UNRWA (the United Nations Relief and Works Agency) carry out resource-intensive roles that legal theory normally presumes to be the role of the state. They adjudicate refugee status and sometimes family law disputes, operate medical and school programs, address housing needs, and so on. In large part, this shifting of responsibility is part of a “grand bargain” of international refugee policy, in which most refugees are confined to the Global South while wealthy nations in the Global North partially defray the cost of caring for them by providing money to UN agencies. But this responsibility shift also has important value for host states in terms of political symbolism. The visible role of UNRWA and UNHCR signifies that the refugees will not integrate fully with the host society because they are an international responsibility, and the host government can portray its role as cooperation with the international community rather than as recognition that refugees themselves have rights vis-à-vis the state.

The shifting of responsibility for refugee livelihoods from states to the UN imposes severe hardships on refugees and has contributed to secondary refugee flows to Europe and Israel. Severe limitations on integration of refugees place extensive reliance on resettlement as the sole viable and durable solution when prompt repatriation is unlikely. At the same time, this political dynamic has generated some important gains for refugees in a region where general respect for human rights is poor. Refugees in Arab host states have generally (though not always) found protection from *refoulement*, and have enjoyed more freedom of movement than many refugees, who are confined to refugee camps in other regions.

In order to expand refugees’ social and economic rights—especially the right to work—there would need to be a renegotiation of the grand bargain. This would require offering host governments more incentives to expand refugee rights,
coupled with increased (and somewhat reorganized) resettlement programs, along with creative means of addressing host states' reluctance to allow symbolic integration of refugees. The Syrian refugee crisis offers some opportunities to do this, if European nations tie significant trade and economic incentives to expansion of refugee rights and if they establish significant resettlement programs. UNHCR can help with host governments’ symbolic concerns by experimenting with “sponsorship” of refugee work permits, which would make refugees' right to work appear more similar to the systems already used to regulate large-scale employment of expatriates in Arab states while maintaining their symbolic separation from the national workforce.
GENDER

Out of the 4 million people who had to flee Syria since the start of the civil war in 2011, more than 70 percent are women and children. Like many refugees, their lives changed overnight. Especially for women, their role as mother, wife, sister, or daughter suddenly shifted to that of provider and head of household. Refugee women face particular challenges, which are related to their traditional gender roles within the family and community, exposure to gender-based violence ranging from rape to forced marriages, and access to livelihood and resources, especially if they become the breadwinner or head of household. Additional challenges include trafficking, access to sexual and reproductive health services and information, and daily life in a foreign environment with many barriers, such as language and culture.

(Photo: J. Abisaab. Women returning from the market at Zaatari Refugee Camp)

Many refugee women in Jordan, Lebanon, and Egypt are heads of households. Female-headed households represent one-third of the refugee population. According to a UNHCR survey in Jordan, 26 percent of Syrian refugee households reported some income from work, but that was the case in only 9 percent of female-headed households. Depending on their educational background, career skills, and socioeconomic status, refugee women work long hours without equal pay and with very little protection of their labor rights. They typically work in the informal sector as domestic helpers and cleaners, as well as in the food or garment industry, agriculture, hospitality, beauty salons, and transactional sex work.

Gender-based violence (GBV) and sexual exploitation are of primary concern. Even prior to the Syrian conflict, WHO reports that the Eastern Mediterranean region already had a high prevalence of intimate partner violence, with 37 percent of women in the region suffering from this type of GBV violence. The Syrian crisis has only further exacerbated this problem. Some of the needs assessments and data show high levels of sexual and gender-based violence, including rape, assault, harassment, and intimate partner violence; forced and early marriage; early age at pregnancy; complications during pregnancy; and
rising prostitution among refugees as a survival mechanism. GBV can be effectively mitigated by building skills, creating safe spaces, and providing women refugees with education and livelihoods opportunities. Access to multisectoral services and information including protection, sexual and reproductive health, safe shelters, and legal and psychosocial counseling that is survivor centered is key.

Young Syrian girls experience double marginalization due to both age and gender, and a rising number of Syrian refugees marry at an early age. Early marriage is used as a coping strategy for young girls in abusive home environments and poor living conditions. Sexual exploitation and violence also contribute to early marriage. Families marry off their daughters with the idea that they are providing protection for young girls, continuing family traditions, alleviating poverty, or helping daughters escape abusive environments. Women and girls have been sold under the guise of “temporary marriage.” As economic resources are depleted in a camp setting, girls are married off at younger and younger ages. Survival sex becomes the only way to support themselves and their families.

Of the 3.9 million registered Syrian refugees, 1 million are women and girls of reproductive age (fifteen to forty-nine years old), and 70,000 are currently pregnant. Addressing the reproductive health of women refugees is important to prevent excessive neonatal and maternal morbidity and mortality. According to the United Nations Population Fund (UNFPA) strategies that work include implementation of sexual and reproductive health programs integrated within the primary and tertiary health systems with a referral system. This ensures access to services and information about safe motherhood, family planning, GBV, STI/HIV/AIDS, and adolescence. In addition, women refugees are faced with various sources of physical and emotional distress, including social isolation, lack of privacy, and lack of social and economic protection, in stark contrast to the comfortable and active social life they led in Syria. Mental health is a serious issue that all refugees, but especially female heads of household, face, with increased risk of depression, anxiety, and psychosocial distress. UNFPA supports women refugees’ mental health by providing safe spaces and women’s support groups, and by training social workers in psychosocial mental health.
EDUCATION

This section provides a brief overview of the findings of the Institute of International Education—UC Davis Study on the Syrian Conflict, Refugee Crisis, and Higher Education. In addition, some preliminary best practices for tertiary education programs are presented. These will be further analyzed by IIE / UC Davis and other members of the Syria Consortium in the coming months, with the goal of producing a set of best practices for U.S. universities welcoming refugee students.

(Photo: Rabih Shibli. Center for Civic Engagement and Community Center (CCECS) at AUB)

The IIE / UC Davis reports consisted of three rapid assessments in Jordan, Lebanon, and Turkey by multidisciplinary research teams involving focus groups and semi-structured qualitative interviews with key stakeholders (within the education, development, and protection sectors), and with groups of Syrian students who had successfully continued their educations, as well as those seeking access. Rapid assessments are designed to inform policymakers by giving them insight into the situation on the ground; circumstances can (and do) change quickly. Regardless, these “snapshots” can provide a basic understanding of student needs, and point to potential next steps.

Among the many factors that impact access to higher education for Syrian refugees (here used loosely to mean displaced people as well as registered refugees) are language, information access, tuition fees, lack of documentation (residency, testing, diplomas, transferability of credits), official and unofficial discrimination, and security (depending on the conditions in the host country).

Programs that have allowed for the greatest student success have addressed the documentation gap by administering testing and easing requirements in some cases. Additional legal and administrative supports significantly impact students’ ability to navigate educational institutions. Language preparatory programs are key to acquisition of enough language to gain entrance; the most successful programs have a transition year that allows students to solidify their language and academic skills. Financial considerations are key, as many refugee families have constrained resources. Improving access for female students is vital, since they do not appear to be enrolling in significant numbers, a departure from
prewar practices. Social and psychological supports can help ease transitions and acculturation. Programs from an accredited institution that result in a terminal degree or certificate are significantly more protective than unaccredited and distance-learning programs, and degrees should be linked to market demand in order for labor integration to occur. The social capital and mobility gained through education can help transform host economies in positive ways. Culturally, Syrians value education. Refugees are motivated to succeed in accessing higher education as a way of achieving stability.
I. Facts

The dramatic explosion in the numbers of people attempting to enter Europe with no authorization is a crisis, in the pathological sense of a “sudden change in the course of a disease.” Five facts seem to emerge.

Fact 1. Unauthorized entries across the Mediterranean Sea into Europe have been a large-scale phenomenon since the 1980s. They were initially triggered by newly imposed visa requirements on third-country nationals, and numbers remained in the tens of thousands with no marked change until 2013 (fig. 1). In 2014 they jumped to more than 200,000. By the end of 2015 perhaps half a million migrants will have been smuggled by sea, and the same number by land.

Fact 2. Migratory routes have changed several times as a result of (a) conflicts breaking out in the EU’s neighborhood (Syria) and beyond (Iraq, Horn of Africa), which have produced new sources of migrant and refugee movements; (b) political developments (state failure in Libya), which have opened new routes; and (c) tightened state control in transit countries (e.g., Morocco) or destination countries (e.g., Spain), which has shut down old routes. As a general rule, each route closed by police controls has been bypassed by a longer, more perilous route. It should be noted that the Mediterranean crossing is only part of the journey. The rest is by land, both before crossing the sea, through Turkey or North Africa, and after crossing the sea, from the first point reached in southern Europe to the intended destination, where asylum is claimed, in northwestern Europe. The entire journey can take anything from a few days to several years.
Fact 3. In the twenty-first century, the Mediterranean Sea has become the world’s most lethal migratory route. Between 2000 and 2015 (to September 10), 25,699 deaths were reported for 1,114,417 persons crossing the sea, representing a 2.3 percent probability of death during the journey. While the year 2015 (to September 10) ranks third in terms of absolute number of deaths, it appears to be—rather unexpectedly—the least lethal in terms of risk, with a less than 1 percent probability of death (fig. 2). This significant reduction in mortality at sea can be attributed to intensified search and rescue at sea and to a shift from the 150–300 mile crossing of the central Mediterranean, from Libya to Italy, to the 5–10 mile crossing of the southeastern Aegean Sea, from Turkey to the Greek Dodecanese Islands.

Fact 4. A variety of nationalities converge toward a limited number of entry points into Europe to form migration flows that are truly “mixed,” in terms of both origin and status (refugees vs. economic migrants). A few comments can be made based on a comparison over time (2011–15) and space (Greece vs. Italy) (table 1).

1. Refugee flows to Greece and Italy have shown a rapidly changing composition in terms of nationality. Changes reflect not only the emergence of new refugee situations (e.g., Syria), but also the protracted character of other situations (e.g., Afghanistan) when doors that were shut suddenly open.
2. The percentage of the total number of entries represented by the largest nationality has increased over time. In Greece the largest nationality in 2011 (Afghans) comprised 19 percent of all entries against 66 percent (Syrians) in 2015; in Italy percentages were 9 percent (Nigerians) in 2011 and 25 percent (Eritreans) in 2015.

3. Syrians, the largest group overall, changed routes in 2015. Before 2015, most Syrian refugees took the central Mediterranean route from Libya (or Egypt or even Lebanon) to Italy; in 2015, however, these refugees suddenly shifted to an eastern Mediterranean route from Turkey to Greece. The shift from a long and extremely perilous route to a shorter and safer route has allowed a much larger number of Syrian refugees to reach the EU external border and seek asylum.
Table 1: Top ten nationalities of migrants smuggled into Greece and Italy, 2011–2015

<table>
<thead>
<tr>
<th>Country of declared nationality</th>
<th>Refugees % (*)</th>
<th>Year / Number of migrants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2011</td>
</tr>
<tr>
<td><strong>Greece</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Syria</td>
<td>94.1</td>
<td>619</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>59.9</td>
<td>15,666</td>
</tr>
<tr>
<td>Albania</td>
<td>7.4</td>
<td>7,442</td>
</tr>
<tr>
<td>Pakistan</td>
<td>23.8</td>
<td>10,559</td>
</tr>
<tr>
<td>Iraq</td>
<td>71.8</td>
<td>1,663</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>10.1</td>
<td>3,235</td>
</tr>
<tr>
<td>Somalia</td>
<td>61.6</td>
<td>1,337</td>
</tr>
<tr>
<td>Algeria</td>
<td>5.3</td>
<td>2,782</td>
</tr>
<tr>
<td>Palestine</td>
<td>66.8</td>
<td>1,374</td>
</tr>
<tr>
<td>Morocco</td>
<td>9.9</td>
<td>2,109</td>
</tr>
<tr>
<td>Iran</td>
<td>58.7</td>
<td>598</td>
</tr>
<tr>
<td><strong>All nationalities</strong></td>
<td></td>
<td>56,943</td>
</tr>
<tr>
<td>Refugees % (**)</td>
<td>34.0</td>
<td>37.5</td>
</tr>
<tr>
<td><strong>Italy</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eritrea</td>
<td>86.0</td>
<td>386</td>
</tr>
<tr>
<td>Syria</td>
<td>94.1</td>
<td>328</td>
</tr>
<tr>
<td>Nigeria</td>
<td>25.4</td>
<td>5,480</td>
</tr>
<tr>
<td>Somalia</td>
<td>61.6</td>
<td>1,092</td>
</tr>
<tr>
<td>Gambia, The</td>
<td>36.3</td>
<td>315</td>
</tr>
<tr>
<td>Mali</td>
<td>36.1</td>
<td>2,393</td>
</tr>
<tr>
<td>Sudan</td>
<td>47.6</td>
<td>683</td>
</tr>
<tr>
<td>Senegal</td>
<td>30.1</td>
<td>448</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>10.1</td>
<td>1,279</td>
</tr>
<tr>
<td>Egypt</td>
<td>34.6</td>
<td>1,989</td>
</tr>
<tr>
<td><strong>All nationalities</strong></td>
<td></td>
<td>62,692</td>
</tr>
<tr>
<td>Refugees % (**)</td>
<td>28.0</td>
<td>44.5</td>
</tr>
</tbody>
</table>

(*) Rate of positive answers to asylum claims lodged in the EU28 in 2011–15

(**) Expected rate of positive answers to asylum claims lodged in the EU28 by migrants smuggled into Greece and Italy in 2011–15

Source: Statistics in this table are based on EUROSTAT and Greece and Italy Police records
Fact 5. A number of countries on refugees’ routes are transit countries. In transit countries, refugees do not seek protection so much as a passage to the next country. In Europe typical transit countries are Kosovo, Macedonia, and Serbia outside the EU; Bulgaria and Croatia inside the EU but not yet part of the Schengen area; and Slovakia, Slovenia, and the Czech Republic inside the Schengen area. In the last year (September 2014–August 2015), only 180 asylum claims were lodged in Croatia, 185 in Slovakia, 255 in Slovenia, and 1,120 in the Czech Republic—that is, in countries that are all on the way from Greece to Germany. In Germany, meanwhile, 334,825 claims were lodged in the same period (out of 814,620 in the EU28 plus Norway and Switzerland). Greece, which is territorially disconnected from the main Schengen space but a necessary step on the land route from Turkey, is a case in point. In 2015, it recorded fewer than 10,000 asylum applications, compared with 450,000 irregular entries: in other terms, only 2 percent of those irregularly entering Europe through Greece applied for asylum in Greece. (Italy is in an intermediate position between a transit and a destination country, with around 50,000 asylum applications for 140,000 irregular entries, representing a rate of 35 percent.)

II. Questions

The above facts lead to the following three questions, among others.

Question 1: Is this a migrant or a refugee crisis?

How many of those entering Europe without a visa are true refugees, and how many are economic migrants? In other words, how “mixed” are current flows of mostly irregular migration to Europe? The simple answer is that we don’t know. Indeed, once inside Europe, many migrants continue the journey across Europe and (contrary to what the Dublin regulation stipulates) do not lodge their asylum claim in the country in which they first arrive.

An indirect estimate of the proportion of refugees can be provided, using the distribution by nationality of migrants entering Greece and Italy irregularly that the police authorities of these two states provide. Knowing both the nationality of irregular migrants and the rate of positive answers given to asylum claims lodged in the EU28 for any single country of nationality, we can estimate the number of positive answers to be received from smuggled migrants (table 1, last row of each section). The result is revealing. True refugees are estimated to be a majority in the most recent flows of irregular migration to both Italy and Greece, and their proportion has spectacularly increased in the last five years: from 34.0 percent to 79.3 percent for those arrived in Greece in 2011 and 2015, respectively, and from 28.0 percent to 52.2 percent for those arrived in Italy. The allegations that people smuggled across the external border of Europe are most likely disguised economic migrants trying to cheat their way into the EU as asylum seekers are less and less relevant.
Question 2: Are refugees entitled to have their economic needs met?

The fact that people who flee war and persecution do not apply for asylum in the first country they reach in Europe has been used by many as an argument that they are not true refugees. To quote an official in the European Commission’s Directorate General for Trade, “The situation [that] countries like Hungary, Croatia, and Austria are facing is that of an unprecedented quantity of (unarmed) invaders who do not have, and do not ask for, refugee status. Their intended destination is Germany, where they believe a new life in wealth and social security awaits them.”

Without commenting on the ethics of this statement, one must stress that refugees are human beings who need—once their savings dry up or in anticipation of the moment when this will inevitably happen—to earn an income and see a future for themselves and their families. When Germany opened its doors wide to the Syrian refugees in the summer of 2015, Chancellor Merkel asked the German Office for Migration and Refugees and Labor Agency to coordinate efforts “to get approved refugees into work quickly.” She meant that going beyond protection and helping refugees to secure a livelihood should not only be a policy recommended for Turkey (so that refugees stay there instead of coming into Europe), but a policy for European states as well.

Question 3: What triggered the crisis?

Was the sudden rise in migrant and refugee flows toward Europe triggered by push factors in the countries of origin and those of first asylum, or was it the result of pull factors in Europe?

The second hypothesis, according to which the increase in the number of refugees reaching Europe is independent from the production of refugees outside Europe, has stirred much debate in Europe. Italian search-and-rescue operations at sea and into Libyan waters to prevent people seeking protection from drowning in the Mediterranean were soon blamed—in particular by the British Foreign

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2 Jakob Cornides, September 20, 2015 (10:25 p.m.), comment on James Hathaway, “Moving beyond the Asylum Muddle,” EJIL: Talk (blog), September 14, 2015, http://www.ejiltalk.org/moving-beyond-the-asylum-muddle/. Commenting on the photograph of a drowned Syrian child found on a Turkish beach, Cornides writes: “The real tragedy here is ... that the boy’s father has—unnecessarily and therefore unreasonably—risked and lost the lives of his wife and two children in order to migrate with them from a reasonably safe place (Turkey) into the EU. As one learned later on, his hope was to get new teeth, which he could not possibly have afforded in Turkey. As we also learned, he returned back to his native city in Syria, where he organized a burial.”

Office— for encouraging more people to come. Increased openness to refugees in European public opinion, created by increased awareness of their plight at Europe’s doorstep, was also seen as a pull factor. For example, the German crowds hailing refugees arriving from Hungary were soon followed by a far-right Pegida rally against refugees.

The first hypothesis must also be seriously considered, in particular if a response is to be found to the crisis. Far from abating, the level of violence in war-torn zones of the Middle East reached new peaks in 2014–15. The Islamic State consolidated its position in Iraq and seized most of central Syria. In doing so it added new waves of IDPs and refugees to those already created by the protracted conflict. Moreover, with the passing of time the situation in countries of first asylum that neighbor Syria has deteriorated, with humanitarian aid becoming rarer, and tensions rising between refugees and their hosts. Looking at monthly flows of first-time asylum seekers into the EU28, one can clearly see that the movement started with Syrians in the fall of 2013 (fig. 3). It was only months later that other flows—mostly refugees from Eritrea and Afghanistan and mostly economic flows from Kosovo—rose in turn. In a sense, Syrians have unlocked the door for refugees from other nations.

Source: EUROSTAT.

III. Responses

States’ and societies’ responses to the migrant and refugee crisis have developed in different directions in the three groups of countries along the migratory routes: countries of first asylum, transit countries, and asylum or destination countries.

Countries of first asylum (focus on Syrians)

Turkey, Lebanon, and Jordan (and to a lesser extent, Iraq) have undoubtedly been the most generous states in opening their borders and offering protection to 4 million Syrian refugees since 2011. They accepted the burden of sheltering the vast majority of those fleeing Syria, but a great strain was put on their economies, and on their political stability and security. Since 2014, Jordan and Lebanon have taken measures to make it almost impossible for new refugees to enter, and they restrict the stay of those already arrived, leaving Turkey as the only haven left at the border of Syria. Cases of return to Syria and departure for Europe have been increasingly frequent since 2014.


In Lebanon, the government set three priorities in October 2014: reducing the number of refugees; providing more security to citizens; and preventing Syrians from working unlawfully. It barred the way to new refugees and soon tightened the procedures for registered refugees to renew their residence permit, resulting in many Syrians losing their legal status and risking being asked to leave the country. It must be noted, however, that no case of deportation has been reported to date. A vulnerability assessment of the Syrian refugees in Lebanon reveals an increase in the proportion of households below the poverty line from 50 percent in 2014 to 70 percent in 2015. Another survey in 2015 shows a shift in
the perception and reception of Syrian refugees by their Lebanese hosts, from initial sympathy to mounting hostility.

In Jordan, the situation is equally precarious. Administratively, UNHCR-recognized refugees are granted a one-year stay during which the UN agency must find a durable solution. As there is no durable solution, the vast majority of Syrians risk becoming illegal, and apparently some of them have been forcibly returned to Syria. Economically, the conditions of Syrians have deteriorated; in September 2015, half of the refugees in urban settings stopped receiving aid from the World Food Programme. In increasing numbers, refugees in camps tend to settle in cities, which they can only do under the guarantee of a Jordanian sponsor, in application of a rule reminiscent of the sponsorship system in force in the Gulf states.

Turkey is rather different. While the country still has the geographical limitation to the 1951 Refugee Convention by which non-European refugees are eligible only for temporary asylum, the new Law on Foreigners and International Protection (2013) provides refugees with rights close to those guaranteed by the Convention. While the government has maintained, until now, an open-door policy, tensions have been mounting in the population, with anti-refugee demonstrations and even attacks on refugees. Since 2014, Turkey has become the main country of transit for Syrian (and other) refugees to Europe. In October 2015, an EU-Turkey action plan was adopted. It contains two parts: (1) supporting the Syrians under temporary protection and their Turkish hosting communities; and (2) strengthening cooperation to prevent irregular migration. The objective for Europe is to keep as many Syrian refugees as possible within Turkey (i.e., away from Europe). For Turkey, it is to obtain, in exchange, increased financial assistance and, perhaps more importantly, the prospect of visa liberalization for Turkish citizens traveling to Europe.

Transit countries

The general conditions seem to be the following:

— Authorities do not oppose the entry of migrants and refugees and facilitate their fastest possible exit by providing temporary permits of stay, organizing accommodation and transportation, supplying maps and other kinds of information useful for the journey, and so on.

— There are reports that, in some places, authorities play the role of smugglers by overcharging for public transportation across the country.

— Local populations are helpful (e.g., volunteers accommodate the refugees, provide them with food and clothes or medical assistance in the Greek islands of Kos and Lesbos, etc.).

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There are exceptions, however:

— Some states bar entry to migrants and refugees (e.g., Bulgaria has erected a razor-wire fence along its border with Turkey; Croatia and Hungary are doing the same).

— Local populations show hostility toward migrants and refugees.

**Asylum or destination countries**

Government responses in Europe have been disorderly and contradictory. There are huge discrepancies among countries, from the anti-immigration stance of the Visegrad Four (the Czech Republic, Hungary, Poland, Slovakia), inviting “the European Commission to … present viable measures in order to … eventually cease the pull factors,” to Germany’s open door to refugees.

The same holds for public opinion in different countries, which is profoundly divided over the issue of immigration. As revealed by the most recent Eurobarometer poll (spring 2015), for the first time, immigration is regarded as the most important issue facing the EU, by 38 percent of EU28 citizens against 10 percent in 2013. Moreover, a majority of EU citizens now have a negative feeling about immigration originating outside the EU: from 52 percent among persons under 25 years of age to 68 percent above 55 years.

Schematically, governments have focused on the following steps of migration in their response to the crisis: (1) entry; (2) filtering; (3) distributing; (4) integrating.

REFUGEE ECONOMIES: FORCED DISPLACEMENT AND DEVELOPMENT

Keynote presented by Alexander Betts, Director of the Refugee Studies Centre and Leopold Muller Professor of Forced Migration and International Affairs, Oxford University

Essential points from Professor Betts’s keynote are covered in his paper “Refugee Economies: Rethinking Popular Assumptions,” which can be accessed at www.rsc.ox.ac.uk/refugeeeconomics.
Participants acknowledged the critical role that universities could play in addressing the challenges posed by the largest population displacement in recent memory. To date, the role of universities and educational institutions (around the world) has been minimal, though the need is large and urgent. Educational institutions in host countries are directly impacted by the refugee influx and are struggling to meet the many new demands on their capacity in terms of both volume and content.

Areas of innovation, research, and intervention have been grouped according to four themes, related to key perceived “roles” of universities as agreed upon by participants.

I. EDUCATION

There is an urgent need to support host-country institutions to increase their capacity for teaching refugees. Opportunities for higher education and vocational training are minimal to none, though much needed. Refugees must be provided opportunities to preserve, practice, and enhance existing skills in order to be able to use them not only now, but also in the future in case of their eventual return home.

A. Scholarships

1. Universities could commit to supporting a number of refugee students annually. It is important to recognize that this approach may provide high-quality education and opportunities to some refugees, but will not make a dent in the overall demand.

2. Universities must be cognizant of the gender imbalance in education that they may inadvertently promote, as single young men are more likely to be sent abroad for education than their female counterparts.

B. Support for local institutions

1. Refugees are required to pay prohibitively high fees for higher education in many of the host countries. Foreign universities may augment both training and research capacity at host institutions to increase the host institutions’ capacity to absorb more refugee students at affordable prices. These interuniversity collaborations could also include technological innovations in education, such as online content, distance learning, and massive open online courses (MOOCs).

2. Universities should support the development of contextually relevant education for refugee students that, in addition to covering standard
language, math, and science skills, acknowledges the unique day-to-day challenges these students face in their migratory lives.

3. U.S. and European institutions should consider partnerships with “second-tier,” that is, less well-known, institutions in the Levant that do not normally have access to the kinds of funds or collaborations that the premier institutions do.

C. Portability of education

There is an urgent need to support the development of portable educational credentials, especially for school-age children, who find themselves moving from school to school, sometimes across national boundaries, often with little evidence or measurement of skills learned along the way.

II. RESEARCH

Based on inputs from field practitioners, participants identified the following as high-priority areas for research.

1. Provide evidence for integrating refugees into the formal economy of host countries.
   a. Study and report on best practices from elsewhere in the world.
   b. Examine legal and policy barriers (and solutions) to integrating refugee and host-country workforces.
   c. Promote approaches that recognize that refugees are skilled migrants, who, while deserving of protection, are also capable of agency and self-reliance.
2. Study (and promote) the role of the private sector in serving the needs of refugees and host communities, especially in livelihoods regeneration and education.
3. Study the environmental impact of these large population movements, and their subsequent urban and ecological footprints.
4. Provide evidence of best practices in labor market integration to host governments (advocacy).
5. Identify resources to support faculty and students working on refugee issues.
6. Support the development of programs (courses, clinics) focused on refugee issues.
7. Support field partners (UN agencies, aid agencies) in analysis, monitoring, and evaluation of their programs (UNHCR Jordan expressed a particular interest in seeking university support to help them study their ongoing and upcoming interventions and services).
8. Pursue additional areas of research, including rent-seeking dynamics in host communities, social media, demographics (as the populations move, ebb, and flow), crisis mapping / GIS mapping, gender studies, and cash transfers.

III. OUTREACH

Universities can play a critical role in educating both the general population and the media on the real challenges facing refugees, and in so doing can steer conversation toward a more inclusive, fruitful discussion of the crisis, and away from fearmongering tactics that are detrimental to human security and refugee protection.

Media (print, television, and online) have played a vital role in raising awareness about the refugee crisis. Academics could play a more proactive role in educating the media on the ongoing day-to-day challenges facing refugees and host communities. (For example, law clinics could advise media on the particular policy hurdles faced by refugees in various host countries in the Levant and the rest of the world.)

Universities should encourage their arts, film, and humanities departments to study and help spread awareness of the Syrian refugee crisis among the larger community.

IV. NEUTRAL SPACE

Universities must leverage their position as a forum to promote dialogue among stakeholders engaged in promoting employment and education for the refugee and host populations, including governments, domestic and international educational institutions, UN agencies, aid agencies, and the private sector. Universities are uniquely positioned to give Syrians a (central) voice.

Universities can provide a platform for women from the MENA region to engage in and lead solution-seeking strategies for conflict resolution, peace building, education, and employment generation in the region.
ENDNOTE

The refugee crisis in the Middle East and North Africa is complex. This report summarizes discussions around two discrete challenges posed by this large forced migration and its impact on both the refugees and the host communities receiving them. By no means are the discussions presented here comprehensive or exhaustive. Yet, by sharing these conference proceedings, it is our goal to provide universities a compelling impetus for committing resources to studying and seeking solutions to the unmet need for education and employment among the refugee populations. The need is vast, dire, and urgent. It is the hope of the conference participants that this report might serve to highlight for academics and academic institutions the known knowledge gaps in dealing with this protracted refugee crisis.
ORGANIZING PARTNERS

PROFESSOR CHANTAL THOMAS

Clarke Initiative for Law and Development in the Middle East and North Africa

The Clarke Initiative for Law and Development in the Middle East and North Africa is a cumulative project that focuses on current legal, political, economic, and social changes in the Middle East.

Made possible by the generosity of Cornell alumnus Jack Clarke, the Initiative seeks to be a part of the continuing academic and legal development in the region.

The Initiative includes collaborations with Middle East specialists in academia, policy, and the legal profession in the United States, Europe, the Middle East, and North Africa.

VICE PROVOST LAURA SPITZ

Office of the Vice Provost for International Affairs

The Office of the Vice Provost for International Affairs provides leadership for and helps oversee internationalization efforts at Cornell. The office works with schools, colleges, and centers across Cornell campuses to develop, support, and implement plans for enhancing the university’s international dimension and the Global Cornell initiative.

PROFESSOR MOSTAFA MINAWI

Ottoman and Turkish Studies Initiative

The Ottoman and Turkish Studies Initiative (OTSI) is intended to nurture interest in Ottoman and Turkish studies, very widely defined. It focuses on academic and cultural production about the Turkic world, the Ottoman Empire, and its successor nation-states, including, but not limited to, the Middle East, the Balkans, Turkey, and central Asia. The goal is to eventually establish Cornell
University as one of the centers for intellectual exchange on the history, culture, politics, and art of the Ottoman Empire and its successor nation-states. OTSI is part of the Cornell Institute for European Studies (CIES).

DR. JOSYANN ABISAAB

DR. SATCHIT BALSARI

**Weill Cornell Global Emergency Medicine Division**

The Global Emergency Medicine Division is committed to advancing the science and practice of global health through collaborative research, training, capacity building, and clinical service overseas. Working closely with partners around the world, health-care professionals affiliated with the Global Emergency Medicine Division focus on the development of emergency medicine in low and middle-income settings, on disaster preparedness, and on humanitarian response.
SPEAKERS

JOSYANN ABISAAB  
Weill Cornell Medicine  
Josyann Abisaab is an assistant professor at Weill Cornell Medicine and an attending physician in the Department of Emergency Medicine at New York Presbyterian Hospital. Dr. Abisaab is faculty at the Weill Cornell Global Emergency Medicine Division and a Fellow at the Harvard FXB Center for Health and Human Rights. She has conducted human rights research and advocacy in the Middle East with a focus on the Syrian refugee crisis and has a special interest in complex humanitarian emergencies and international emergency medicine, particularly in the Middle East. She received her M.D. from the University of Rochester and her B.S. from the American University of Beirut.

HASHEM ABUSHAMA  
Earlham College  
Hashem Abushama is a Palestinian man who grew up in Arroub Refugee Camp, in Hebron, West Bank. Abushama was active in the community in Arroub Refugee Camp, where he founded a youth initiative, “Trash the Occupation, Not Our Land.” He is currently completing his bachelor’s degree in peace and global studies at Earlham College. At Earlham, he has served as the convener of Students for Justice in Palestine and is the student body president. Last February, he became the first Palestinian youth representative to address the United Nations Economic and Social Council. Abushama was also a Palestine refugee ambassador at UNRWA@65, at UN headquarters.

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UCLA School of Law  
Tendayi Achiume is an assistant professor of law at University of California, Los Angeles, School of Law. Her research and teaching interests lie in international human rights law, international refugee law, comparative immigration law, international criminal justice, and property. Achiume clerked for Deputy Chief Justice Dikgang Moseneke and Justice Yvonne Mokgoro on the Constitutional Court of South Africa. Following her clerkships, she was awarded the Robert L. Bernstein International Human Rights Fellowship to work for the Refugee and Migrant Rights Programme unit at Lawyers for Human Rights in Johannesburg. Achiume earned a bachelor’s degree from Yale University and her law degree from Yale Law School.

SALEM AJLUNI  
International Labour Organization  
Salem Ajluni taught economics in the United States before being appointed chief economist, Office of the United Nations Special Coordinator in the Occupied
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SUSAN AKRAM
Boston University School of Law
Susan Akram is a clinical professor of law at Boston University School of Law. She teaches international human rights, comparative refugee law, and immigration law. She is a past Fulbright Senior Scholar in Palestine, and has taught at Al-Quds University/Palestine School of Law, the American University in Cairo, and the Oxford Refugee Studies Centre. Her clinical work involves litigating and advocating in domestic and international courts on behalf of refugees and forced migrants. She is a graduate of the University of Michigan (B.A.), Georgetown University Law Center (J.D.), and the Institut International des Droits de l'Homme (Diplome in international human rights).

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Satchit Balsari is chief of the Weill Cornell Global Emergency Medicine Division, and an assistant professor at Weill Cornell Medical College. He is faculty at the Harvard FXB Center for Health and Human Rights. His research and writings are focused on complex humanitarian emergencies, disaster preparedness, and the application of mobile technology to improve health-care quality and delivery. He has worked in emergencies around the world, including in the Middle East and Africa. Dr. Balsari co-developed Weill Cornell’s didactic curriculum in global health; founded the international annual Global Health Emergencies Course; and co-founded mHealth Toolbox, an educational workshop for prospective physician-innovators.

ALEXANDER BETTS
University of Oxford
Alexander Betts is director of the Refugee Studies Centre and the Leopold Muller Professor of Forced Migration and International Affairs at the University of Oxford. His research concentrates on the politics and political economy of refugees, migration, and humanitarianism, with a geographical focus on Africa. He has worked for UNHCR and as a consultant to UNDP, UNICEF, IOM, OCHA, and the Council of Europe. He sits on UNHCR’s "i Circle" and is a member of the World Humanitarian Summit's thematic working group “Transformation through
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Dr. Gilbert Burnham holds an M.D. degree from Loma Linda University (California) and an M.Sc. and Ph.D. from the London School of Hygiene and Tropical Medicine. He managed rural health services in Malawi for fifteen years before joining the Johns Hopkins Bloomberg School of Public Health, where he is now a professor of international health. He has worked on public health projects in Iraq, Libya, Jordan, Lebanon, and Syria and for thirteen years has managed research programs in Afghanistan, where he is now working to create a school of public health in Kandahar.

NANCY CHAU
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Nancy Chau is a professor in the Charles H. Dyson School of Applied Economics and Management at Cornell University. Chau's research interests fall in three main areas: international trade, regional economics, and economic development. She was recently awarded the Alexander von Humboldt Research Fellowship, and the first T. W. Schultz Award of the International Association of Agricultural Economists. She is a senior fellow at the Center for Development Research (University of Bonn), a research fellow at the Institute for the Study of Labor (IZA Bonn), and member of an expert panel for the Office of the UN High Commissioner for Human Rights.

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Angela Cornell is a clinical professor of law at Cornell Law School and directs the Labor Law Clinic. She is recognized as a specialist in labor and employment law by the New Mexico Board of Legal Specialization. She has extensive union-side labor law experience and considerable employment law experience. She has served as a labor commissioner on the tripartite New Mexico Labor and Industrial Commission and on the Albuquerque Personnel Board, adjudicating appeals of employees terminated or subjected to severe discipline. Cornell has also worked in international human rights and represented low-income immigrants for six years.

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United Nations Population Fund
Henia Dakkak is a senior technical adviser with the humanitarian response
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NOURA ERAKAT
George Mason University
Noura Erakat is a human rights attorney, an activist, and an assistant professor at George Mason University. Her scholarship investigates the laws of war, human rights, refugee law, and national security. She is a coeditor of Jadaliyya, an electronic magazine that leverages scholarly expertise and local knowledge on the Middle East. Erakat coleads the Refugees and Migrants Project at the Arab Studies Institute along with Omar Dahi.

PHILIPPE FARGUES
European University Institute
Philippe Fargues is a sociologist and demographer. He is the founding director of the Migration Policy Centre at the Robert Schuman Centre for Advanced Studies, European University Institute, in Florence. He has held senior positions at the National Institute for Demographic Studies in Paris and the American University in Cairo and has taught at Harvard and various universities in France, the Middle East, and Africa. His research areas include migration, population and politics, demography, and development. Recent publications include Migration from North Africa and the Middle East: Skilled Migrants, Development, and Globalisation (I. B. Tauris, 2015) and Is What We Hear about Migration Really True? Questioning Eight Migration Stereotypes (I. B. Tauris, 2015).

ADRIENNE FRICKE
Physicians for Human Rights
Adrienne Fricke is a consultant specializing in human rights and refugee issues. Since 2007, she has worked with Physicians for Human Rights, serving most recently as Syria adviser, having previously assessed the health impacts on Sudanese refugee women living in eastern Chad. For Refugees International, she traveled to Sudan and coauthored an analysis of its rape laws. She has been a member of the Coalition for International Justice’s Atrocities Documentation Team, for which she traveled to eastern Chad to take witness statements from Darfuri refugees. Fricke holds a J.D. from the University of Pennsylvania, an M.A. from New York University, and a B.A. from Yale University.
MARIA CRISTINA GARCIA
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Maria Cristina Garcia is the Howard A. Newman Professor of American Studies at Cornell University. She studies refugees, immigrants, exiles, and transnationals in the Americas. Her first book, *Havana USA* (University of California Press, 1996), examined the migration of Cubans to the United States after Fidel Castro took power. Her second book, *Seeking Refuge* (University of California Press, 2006), studied the individuals, groups, and organizations that responded to the Central American refugee crisis of the 1980s and 1990s. She is currently writing about refugee and asylum policy in the United States since the end of the Cold War. Garcia received her B.A. from Georgetown University and her M.A. and Ph.D. from the University of Texas, Austin.

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FXB Center for Health and Human Rights, Harvard University, and The Fletcher School, Tufts University
Kathleen Hamill is a human rights lawyer and a fellow at the FXB Center for Health and Human Rights at the Harvard School of Public Health. As an adjunct assistant professor at The Fletcher School, Tufts University, she has taught human rights and international law. She has worked as a researcher, advocate, and consultant in several regions, including the Middle East. Hamill recently conducted FXB child protection assessments among Syrian refugees in Lebanon and Jordan in order to inform FXB’s policy work to protect the rights and well-being of children and families impacted by the Syria crisis. She holds a J.D. from Boston College Law School, an M.A. in law and diplomacy from The Fletcher School, and a B.A. from Brown University.

ANDREW HARPER
United Nations High Commissioner for Refugees, Representative to the Hashemite Kingdom of Jordan
For the past three years Andrew Harper has been responsible for leading and coordinating the international refugee response to the Syrian crisis in Jordan as representative of the UN High Commissioner for Refugees. He has been head of desk for UNHCR, covering the Iraq situation, and the emergency focal point for the Middle East and North Africa region for the Libyan crisis in 2011. He has served with OCHA as head of office in Sumatra and as the chief of staff for the UN recovery coordinator for Aceh. Harper has been awarded the Member of the Order of Australia, an ANZAC Peace Prize, and the Sir Ron Wilson Human Rights Award.

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Lisel Hintz is a postdoctoral fellow at Cornell University’s Mario Einaudi Center for
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Public Partnerships Division—New York, UNICEF
Dominique Hyde is the deputy director of the Public Partnerships Division for UNICEF. Hyde worked for the Canadian government from 1989 to 1994. She joined the International Organization for Migration in Haiti from 1994 to 1995. From 1997 to 2010, she worked for the United Nations World Food Programme, where she held different positions in Côte d'Ivoire, Liberia, Iraq, Italy, and Nepal. In September 2010, Dominique joined UNICEF as the representative for Jordan. She received her M.A. from the University of London, School of Oriental and African Studies, took master’s courses at the London School of Economics, and holds a B.A. from the University of Ottawa.

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AZIZ RANA
Cornell Law School
Aziz Rana is a professor of law at Cornell Law School. His research and teaching center on American constitutional law and political development, with a particular focus on how shifting notions of race, citizenship, and empire have shaped legal and political identity since the founding. His book, *The Two Faces of American Freedom* (Harvard University Press, 2010), situates the American experience within the global history of colonialism, examining the intertwined relationship in American constitutional practice between internal accounts of freedom and external projects of power and expansion. Prior to joining the Cornell faculty, he was an Oscar M. Ruebhausen Fellow in Law at Yale.

KENT SCHULL
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Kent F. Schull is an associate professor of Ottoman and Middle East history at Binghamton University, SUNY. He is the author of *Prisons in the Late Ottoman Empire: Microcosms of Modernity* (Edinburgh University Press, 2014) and is the editor of the *Journal of the Ottoman and Turkish Studies Association*. In addition, he has two coedited volumes currently in production with Indiana University Press—*Living in the Ottoman Realm: Empire and Identity, 13th–20th Centuries*, and *Law and Legality in the Ottoman Empire and Republic of Turkey*—both
scheduled to be published in 2016. He has been a Fulbright Scholar to Turkey twice and has graduate degrees from the University of Oxford (2000) and UCLA (2007).

NOOR SHAKFEH
Johns Hopkins Bloomberg School of Public Health
Noor Shakfeh is the daughter of Syrian immigrants. In 2013, Shakfeh traveled to Syria and stayed in a makeshift camp for internally displaced persons, where she delivered approximately $136,000 in aid raised by herself and her team from the Syrian American Council. She has since worked with the Syrian American Council to help plan and execute an international conference; with the Syrian American Medical Society to send medical supplies; with the National Coalition of Opposition Forces, with Watan Syria for WASH (Water Sanitation Hygiene); and with the Syrian Emergency Task Force as a policy fellow. Shakfeh is currently an M.H.S. candidate in molecular microbiology and immunology at the Johns Hopkins Bloomberg School of Public Health.

RABIH SHIBLI
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Rabih Shibli is the director of AUB’s Center for Civic Engagement and Community Service (CCECS). In 2006 he founded and directed Beit Bil Jnoub, a nonprofit civil organization heavily involved in the reconstruction process in the aftermath of the “July War.” Shibli joined CCECS as a consultant following its establishment in 2008 and was appointed associate director for development and projects in 2013. In this role he designed and implemented projects linking university expertise with community development needs, including the upgrade of Suq Sabra, the Karem El-Zaitoun pedestrian trail, reclamation of traditional rainwater harvesting in Marwaheen, urban agriculture in Ein El-Hilwi Camp, and the project GHATA—Bringing Education to Syrian Refugees in Informal Tented Settlements.

LAURA SPITZ
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Laura Spitz is the vice provost for international affairs at Cornell University and the associate dean for international affairs at Cornell Law School. Her research focuses on the intersection between international economic law and transnational integration in North America; and her current project examines the socio-legal construction of categories defining human versus nonhuman status in North America, including refugees, persons, investors, prisoners, felons, fetuses, immigrants, animals, and so on. Spitz received her undergraduate degree in history from the University of Toronto, her law degree from the University of British Columbia, and her J.S.D. from Cornell Law School.

FIRAS SUQI
Kayany Foundation (Beirut)
Firas Suqi is the project coordinator for the Kayany Foundation, a Beirut NGO dedicated to providing Syrian refugee children with education in Lebanon. His work involves managing community stakeholder relations in the Bekaa Valley and liaising with government and UN officials. He is a member of UNICEF Lebanon’s Education Cluster and a participant in UN Interagency Coordination meetings. Firas is a contributing writer for Al Jazeera English and has spoken on the educational interventions for Syrian refugees at the American University of Beirut and the American Center of Oriental Research in Amman.

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Chantal Thomas is a professor of law at Cornell Law School, where she also directs the Clarke Initiative for Law and Development in the Middle East and North Africa. She teaches in the areas of law and development and international economic law. She has consulted for the USAID Bureau for Democracy, Conflict, and Humanitarian Assistance, and currently serves on the Executive Council of the American Society of International Law and the U.S. State Department’s Advisory Committee on International Law. Thomas received her B.A. from McGill University and her law degree from Harvard Law School.

WISSAM YAFI
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Wissam Yafi is a Lebanese American technologist, entrepreneur, development practitioner, educator, and writer. He founded TidWiT, whose mission is to provide smarter learning solutions to organizations in different parts of the world. A native of Lebanon, he has traveled extensively from the Mashreq to the Maghreb, researching, writing, and meeting leaders, policymakers, and academics. Since the civil war broke out in Syria, Yafi has been working to provide alternative learning methodologies to the hundreds of thousands of Syrian refugees. He helped orchestrate a MoU with the Lebanese Ministry of Education, which resulted in the digitization of the Lebanese and Syrian curricula. Yafi is the author of two books on the Middle East.
Zaatari Refugee Camp. June 2014