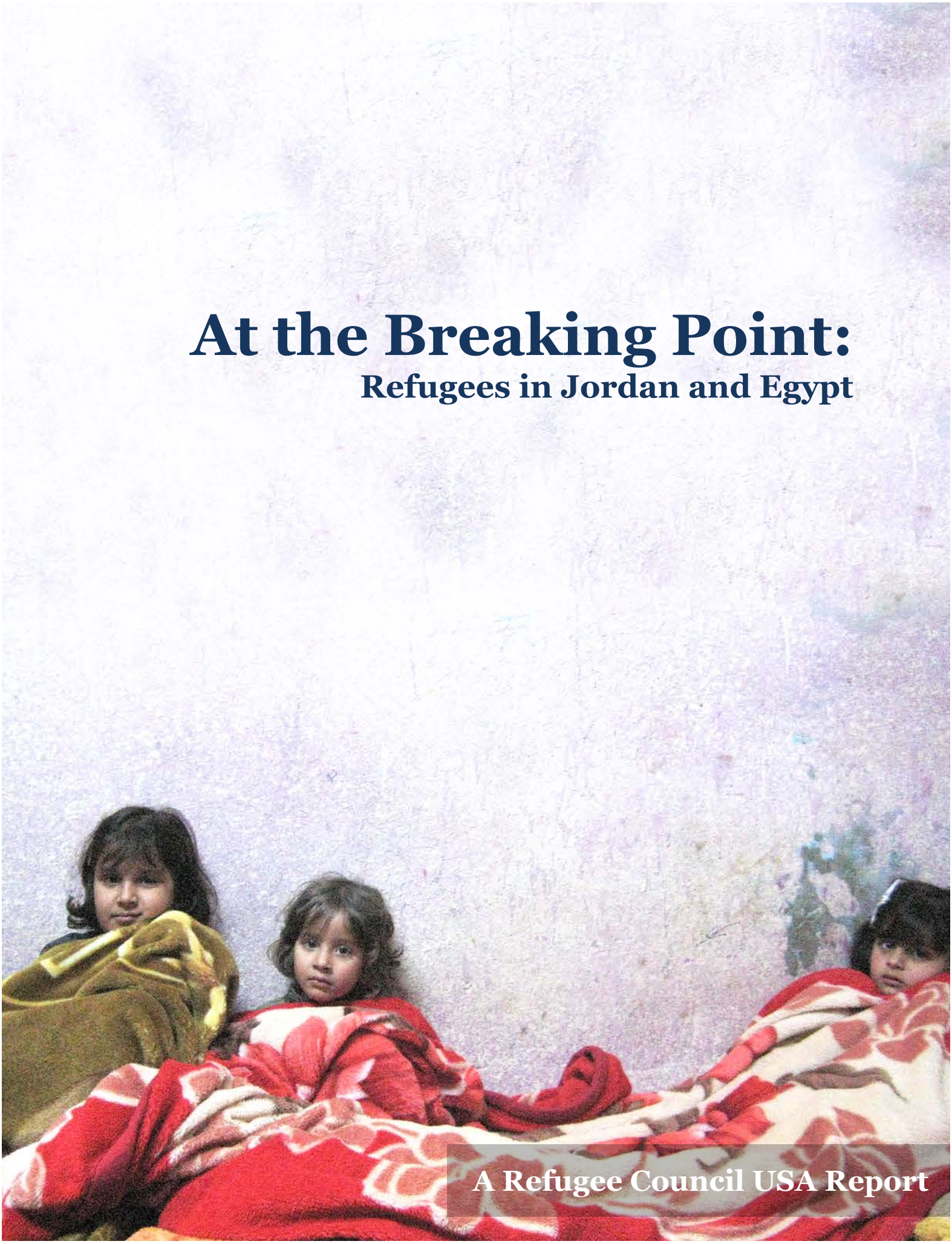
At the Breaking Point:
Refugees in Jordan and Egypt



A Refugee Council USA Report

Refugee Council USA Mission to Jordan and Egypt
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*Indicates the members of the delegation who visited Egypt as well as Jordan.
**Indicates those who accompanied but were not official members of the delegation

cover photo: Young Syrian refugee girls in Mafraq, Jordan
Photo credit: Naomi Steinberg

Acknowledgments

The RCUSA delegation members wish to thank the individual refugees with whom they had the opportunity to speak in Jordan and Egypt, as well as the following organizations for the significant amount of time and effort they contributed by helping the delegation prepare for the trip, in providing logistical support to the group, and through arranging meetings with key staff in both countries.

- Caritas Jordan
- Catholic Relief Services, Egypt
- Egyptian Foundation for Refugee Rights, Egypt
- International Catholic Migration Commission, Jordan
- International Rescue Committee, Jordan
- International Organization for Migration, Jordan and Egypt
- Norwegian Refugee Council, Jordan
- Psycho-Social Services and Training Institute in Cairo (PSTIC) / Terre des Hommes, Egypt
- St. Andrew's Refugee Services, Egypt
- United Nations High Commissioner for Refugees, Washington DC, Jordan, and Egypt
- U.S. Department of State, Bureau of Population, Refugees and Migration
- U.S. Embassy, Egypt
- U.S. Embassy, Jordan*

*The U.S. Embassy in Jordan arranged a meeting to meet with the RCUSA delegation, but due to inclement weather, the meeting had to be cancelled.

Executive Summary
Background and Recommendations

Refugee Council USA (RCUSA) is a coalition of 20 U.S.-based non-governmental organizations (NGOs) that advocates for the protection, welcome, rights and durable solutions for refugees and other populations that are forcibly displaced. RCUSA also works to build excellence in the U.S. refugee resettlement program. RCUSA sent a delegation of coalition members, accompanied by a representative from the Congressional Research Service and one from the United Nations High Commissioner for Refugees (UNHCR) Washington office to visit several cities: Amman, Mafraq and Za'atri in Jordan and Cairo, Egypt from January 5-13, 2015. The delegation took this trip to observe first-hand the impact of the Syrian refugee crisis, the scope of which is increasingly alarming. According to UNHCR estimates, as of March 2015, the number of Syrian refugees in neighboring countries had reached 3.9 million, 75% of whom are women and children, with 626,357 registered in Jordan, and 133,516 registered in Egypt. Of the Syrian refugees in Jordan, 85% do not live in refugee camps, and all of the refugees in Egypt live in urban environments, presenting unique protection challenges.

The states bordering Syria host very large numbers of refugees and face very real security challenges, and the growing threat of the Islamic State in Syria and Iraq (ISIS) further complicates an already precarious security situation. At the same time, states have obligations under international law to allow refugees to cross borders to safety. It was reported to the delegation on multiple occasions that the Jordanian border has essentially been closed to Syrian refugees since the end of 2014, and of the limited numbers who are able to reach Jordanian territory, many are quickly returned to Syria, without access to UNHCR or

"refugees are struggling to survive, with an untold number even making the seemingly impossible decision to return to Syria."

appropriate procedures for processing their claims. In Jordan, it is illegal for Syrian refugees to work, and in combination with recent cuts to food aid and limits imposed on the ways that Syrian refugees can access the government health care system, refugees are struggling to survive. An untold number are making the seemingly impossible decision to return to Syria rather than endure such extreme hardships in Jordan. It was also reported to the delegation that the Egyptian border is now also basically closed to Syrians, and in Egypt, the plight of Syrian refugees, as well as for the 70,000 non-Syrian refugees (Africans and Iraqis) is no better. Unable to gain legal employment opportunities, refugees in Cairo struggle to make ends meet. Most have no meaningful local integration options, and all are living in an extremely xenophobic, unwelcoming environment for refugees.

As the headlines about Syrian refugees recede from the front pages of newspapers around the world, the individual stories of the daily sacrifices these refugees are making do not diminish. In fact, it is now even more important that the global community not become complacent. Indeed, as the delegation members observed in Jordan and Egypt, the protection space for Syrian and other refugees in the region is shrinking by the day, leaving refugees in dire circumstances, and the communities in which they are living stretched to the breaking point.

When delegation members spoke with a single Syrian mother living near the Jordanian/Syrian border with her three young girls and asked her what message she would like the delegation to share, she simply responded, “Pray for us and pray for peace in Syria.” Until peace can be achieved, the global community can and must do more to support both the refugees and the communities in which they are living. An increase in resettlement opportunities for Syrian and other refugees in the region is one concrete step that can be taken. The delegation’s focus on resettlement is highlighted in this report, along with its other findings and recommendations. For more information about the details of the report and RCUSA’s advocacy efforts, please contact RCUSA at: 202-319-2103 and/or at: info@rcusa.org.

Recommendations

RCUSA Jordan and Egypt Resettlement Recommendations:

All of the following recommendations, unless otherwise specified, refer to resettlement for Syrian and non-Syrian refugees in Jordan and Egypt.

Recommendations for the United States Government:

- UNHCR sought 30,000 resettlement and humanitarian admission placements for Syrian refugees in 2014, and is seeking 100,000 additional placements by 2016. The United States should continue its tradition of accepting ***at least*** half of all UNHCR referrals for any given population. Therefore, the United States should resettle ***at least*** 65,000 Syrian refugees by the end of 2016. Particular groups of concern include: women-at-risk; religious minorities; unaccompanied refugee minors and other at-risk-children; refugees with serious health concerns; victims of torture and/or trauma; those with affiliations with the U.S. government or U.S.-based NGOs/media/companies; members of minority, persecuted groups; and refugees in immediate physical danger.

- The robust resettlement of Syrian refugees in the United States should be in addition to, not instead of, resettling refugees from other parts of the world. The Presidential Determination should increase from 70,000 in FY15 to 100,000 for FY16.

- Security checks are a vital part of the United States Refugee Admissions Program (USRAP) and have proven to be successful in maintaining the program's integrity. Although these safeguards have been enhanced and updated, the Department of Homeland Security (DHS), other U.S. security agencies, and the White House should allocate sufficient resources and staff to eliminate delays and redundancies to reduce the waiting time for refugees at significant risk.

- The U.S. government should identify specific groups of refugees in the region as being of particular humanitarian concern to the United States and as such should be eligible for group processing.

- The U.S. government should expand family reunification opportunities through the USRAP (through the P3 family reunification priority) to allow Syrians in legal status in the United States, even if they did not arrive as refugees, to file affidavits of relationship (AORs).

- The resettlement of other extremely vulnerable refugees in the region, including Iraqis, African refugees in both Jordan and Egypt, and non-Syrian refugees forced to flee from Syria, should also be prioritized.

- Specific NGOs in the region should be able to make direct resettlement referrals to the United States. The U.S. government should provide increased capacity building and training for these NGO partners so they can identify and refer the most vulnerable refugees for resettlement.

- Funding for DHS should be increased so that it can visit the region more frequently to interview refugees slated for potential resettlement. When security concerns make in-person interviews impossible, DHS should use video conferencing for interviews.

- DHS should consider utilizing iris scans and additional biometric data that UNHCR has collected for 65-67% of registered Syrian refugees. The use of this data could help reduce redundancies in the USRAP screening process.

- The Department of Health and Human Services (HHS) and the Office of Refugee Resettlement (ORR) should support programming that assists communities and organizations that resettle Syrian refugees to foster a welcoming climate for them, offer services that are tailored for Syrian refugees, and include a long-term focus on their successful integration.

Recommendations for UNHCR:

- UNHCR should increase capacity to conduct refugee status determinations (RSD) and provide resettlement referrals for Syrian refugees in the region to as many countries as possible, including the United States.

- UNHCR should reconsider how it prioritizes refugees for resettlement, and should refer the most vulnerable cases, including women-at-risk and unaccompanied minors.

- UNHCR should increase resettlement opportunities for Syrian refugees living in refugee camps in Jordan. Resettlement from the camps should complement, not diminish, resettlement opportunities for urban refugees.

- Resettlement operations should be conducted in a transparent manner, with UNHCR and NGOs working in cooperation with each other to provide basic information about resettlement to refugees.

- UNHCR, with the assistance of the international community, should establish an Emergency Transit Center (ETC) in the region to move the most vulnerable cases to a safe environment while resettlement processing is completed.

- The importance of resettlement must be better recognized within the broader UNHCR structure. Resettlement training should be provided to the regional bureaus in Geneva and in regional and national offices so that frontline staff can better incorporate resettlement into protection activities and advocacy.

- Best Interest Determinations (BIDs) should be facilitated for the unaccompanied refugee minors (URMs) that have already been identified in Jordan and Egypt and for all future identified URMs. BIDs must be utilized to pursue both immediate protection needs for children, as well as durable solutions, including resettlement, when appropriate.

- UNHCR should continue to monitor and raise, directly with States as well as publicly, concerns about the denial of access to refugees at borders.

RCUSA Recommendations: Terrorism- Related Inadmissibility Grounds (TRIG)

DHS, in consultation with Departments of State and Justice should act now to:

- Promptly issue the necessary guidance so that the TRIG exemptions that were issued on February 5, 2014 (including exemptions for certain routine commercial or social transactions, certain humanitarian assistance, substantial pressure that does not rise to the level of duress, and insignificant material support), can be fully implemented.

- Allow exemptions to be issued on a case-by-case basis to certain individuals who voluntarily provided non-violent assistance to a Syrian armed opposition group. Such exemptions would only be available to applicants who 1) passed all applicable security and background checks; 2) established that they meet the refugee definition and are not subject to any other factors that would exclude their entry to the United States; and 3) did not knowingly support activities that targeted noncombatants or U.S. interests. Such exemptions are currently unavailable by statute to anyone who provided material support to a group that is designated or listed as a terrorist organization by the U.S. government.

- Allow exemptions to be granted on a case-by-case basis to former combatants who otherwise meet the refugee definition and are not subject to any other factors that would exclude their entry to the United States, have passed all applicable security and background checks, have established that they pose no threat to the safety or security of the United States, and (1) were children at the time or (2) did not participate in, or knowingly provide material support to activities that targeted noncombatants or U.S. interests.

- Complete a long-pending review of its legal interpretation of the term “material support.” The current application of the “material support” bar to minimal donations and to routine commercial transactions with members of armed groups is greatly inflating the number of cases unjustly affected by this provision of immigration law.

RCUSA Recommendations: Protection in Jordan

Recommendations for the United States Government:

- U.S. officials, including President Obama and Secretary of State Kerry, and Members of Congress should urge all states to allow refugees to cross borders in order to access international protection and to end any bans, prohibitions, closures, entry quotas, and restrictions on refugees seeking refuge in another country that are inconsistent with international human rights and refugee laws and protection standards. U.S. Embassies should continue to monitor the ability of refugees fleeing Syria to enter neighboring countries based on information from government counterparts, humanitarian partners and U.S. government sources, including information on the numbers denied entry and the reasons they were turned away. U.S. officials should raise reports of restrictions, bans, closures, delays, and denials of entry with government counterparts.

- The U.S. State Department's Bureau of Population, Refugees, and Migration (PRM) should encourage and support human rights and refugee protection monitoring at borders and at airports by UNHCR and independent human rights monitors, and should take steps to support access to refugees, including in transit centers and other locations where refugees are held or interviewed.

- The United States and other countries should increase support for refugee-hosting states through development assistance, bilateral aid, and increased funding of UN humanitarian appeals. Senior U.S. officials should make clear to States benefiting from U.S. assistance that the United States expects all refugees — regardless of their age, gender, ethnicity, nationality, or other similar characteristic — to be allowed to cross borders to seek protection and to be given a fair and individualized assessment conducted in accordance with international standards.

- The United States should ensure that its assistance to Jordan supports policies that enable refugees who wish to reside outside of camps to do so and supports refugee-hosting communities, in line with UNHCR's July 2014 Alternatives to Camps policy.

- The U.S. government should encourage and support the Jordanian government to allow refugees to be legally employed. Pilot projects that facilitate formal refugee employment, and also assist Jordanian communities, should be encouraged. In addition, there should be increased efforts to support income generation projects for Syrian refugees living in camps, as well as support for the provision of vocational training opportunities for teenagers living in the camps.

- The U.S. government, primarily through the provision of development and humanitarian aid, should continue to support the Jordanian government in its efforts to improve its healthcare and education infrastructure in order to accommodate increasing demand from both refugees and local Jordanians. Funding and technical assistance should be provided to ensure equal access for both refugees and Jordanians.

RCUSA Recommendations: Resettlement and Protection: Egypt

Recommendations for the United States Government:

- U.S. officials, including President Obama and Secretary of State Kerry, and Members of Congress should urge all states to allow refugees to cross borders in order to access international protection and to end any bans, prohibitions, closures, entry quotas, and restrictions on refugees seeking refuge in another country that are inconsistent with international human rights and refugee laws and protection standards. U.S. Embassies should continue to monitor the ability of refugees fleeing Syria to enter neighboring countries based on information from government counterparts, humanitarian partners and U.S. government sources, including information on the numbers denied entry and the reasons they were turned away. U.S. officials should raise reports of restrictions, bans, closures, delays, and denials of entry with government counterparts.

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- The U.S. government should support UNHCR Egypt in expanding its Refugee Status Determination (RSD) capacity to reduce the wait period, now ranging from three to five years, for RSD, a major obstacle to resettlement.

- The U.S. should encourage the Government of Egypt to release the approximately 60 Palestinians from Syria who have been in detention since November 2014.

- The United States should ensure that its assistance to Egypt supports policies that provide for urban refugees and refugee-hosting communities, in line with UNHCR's July 2014 Alternatives to Camps policy.

- The U.S. government should encourage and support the Egyptian government to begin allowing refugees access to lawful employment. Pilot projects that facilitate refugee employment, and also assist Egyptian communities, should be encouraged.

- The U.S. government, primarily through the provision of development and humanitarian aid, should encourage the Egyptian government to improve its healthcare and education infrastructure in order

to accommodate increasing demand from both refugees and local Egyptians. Funding and technical assistance should be provided to ensure equal access for both refugees and Egyptians.

Recommendations for UNHCR:

- UNHCR should increase its efforts to ensure that the most vulnerable cases, both Syrians and non-Syrians, are referred for resettlement.

- Given the size of the Syrian refugee crisis and the extremely limited local integration opportunities for refugees living in Egypt, UNHCR should increase its capacity to refer more Syrians out of Egypt. Currently, UNHCR Egypt expects to submit only 2,000 resettlement referrals for Syrians in 2015.

- UNHCR should increase its capacity to refer for resettlement more non-Syrian refugees (Iraqis, Africans and others) living in Egypt.

- UNHCR should take steps to increase its outreach and transparency around the resettlement process so that refugees in the resettlement pipeline, NGOs that work with refugees, and refugees interested in resettlement can access information about how the process works and how resettlement referral decisions are made.

Jordan: Context and Analysis

In March of 2015, Jordan hosted 626,357 registered refugees from Syria, 40,000 registered Iraqis, and up to 10,000 registered African refugees, primarily Darfuris and Somalis. It is estimated that Syrian refugees now comprise 10% of Jordan's population. Za'atari camp, opened in July 2012, is home to over 84,700 Syrian refugees, and an additional 40,000 Syrian refugees live in the newly opened Azraq camp. Approximately 85% of the Syrian refugees in Jordan do not live in camps, and all of the non-Syrian refugees live in non-camp environments,

As the Syrian conflict enters its fifth year and continues to produce refugees, and with the international community facing an unprecedented four L-3 emergencies (defined by the United Nations as the most severe, large-scale humanitarian crises) simultaneously – the point is being rapidly reached where the assistance available to refugees simply does not meet the needs on the ground. The humanitarian system is stretched thin on resources and capacity to provide the minimum of services. Jordan has reached a point of saturation, as the generosity it has practiced since the beginning of the conflict has taken a toll on internal political and economic realities. To complicate the situation even more, the emergence of the Islamic State of Iraq and Syria (ISIS) has contributed to additional displacement and security concerns for Jordan. In fact, according to UNHCR, 64% of all new Syrian refugee claims in Jordan in September 2014 were ISIS-related, and the same can be said of 59% of the newly arrived Iraqi refugees.

Furthermore, as the security situation in the region deteriorates, Syria's neighbors continue to struggle with the challenges of hosting large numbers of refugees and are preventing many refugees from fleeing across borders, in contravention of international law. The legitimate security concerns facing Jordan are well understood; however, there are ways to balance security concerns while at the same time meeting international human rights standards, including with the use of legitimate screening and exclusion procedures, as well as access to UNHCR. Jordan now turns away a number of categories of individuals fleeing Syria, including single men, refugees who have traveled back to Syria (for example a refugee might return to retrieve a family member who is unable to travel alone), Syrians without identity documents, and Syrian refugees fleeing from areas of Syria controlled by ISIS. Since January 2013, Jordanian government policy has prevented Palestinian refugees who lived in Syria from seeking protection in Jordan.[i] In October and November 2014, Jordan all but closed its borders to Syrian refugees, leaving several thousand stranded in the "no-man's land" between the Syrian and Jordanian borders. In December, the government allowed hundreds of Syrian refugees, including women and children, who had been stranded in that area to enter the country, though there are concerns that many may have been returned to Syria without being registered as refugees.[ii] A Jordanian government spokesman stated that Jordan has not been excluding women, elderly men or disabled men from entering.[iii] However, during the recent RCUSA visit, members of the delegation heard reports of pregnant women, children and the elderly – as well as other refugees denied access or blocked for weeks or months from crossing to safety. The Jordanian government continues to allow some, very small, numbers of refugees to enter. The average number of arrivals has dropped from 60,000 per month down to around 10,000 per month between January and September 2014, and down even further to only several hundred a month at the end of 2014. Recent reports indicate that since October 2014, a high percentage of asylum seekers who cross the border are sent back to Syria from the Raba' al Sarhan Transit Centre in north-eastern Jordan, before they are even able to register as refugees.[iv]

Protection Issues in Jordan
Za'atari Camp

In the middle of a barren field in northern Jordan, about 20 kilometers from the Syrian border, lies Za'atari refugee camp, home to almost 85,000 refugees. Since the camp's establishment in 2012, it has reached its maximum capacity, and considerations are now being made about how to transition the camp from an emergency footing to a "post-emergency response." It is well understood that the Syrian conflict is likely not going to end anytime soon, and that the vast majority of refugees in the camp will be there for years, thus attention is shifting towards making services in the camp more sustainable for a longer period of time.

Courtesy of Google Maps

As is the case in the rest of Jordan, refugees in Za'atari are unable to work, although there are an estimated 3,000 shops in the camp that are run by refugees, some in joint partnerships with Jordanians. UNHCR would like to expand refugee income generation projects, but there continues to be strong pushback from the Jordanian government about such initiatives due to concerns about Syrians staying in Jordan long-term and competing with Jordanians for jobs. In addition, the camp continues to face basic infrastructure challenges, such as high electricity costs that reach almost one million dollars a month in the winter and a lack of potable water (currently water is still being trucked in). UNHCR is looking at how to enhance the electricity grid and design water and sewage networks for the camp. Za'atari also hosts two grocery stores in which Syrian refugees can use debit cards, jointly issued by the World Food Program (WFP) and UNICEF, so that they can buy their own food and supplies. The delegation found the debit card and food distribution systems in the camp to be best practices that should be recognized as a crucial part of the effort to efficiently return as much normalcy as possible to the lives of refugees.

Several key protection concerns in the camp were highlighted for the delegation, including issues specific to children and teenagers growing up in Za'atari. Of the 30,000 school-aged children in the camp, only 18,000 are attending school. It is clearly understood by most families that their children could attend primary school in the camp, but following that, there are extremely limited opportunities for continuing secondary school and university, which means there is little incentive to attend school. UNHCR reported to the delegation that the group at highest risk in the camp is teenagers. They have missed many years of school as a result of the conflict and their displacement, but they understandably do not want to return to primary school in Za'atari. It was suggested to the delegation that additional vocational training opportunities for youth could help to address some of the problems associated with teenagers essentially having nothing to do in the camp. In addition, early marriage, a tradition for many in Syria before flight to Jordan, is a concern in Za'atari. Furthermore, there is a solid inter-agency effort to respond to domestic violence issues in the camp.

Urban Refugees

Of the more than 620,000 registered Syrian refugees in Jordan the vast majority - 520,000 - are living outside of camps, many in urban settings, and others in informal tented settlements in more rural settings. RCUSA notes that in July 2014, UNHCR published its new Alternatives to Camps policy[v]. The United States has been very supportive of this progressive policy, which promotes refugees' self-reliance and their contributions to the communities in which they are living and aims to avoid the negative long-term problems and dependence that camps inevitably create.

"It's a challenge living in the city now. Our husbands do work, but they're always afraid to be caught, as it's illegal for them to work. We used to have WFP vouchers, but then those were cut. I know people who went back to the camps, and even people who went back to Syria where they are not safe, because of money problems here."-Syrian refugee woman in Mafraq, Jordan.

Refugees are not able to legally work in Jordan, and currently their ability to support themselves is being jeopardized. An increasing number of refugees are returning to camps because of a reduction of services and assistance outside of the

camps and because of a stricter enforcement of employment laws - with more arrests, detentions and deportations linked to working without work permits. UNHCR reported that 2,000 people per month are returning to Za'atari because they are seeing no other options available for them. Refugees who have been arrested for working without a permit are also often taken by the authorities to the camps, and there has been an increase in evictions from informal tented settlements.

Refugees living outside camps are facing increasing financial problems, particularly since costs have been imposed for health services, and since the WFP significantly reduced its level of food assistance for non-camp refugees starting on January 1, 2015. According to a recent UNHCR report, two-thirds of Syrian refugees in Jordan live below the national poverty line, and one in six live in extreme poverty[vi]. UNHCR planned to provide cash assistance to 25,000 families in 2015, but due to the WFP cuts, they expect that they will have to fill in the gap created by the cuts and find the resources to increase supplemental cash assistance for up to 45,000 extremely vulnerable families.

The large presence of refugees in Jordan inevitably has a major impact on the communities hosting them. Resources such as health services and education are stretched thin, and costs are increasing for housing. To reduce the growing resentment of refugees by host communities, it is essential that international assistance is directed to supporting and increasing the availability of services in those communities that are hosting large numbers of refugees, including supplementing the water supply. UNHCR has completed approximately 250 community-based projects that benefit host communities, such as constructing schools. NGOs and UNHCR are also implementing programs aimed at improving relations between refugee and host communities, which are essential for maintaining harmony at the local level. Area-based support to host communities is seen by many as a better investment long-term than the escalating cost of supporting a large refugee population in camps.

Syrian Women in Mafraq, Jordan.
Photo credit: Naomi Steinberg

Bailout system creating difficulties

Jordan's policy is that refugees should live in the camps unless they are "bailed out." However, the criteria for obtaining a "bailout" document are not clear, and the system involves considerable discretion by Jordanian government officials. Applicants require a Jordanian sponsor and/or formal lease agreement to support a "bailout," and it was reported to the RCUSA delegation that less than 10% of applicants for "bailouts" have received them. In addition, since July 2014, UNHCR is not able to issue asylum certificates to refugees in urban areas who once lived in a refugee camp in Jordan but were not "bailed out." The overall consequences of the bailout system on those who have not obtained the paperwork is also not clear.

Planned urban verification exercise could drive refugees underground

In early 2015, an urban "verification" exercise is planned for all refugees, with the intention that all urban refugees have to go to a police station to obtain new identification cards, with biometrics. Given that an estimated 200,000 – 300,000 refugees are unable to prove that they left the camps through the official "bailout" process[vii], there are serious concerns that many refugees could be forced underground by this planned verification exercise. Jordan has legitimate security interests that justify their need to register refugees and to know who is present in the communities, but the unintended consequences of this planned "verification" exercise - with its risks of creating fears amongst the refugee community that would result in them becoming less visible - could create much greater problems for the country's security. If refugees feel that their only alternative to camps is to live in hiding, it becomes almost impossible to know how many Syrians are in the country and who they are. If many more refugees who were supporting themselves to live outside of camps now become obliged to move to camps due to this "verification" exercise, this will also have negative longer-term consequences.

Syrian Refugee Education Challenges

During the RCUSA delegation's time in Jordan, members learned about the challenges Syrian families living outside the camps are facing when they try to send their children to school. Thus far, the Jordanian government has been very generous in allowing Syrians to access Jordanian schools. However, the fee to register to attend public schools, minimal though it may be, has still been cited by Syrian refugee families as presenting an obstacle for their children to attend school. In addition, many Syrian refugee children have been out of school for almost four years. Before they are able to officially join the formal education system in Jordan, they must take additional classes, and those classes also require a fee. Furthermore, due to the significant increase in the numbers of students, many schools have introduced double shifts. Starting at the end of 2014, some school districts with high concentrations of Syrian students determined that Syrian students could only attend the second shift classes. This is problematic, because by that point in the day, teachers are exhausted, as are the Syrian students, many of whom are also working to help support their families.

Syrian mothers with whom the delegation met voiced concerns about the general quality of the education their children were receiving, believing that Jordanian teachers were just not committed to meeting the most basic, minimum education requirements for Syrian students. They also reported a rise in bullying and violence that targets refugees, including bullying from other students and from teachers. Syrian mothers talked about teachers calling Syrian students, "dirty Syrians," and refusing to let them use the restrooms. Also, there are no safe transportation options for Syrian students to use to get to and from school and some have to travel considerable distances (10+ kilometeres.) The delegation heard reports of children getting harassed and even beaten up as they attempted to walk to school and home again, as well as the clear need for transportation so that children can move safely. With all of these factors, and when taken into consideration with the other challenges facing Syrian refugees in Jordan, including the difficulties meeting basic shelter, health and food needs, it is understandable why a growing number of Syrian families are making the decision to not send their children to schools, and instead are sending them to work to help bring in additional funds to support their families. According to the UNHCR "Living in the Shadows" report, almost one third of Syrian refugee families with school-aged children reported withdrawing their children from school in order to have them help financially support their families.[viii]

Iraqis in Jordan

Jordan now hosts an estimated 58,000 Iraqi refugees, many of whom arrived in the latter half of 2014, following the expansion of ISIS in Iraq. According to UNHCR, 59% of the newly arrived Iraqi refugees cited fears of ISIS as the reason for their flight. In August and September of 2014 alone, 120 Iraqis per day were registering with UNHCR Jordan, up from 65 in June and July and just 30 per day in the first five months of 2014.[ix] Almost two thirds of new arrivals are from ISIS-controlled areas in Ninevah, Salah Al Din and Anbar governorates.[x] Mosul and the surrounding Nineveh Plain are considered to be the heartland of Christianity in Iraq and are home to many churches, monasteries and communities tracing their origins back to the earliest days of the Christian faith. The refugees report fleeing due to their homes being burned, living under threat of being forced to convert to Islam, fears of forced marriage, kidnapping, being forced to pay jizzieh (money for protection), and public threats.

In September 2014, 10,644 Iraqi refugees were registered with UNHCR in Jordan, with 1,383 registering in August alone – the highest monthly tally of new registrations since 2007. Although Iraqis have free access to health care and education in Jordan, it is almost impossible for them to secure work permits. To apply to work in the 10 professional categories open to them, Iraqis must have active residency in Jordan, which requires either a deposit of 25,000 JD ($35,285); marriage to a Jordanian citizen; or sponsorship by an employer who must prove that no Jordanian could do the job. [xi] To fill the income gap, Iraqis often use their savings to pay for rent, borrow from family and friends, take out loans, go hungry by skipping meals, and share housing.[xii]

The journeys that many of the recently arrived Iraqis made to arrive in Jordan vary greatly from those undertaken by Syrian refugees. Many who recently arrived in Jordan due to fears of ISIS were given special humanitarian visas by King Abdullah and half-price airline tickets on Royal Jordanian airlines to fly directly from Irbil to Amman. There was a fear that if they trekked on foot to the Jordanian border, many would have been killed. Their homes were destroyed by ISIS and many believe they can never return. Jordan's King Abdullah has recognized the special place of Christians in the Middle East through "The Amman Message," a document that promotes interfaith co-existence in Jordan, and as such Jordan has special

humanitarian policies, like this special visa program, ensuring such protections are carried out in both law and practice. Of the Christian Iraqis with whom the delegation met, it was clear that all hoped to be resettled, as they feel they have absolutely nothing to return to in Iraq.

The Case for Resettlement

Syrian Resettlement: By the Numbers

In any complex emergency crisis, resettlement is the solution for only a small percentage of the overall number of displaced people. Nevertheless it remains an important tool of refugee protection. When meaningful numbers of refugees are resettled, resettlement can also provide numerous dividends in host communities by lessening social, economic, security, and political pressures. Relieving some of these pressures would be of great assistance to frontline states, including strong U.S. allies such as Jordan, and could result in increased stability in the region. Resettlement is not the preferred solution for most refugees, the majority of whom dream of returning home, and if possible, prefer to stay in countries of first asylum while they wait. This was initially the case with Syrian refugees. However, with no end in sight to the conflict in Syria, and with conditions in Jordan worsening, more refugees are expressing interest in third country resettlement. As the interest in resettlement grows among refugees in Jordan, it is important that those who are interested are able to access basic information about what resettlement is, how the process works, and what refugees can expect in terms of the very limited number of resettlement opportunities and the timelines involved.

International Response: In response to the tremendous protection needs of Syrian refugees, the UN High Commissioner for Refugees, Antonio Guterres, has steadfastly called for increased international solidarity and responsibility-sharing, and as part of this response, has asked for more resettlement and humanitarian admissions opportunities to be made available by the international community to Syrian refugees. At the time of the publication of this report, with the participation of 26 countries, 57,878 pledges have been received since 2013, and 12,354 visas have been granted under other forms of humanitarian admission programs. In addition, 10,527 resettlement referrals have been submitted to the United States.[xiii] When examined in the context of the sheer magnitude of the Syrian refugee crisis, now reaching an estimated 3.9 million, the overall global resettlement response falls significantly short of the need, especially when traditional and non-traditional resettlement countries can do so much more.

U.S. Response: The United States is the world's leader when it comes to refugee resettlement, typically welcoming well over half of any given refugee group that is resettled. With expectations that the U.S. Refugee Admissions Program (USRAP) will receive up to 1,000 Syrian referrals a month, the United States is positioned to resettle more than half the Syrian referrals planned by UNHCR through 2016. This effort should be applauded, but more can and should be done. RCUSA believes that based on UNHCR's appeal for 130,000 resettlement and humanitarian admission slots for Syrians for 2014- 2016, the United States should resettle at least 50% of that number, 65,000, by 2016. Currently, UNHCR's capacity to make referrals of Syrian refugees in Jordan is at around 7,000 per year, and that is for submissions to all resettlement countries, not just the United States, thus additional support must be provided to UNHCR so that it can increase its resettlement operations capacity in the region if its resettlement goals are to be met.

Darfuri & Somali Refugees in Jordan

The United States should also look into the difficult situation of Sudanese Darfuri and Somali refugees in Jordan. With a short term assignment, one of the already established USRAP NGO partners could likely screen this caseload in Jordan in a short amount of time and with minimum expense. Such an endeavor could pay dividends in the quality of relationship with the Jordanian government and the general public's perception of refugees.

In 2014, the U.S. received 5,000 referrals from UNHCR Jordan. Initially, the cases seen in Jordan were primarily those of less educated farmers coming from Daara, the Syrian province closest to the Jordanian border. However, as the conflict in Syria progressed, the resettlement caseload began to include refugees from other parts of Syria and people who had been detained, protesters, torture survivors, journalists, and supporters of the Free Syrian Army (FSA) who were at risk due to their opposition to the Assad regime. In addition, it became increasingly difficult for refugees to escape, meaning that by the time refugees actually made it to Jordan, many had been internally displaced within Syria many times. The multiple displacements result in increased protection and assistance concerns.

Making the Syrian Resettlement Process More Efficient

Processing Time: While a lot of progress has been made in streamlining how the refugee admissions process functions, more work still needs to be done. Right now, it can take up to three years from the time of referral to the USRAP to the time of arrival in the United States. Since the start of the conflict in Syria in 2011, only slightly more than 500 Syrians have been resettled in the United States, and some of them were actually in the resettlement pipeline prior to 2011. Syrians entering the USRAP pipeline now will likely not be resettled until at least some time in 2017 or 2018. Even with a more streamlined process, for some extremely vulnerable Syrian refugees, the process simply cannot move quickly enough because they remain in danger in their countries of first asylum. In order to process these cases more efficiently, and in safety, RCUSA recommends the establishment of an Emergency Transit Center (ETC) in the region, which would allow UNHCR to move cases from danger to safety while they are processed.

Other referral opportunities: In order to make sure that the U.S. is receiving referrals for the most vulnerable cases in an efficient manner, the U.S. Syrian pipeline should not be entirely contingent upon UNHCR's referrals. The establishment of Syrian P2 group processing categories would reduce the burden on UNHCR and would expedite the processing of specific caseloads of humanitarian concern for the United States. The United States should also expand P3 family reunification opportunities to Syrians with family members who are not former refugees but are in legal status in the United States. RCUSA would also like to see the better utilization of NGO referrals, including referrals directly to the USRAP. NGOs in the

region are well positioned to identify the most vulnerable refugees in need of resettlement due to their daily work in refugee communities.

Impact of De-Prioritization: Another issue that must be addressed is that of the rigorous "de-prioritization" criteria that UNHCR is currently applying when considering resettlement referrals for Syrians in the region. Due to the size of the resettlement caseload and the relative lack of resettlement spaces available, UNHCR is "de-prioritizing" cases, including but not limited to single women headed households whose husbands are missing and most URMs. It is understood that the demands on UNHCR are great, but the de-prioritization process prevents many refugees who need resettlement from being referred. Given the extreme vulnerabilities of these groups and their limited options for local integration or return to Syria, RCUSA encourages UNHCR to continue its consideration of ways to expand the types of resettlement referrals it is making in order to ensure that the most vulnerable Syrian refugees are gaining access to resettlement programs.

Terrorism Related Inadmissibility Grounds (TRIG)

The delegation's time in Jordan and Egypt served as a stark reminder of the urgent need for the United States to finally fix its "Terrorism Related Inadmissibility Grounds, (TRIG)". Congress enacted legislation in 2001 that broadened the definition of what constitutes "terrorist activity." This definition includes activities that in reality have absolutely no relation to genuine terrorist activity.

With the net cast this wide, many refugees were, and continue to be, barred from entry into the United States as refugees, even though they have no connection whatsoever to terrorist activities. Some are actually innocent victims of designated terrorist organizations or other armed groups.

In 2007, Congress amended the legislation, and in doing so, gave the Administration the authority to grant TRIG exemptions to individuals who have no real connections to terrorism. On February 5, 2014, additional exemptions were announced, including exemptions that allow case by case review in cases involving certain routine commercial or social transactions, certain humanitarian assistance, substantial pressure that does not rise to the level of duress, and insignificant material support. The announcement of these exemptions was made more than a year ago, yet at the time of report publication, the actual guidance for these exemptions has yet to be issued.

The delegation heard repeatedly how useful the issuance of this long awaited guidance could be in helping to move forward cases that are currently not progressing due to TRIG restrictions. For example, it becomes impossible for Syrians living in towns taken over by FSA, or any other armed group, to avoid routine commercial transactions.

The delegation heard about the case of an electrician on TRIG hold because he changed a light bulb in a home owned by a member of the FSA. The delegation also heard of cases of individuals living in towns that are no longer under government control. Bread is typically subsidized by the government, so when the government is no longer providing that service, the FSA does. Money paid to the FSA to purchase bread could now be considered material support. Cases of people who were forced to pay the FSA to cross from Syria to Jordan are also on hold.

Egypt: Context and Analysis

Currently, there are 133,516 UNHCR registered Syrian refugees in Egypt and 70,000 non-Syrian refugees (Africans –primarily Sudanese, South Sudanese, Somalis, Eritreans and Ethiopians-and Iraqis). It is understood, from a purely numerical perspective, why much of the international response to the Syrian refugee crisis has focused on other countries of first asylum for Syrians. It is true that in the overall Syrian refugee context, Egypt hosts a fraction of the numbers that Lebanon, Turkey and Jordan host. However, from an international protection perspective, RCUSA believes that increased attention must be paid to the dire situation of refugees, for Syrians and non-Syrians, in Egypt.

Syrians were welcomed to some extent when they began to arrive in Egypt following the onset of conflict in Syria. They were able to easily enter the country and find relative security. However, in 2013, with changes in Egypt's political climate, the overall response to Syrians in Egypt shifted from one of tacit welcome to one laced with hostility and fear. When the regime of Mohammed Morsi fell, many Egyptians felt that Syrians in Egypt had supported him and the Muslim Brotherhood. As a result, the press published xenophobic pieces targeting Syrians, and the overall protection space for Syrian refugees became more tenuous. It was reported to the RCUSA delegation in Cairo that the tenor of national discourse about Syrians in Egypt has improved, but things have not returned to the way they were pre-2013. Also in the summer of 2013, Egypt began to impose visa restrictions on new arrivals, essentially closing the border to them.

Refugee Sewing Class
St. Andrews Refugee Services
Cairo, Egypt
Photo Credit: Paul Jeffrey

The Egyptian economy, for almost everyone, is unstable, but life for Syrian refugees is becoming increasingly difficult. Many arrived with financial savings, but after years of living in exile with no access to legal or regular work, their resources are now depleted. Ironically, just as more Syrians are in need of increased assistance, UNHCR's Egypt budget has been slashed by 25% for 2015, resulting in certain cuts in aid for vulnerable refugees. It is also worth noting that only 1.1% of UNHCR Egypt's budget is spent on "durable solutions," including resettlement, and that 52.7% of its budget is allocated for livelihoods, specifically financial assistance, since refugees are not able to legally work in Egypt. UNHCR is not alone in being forced to reduce assistance due to funding cuts. The WFP was previously providing $28 in food assistance per person, per month for 90,000 Syrians. With little advance warning, food assistance was cut to $17 per person for 85,000 Syrians, and it is reported that further cuts will be made in the spring of 2015. Furthermore, Syrians have not yet established community-based organizations and remain isolated from one another. The lack of community support mechanisms also presents a significant protection challenge.

Like other refugees in Egypt, Syrians also face regular harassment, exploitation, and sexual and gender-based violence. Finding safe and affordable housing is tremendously difficult, and many are forced to live in impoverished areas with little public transportation and extremely weak police protection. All of these challenges are compounded, particularly for African refugees, by the astounding levels of racism and discrimination refugees are forced to contend with in Cairo. The lack of legitimate police protection is a significant concern given the high number of refugees, especially women, who are robbed, beaten and harassed as they try to go about their daily lives. It should be noted that the inefficient police protection available to refugees is not merely due to limited police proximity to where refugees live and work. The RCUSA delegation heard throughout its time in Cairo that when refugees attempt to report crimes to the police, they are treated with disdain and find no security or assistance. So, while there are frequent attacks targeting refugees, there is essentially no legal recourse that refugees can take, and no provision of security measures available to them.

In addition, across the board, Syrian and non-Syrian refugees report that among their biggest concerns is the quality of health care in Cairo. Refugees are able to access universal primary health care for nominal fees, but the health care system is quite poor. Furthermore, additional challenges exist for those that need secondary care. NGOs are able to provide limited subsidies for refugees with significant medical issues, but the need certainly outweighs the limited resources available. One result of the extreme difficulties Syrians are facing in Egypt is an increase in the numbers who risk their lives leaving Egypt by boat in the hope of reaching safety in Europe. UNHCR reported that in 2014, 3,000 refugees were arrested while trying to leave Egypt via boat, with Syrians comprising 47% of the arrests. Untold numbers of Syrians and other refugees have died making this journey, but for many, the obstacles to life in Egypt are so great, leaving by boat is seen as a risk worth taking.

Syrian Perspectives

Two Syrian refugees shared their perspectives with the delegation about what life is like for Syrians in Cairo. They talked about how hard it is for Syrians to not be able to work legally in Egypt. They felt uncomfortable accepting help, and only wanted the opportunity to find regular and safe work. They also were very concerned about their children's access to education. They estimated that 50% of Syrian children in Cairo are not attending any school. In theory, Syrians are able to send their children to public schools, but in practice, that is quite difficult. The quality of the education they receive is believed to be quite poor, and they are frequently not treated well by other students and teachers. Most families now do not have enough money to send their kids to private schools, so as a response, some have established community schools for Syrians in which Syrian students can be taught by Syrian teachers. The Egyptian government has not sanctioned these schools though, and the refugees reported that at the end of 2014, Egyptian intelligence officers with guns burst into four Syrian community schools. Since then, many Syrian children have been too afraid to return.

One Syrian woman with whom the RCUSA delegation spoke shared concerns about how hard it is for Syrian women in Cairo. She explained that some were raped in Syria; some were raped in transit; and, some have been raped in Cairo. They are struggling with depression and social isolation, and even though Syrian women don't typically like to talk about these issues, it is well understood that many women are suffering. Interest in resettlement is growing for Syrians in Egypt, but they do not feel that they understand how resettlement works, and need more information. Both refugees wanted the delegation to understand that Syrians are a diverse people, and that prior to the onset of the conflict, they all lived peacefully together, and can do so again in resettlement countries. As one stated, they simply want to be able to contribute and "add new things to their new communities."

In addition, those facing particular protection concerns in Egypt include detained refugees, including those who attempted to enter Egypt with false documents or without visas, as well as those who attempted to leave Egypt by boat. Prior to 2013, Syrians in detention were given two options: either stay in migration detention or prison indefinitely or pick another country to enter. Progress has been made though, and after December 2013, 80% of detained Syrians, including those with family in Egypt, women and children, elderly refugees, and people for whom there are no security concerns, are released and given permission to stay in Egypt. In spite of this change, it was reported to RCUSA that some people detained after trying to get into Egypt without proper documentation have been sent back to Syria without the opportunity to seek international protection. These deportations are in clear violation of international law and must stop. Moreover, of those detained, one of the most vulnerable groups is Palestinians from Syria. They arrived without travel documents and cannot be sent to other countries. In particular, UNHCR and NGOs expressed grave concern about the plight of approximately 60 Palestinians from Syria who have been in detention since November 2014. Egypt is not an area of UNRWA operations and it falls under UNHCR's mandate as far as Palestinian refugees are concerned; however, the government of Egypt has not allowed UNHCR access to the detained Palestinians from Syria. The United States and other members of the international community should encourage the government of Egypt to release these detainees and to allow a durable solution to be found for them.

Resettlement from Egypt

Referrals and the need for an enhanced resettlement program: In 2014, UNHCR met its target of 2,000 referrals for Africans and Iraqis, combined, from Egypt and will use the same target in 2015. UNHCR also met its target of 1,500 Syrian referrals in 2014, and plans to increase that goal to 2,000 in 2015. Given the scope of the Syrian refugee crisis, the political and economic instability in Egypt, and the fundamental lack of local integration options for refugees in Egypt, RCUSA recommends that UNHCR increase its capacity to refer more resettlement cases, of Syrians and non-Syrians equally, out of Egypt. Syrians are becoming increasingly vulnerable, and the high levels of vulnerability for non-Syrian refugees in Egypt remain. A large scale resettlement program out of Egypt could provide a stabilizing influence to a profoundly unstable situation, and could also perhaps result in a decreased number of refugees who make desperate attempts to flee Egypt by boat. An infusion of additional resources should include increasing capacity to improve and expand UNHCR Egypt's refugee status determination (RSD) operations. It was reported to the delegation that the waiting period for RSD has now extended to 2020, clearly a major obstacle to resettling the most vulnerable in a timely manner.

A Woman from Africa (the specific country will not be identified for security reasons) met with some members of the RCUSA delegation. She explained that she arrived in Cairo several years ago after she married and converted to Christianity. It has been tremendously difficult for her to find a secure place for her family to live in Cairo. They have been forced to move frequently, and at the end of 2014, somebody with connections to her home country's embassy tried to abduct her from her home. Her neighbors pressure her to move, because they believe she is bringing problems to the building. Her daughter now must live with another family, because it is too dangerous to live with her parents. This woman works as a domestic helper in the home of an Egyptian family, and as with previous jobs in Cairo, she is exploited and not earning the salary she deserves. While this woman has found invaluable support from an NGO, in many ways, she is completely isolated. She reported what others also told RCUSA, that when she calls the UNHCR emergency line, nobody answers her call. She is afraid to report to UNHCR in person, because she is afraid that she will be followed, and she is uncomfortable telling her story at UNHCR because people from her country could also be there and hear what she is saying, which could place her in further jeopardy. In spite of these fears, with the assistance of an NGO, she has started the resettlement process, but knows that it could still be a very long wait until she is actually able to leave Egypt for safety in a new country. For this woman, return to her home country is impossible, as is local integration. She is living in real danger, and is in need of an expedited resettlement opportunity.

Need for increased transparency on the resettlement process: The RCUSA delegation also learned in Cairo about concerns held by refugees, and some of the NGOs that work with them, about how information regarding the resettlement process is shared, or not. The lack of transparency about how the referral process, in particular, works results in misunderstandings and frustrations, as well as concerns that the most vulnerable refugees, both Syrian and non-Syrian, are not being referred for resettlement. Many of these concerns are based on several factors, including UNHCR's prioritization of refugees who have been in Egypt for the longest amount of time, which may or may not address vulnerability concerns, as well as the de-prioritization process. Cases are ruled out if husbands are missing, or if a family member served in the Syrian military. The application of these considerations currently precludes referring very

vulnerable individuals and families for resettlement. UNHCR should take steps to better communicate with its NGO partners that have close ties with refugee communities about how referral decisions are made.

Expanded the role of NGO partners in the resettlement process: Due to UNHCR's stretched resettlement capacity in Egypt, resettlement processes could be improved if qualified NGOs were able to receive training and authorization to provide referrals directly to the USRAP. In addition, because NGOs that refer resettlement cases to UNHCR cannot refer directly to resettlement colleagues, and instead have to first refer the cases to protection or community service staff, the referral process in and of itself is quite slow. This process needs to be streamlined and expedited. However, even with the introduction of more efficiencies, the USRAP process will always be a slow one. As such, the protection issues that many refugees face while waiting to be resettled from Egypt, as well as in other neighboring countries, leave many in danger. UNHCR should therefore consider establishing an Emergency Transit Center (ETC) in the region so that the most vulnerable refugees can wait in safety while their cases are processed.

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[i] Strategic Nees Analysis Project, Regional Analysis, Home Countries, 1 October – 31 December 2014 (hereinafter SNAP Dec. 2014 Report); Norwegian Refugee Council and International Rescue Committee, No Escape, Nov. 2014 ("No Escape"); Human Rights First, The Syria Crisis and US Leadership, Nov. 2013.

[ii] Rana F. Sweis, Jordan's Open Door is Now Only Cracked, Leaving Syrian's Stranded, New York Times, Nov. 20, 2014, available at http://www.nytimes.com/2014/11/20/world/middleeast/jordans-open-door-is-now-only-cracked-leaving-syrians-stranded.html?_r=1; Rana F. Sweis, Stranded Syrian Refugees are allowed to Enter Jordan, New York Times, December 13, 2014, available at http://www.nytimes.com/2014/12/13/world/middleeast/stranded-syrian-refugees-are-allowed-to-enter-jordan.html?_r=0; SNAP Dec. 2014 Report.

[iii] Stranded Syrian Refugees are Allowed to Enter Jordan, New York Times, available at http://www.nytimes.com/2014/12/13/world/middleeast/stranded-syrian-refugees-are-allowed-to-enter-jordan.html?_r=0

[iv] SNAP Dec. 2014 Report; No Escape.

[v] UNHCR policy on Alternatives to Camps 2014: http://www.unhcr.org/5422b8f09.html

[vi] http://unhcr.org/jordan2014urbanreport/home-visit-report.pdf#_ga=1.167194684.309424064.1420352015

[vii] No Escape: Civilians in Syria struggle to find safety across borders – International Rescue Committee and Norwegian Refugee Council, p.14 -

[viii] "Living in the Shadows: Jordan Home Visits Report 2014" UNHCR, http://unhcr.org/jordan2014urbanreport/home-visit-report.pdf#_ga=1.167194684.309424064.1420352015

[ix] http://www.unhcr.org/54214cfe9.html

[x] Ibid.

[xi] http://www.irinnews.org/report/98180/amid-syrian-crisis-iraqi-refugees-in-jordan-forgotten

[xii] http://www.irinnews.org/report/98180/amid-syrian-crisis-iraqi-refugees-in-jordan-forgotten

[xiii] http://www.unhcr.org/52b2febafc5.pdf