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**Restricted Entry:**  
**Palestinian and Syrian Refugees**  
**Escaping the Syrian Civil War into Lebanon and Jordan**

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## Introduction

By the end of 2014, “an estimated 59.5 million individuals were forcibly displaced worldwide as a result of persecution, conflict, generalized violence, or human rights violations.”<sup>1</sup> According to the United Nations High Commissioner for Refugees (UNHCR), that year was characterized by “a continuation of multiple refugee crises, reaching levels unseen in the past decade.”<sup>2</sup> As the humanitarian costs of these complex emergency situations increase, some countries have revised existing policies by increasing the practical and legal restrictions on the entry of refugees. In some cases, regulations may differentiate between various refugee groups favouring or disadvantaging some on the basis of, for example, ethnicity, religion, national origin, or citizenship. One such case is that of refugees fleeing Syria as a result of the Syrian conflict.

Syria’s civil war pits Syrian President Bashar al-Assad’s troops against “a fragmented rebel movement”<sup>3</sup> that arose from anti-government protests<sup>4</sup> in 2011. Over time the war in Syria has become ever more brutal and destructive.<sup>5</sup> As one report notes, “the conflict is now more than just a battle between those for or against President al-Assad. It has acquired sectarian overtones, pitching the country’s Sunni majority against the president’s Shia Alawite sect, and [has] drawn in neighboring countries and world powers.”<sup>6</sup> Further, “secular moderates are now outnumbered by Islamists and jihadists, whose brutal tactics have caused widespread concern

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<sup>1</sup> UNHCR. “World at War.” *Global Trends Report* (2014): 2. Print.

<sup>2</sup> UNHCR. “War’s Human Cost.” *Global Trends Report* (2013): 4. Print.

<sup>3</sup> Jenkins, Brian Michael. “The Dynamics of Syria’s civil war.” *RAND Corporation* (2014): 1-23. Print.

<sup>4</sup> “Syria: the story of the conflict.” *BBC News*. Middle East. 12 March 2015. Web. Accessed 17 August 2015.

<sup>5</sup> “Syria: the story of the conflict.” *BBC News*. Middle East. 12 March 2015. Web. Accessed 17 August 2015.

<sup>6</sup> “Syria: the story of the conflict.” *BBC News*. Middle East. 12 March 2015. Web. Accessed 17 August 2015.

and triggered rebel infighting.”<sup>7</sup> The costs of the Syrian civil war have been devastating.<sup>8</sup> The war has killed over 200,000 people,<sup>9</sup> internally displaced 6.5 million people,<sup>10</sup> left over 12.2 million people in Syria in need of humanitarian aid,<sup>11</sup> and created over 4,089,023 refugees.<sup>12</sup>

Refugees from the Syrian conflict have fled to neighboring states Turkey, Lebanon, Jordan, Iraq, and further afield, to Egypt, Europe, and elsewhere.<sup>13</sup> Of the 1,196,296 refugees that have escaped to Lebanon, 3.7% are of Palestinian origin, and of the 628,427 refugees that left to Jordan, 2.4% are Palestinian.<sup>14</sup> These percentages show that the proportion of Palestinians entering these host countries (compared to Syrians) is similar. However, these percentages do not show that Palestinians fleeing the Syrian conflict may face significantly different legal and other obstacles to Syrians fleeing the Syrian conflict.<sup>15</sup> As Morrison suggests, “discriminatory treatment, indefinite detention, border closures, detention of minors, violence, xenophobic attitudes and *refoulement* characterize the current treatment of Palestinians from Syria in Jordan, Lebanon and Egypt as these countries continue to violate their obligations under International law” [*italics in original*].<sup>16</sup>

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<sup>7</sup> “Syria: the story of the conflict.” *BBC News*. Middle East. 12 March 2015. Web. Accessed 17 August 2015.

<sup>8</sup> On June 18<sup>th</sup> 2015 the UNHCR stated, the percentage of refugees from the Middle East is up 19 percent since early 2014. Specifically, “Syria’s ongoing war...has alone made the Middle East the world’s largest producer and host of forced displacement.” See “A world at war: world wide displacement hits all time high as war and persecution increase.” *UNHCR*, 18 June 2015. Web. Accessed 2 July 2015.

<sup>9</sup> “About the crisis.” *OCHA*. Syria crisis: regional overview. Web. Accessed 27 August 2015.

<sup>10</sup> “2015 UNHCR country operations profile- Syrian Arab Republic.” *UNHCR*. Syrian Arab Republic. Web. Accessed 27 August 2015.

<sup>11</sup> “About the crisis.” *OCHA*. Syria crisis: regional overview. Web. Accessed 27 August 2015.

<sup>12</sup> “Syria regional refugee response: inter agency information sharing portal.” *UNHCR*, 15 July 2015. Web. Accessed 27 August 2015.

<sup>13</sup> “Syria Regional Refugee Response.” *UNHCR*. 9 April 2015. Accessed 12 April 2015. <http://data.unhcr.org/syrianrefugees/regional.php>

<sup>14</sup> “Syria Crisis.” *UNRWA*. 12 April 2015. Date Accessed 12 April 2015. <http://www.unrwa.org/syria-crisis>

<sup>15</sup> “Syria Crisis.” *UNRWA*. 12 April 2015. Date Accessed 12 April 2015. <http://www.unrwa.org/syria-crisis>

<sup>16</sup> Morrison, Leah. “The vulnerability of Palestinian refugees from Syria. The Syria crisis, displacement and protection. *FMR* 47. September 2014. 41. Print.

Such border control policies pose an interesting but often neglected question: Why have Palestinian and Syrian refugees, who have experienced the same conditions that led to their collective displacement, been subjected to different treatments at the same border entry points throughout the Syrian conflict (to present day)? More generally, what sorts of factors might explain such differential treatment of refugees and asylum-seekers by potential host countries?

This research question is important to address for several reasons: First, as noted above, the Syrian civil war has become one of the great refugee crises of modern time, with repercussions both within the region and elsewhere. Second, the study will cast particular light on the factors shaping refugee policy in Jordan and Lebanon—two countries that have accepted the most refugees per capita in the entire world.<sup>17</sup> More broadly, this research will contribute to the general literature on refugee policy and forced migration.

### **Case Selection and Methodology**

This research paper will focus on Syrians and Palestinians fleeing the Syrian civil war into Lebanon and Jordan. These cases have been chosen for the following reasons.

First, Lebanon and Jordan hosted the first and second highest numbers of Syrian refugees, respectively, when refugees began fleeing the Syrian conflict to seek refuge in host countries.<sup>18</sup> According to the UNHCR, as of 28 March 2013, there were 1,000,000 displaced Syrians in Lebanon, 420,000 displaced Syrians in Jordan, and 400,000 displaced Syrians in Turkey.<sup>19</sup> However, the number, and type<sup>20</sup> of refugees accepted in these host countries have

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<sup>17</sup> McCarthy, Niall. "The countries with the more refugees per 1000 inhabitants [infographic]." *Forbes*. 18 June 2015. Web. Date Accessed 30 August 2015. <http://www.forbes.com/sites/niallmccarthy/2015/06/18/the-countries-with-the-most-refugees-per-1000-inhabitants-infographic/>

<sup>18</sup> "Regional analysis Syria." *UNHCR* (28 March 2013): 1-26. Print.

<sup>19</sup> "Regional analysis Syria." *UNHCR* (28 March 2013): 1-26. Print. In addition, the rest of the refugees are present regionally in Egypt and Iraq.

<sup>20</sup> As explained in the "Border Policies in Lebanon and Jordan" section below.

shifted throughout the escalation of the conflict. On 29 August 2015, the UNHCR reported that 1,113,941, 629,245, and 1,938,999 refugees displaced from Syria were present in Lebanon, Jordan and Turkey respectively.<sup>21</sup> Thus, the number of refugees from Syria has increased in all three countries to the extent that Turkey currently hosts the largest number of refugees from Syria. In addition, it is also worth mentioning that as of 2014 “Lebanon hosted the largest number of refugees in relation to its national population with 232 refugees per 1000 inhabitants. Jordan [with] 87 [refugees per 1000 inhabitants] ranked second.”<sup>22</sup> Although the numbers of refugees from Syria have fluctuated within these two countries’ borders, they still represent a great and urgent refugee predicament.

Second, this case has been chosen as it involves two refugee populations, Palestinians and Syrians, fleeing the exact same conflict at the exact same time, to the exact same host countries. However, potential host countries treat these refugees differently depending on whether they are Palestinian or Syrian. Other than their citizenship status, these two refugee groups are remarkably similar. Noura Erakat explains specifically,

... Syria affords the greatest amount of civil, economic, social, and cultural rights to their Palestinian refugee population. In 1956, Syria adopted Law 260 and granted Palestinians nearly the same rights as Syrian nationals, with the exception of the right to vote or participate in elections for the Syrian National Council or the Presidency. In October 1963, it adopted Law 1311 and granted Palestinian refugees travel documents. Notably, Palestinians do not need a re-entry permit to return to Syria...<sup>23</sup>

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<sup>21</sup> “Syria Regional Refugee Response.” *UNHCR*. 9 July 2015. Accessed 29 August 2015.  
<http://data.unhcr.org/syrianrefugees/regional.php>

<sup>22</sup> “UNHCR: global trends forced displacement in 2014: world at war.” *UNHCR* (2015): 2. Print.

<sup>23</sup> Erakat, Noura. “Palestinian refugees and the Syrian Uprising: filling the Protection gap during secondary forced displacement.” *International journal of refugee law* 26.4 (2014): 598. Print.

It is crucial to recognize that although Palestinians and Syrians have similarities, they are also different refugee groups with diverse refugee experiences. For instance, Palestinian refugees found refuge in Syria when escaping the 1948 Arab-Israeli war, and currently they are experiencing “secondary forced displacement”<sup>24</sup> as a result of the Syrian conflict.

Therefore, both groups constitute relevant subjects for this study given their similar experiences during their escape from Syria, in spite of their different refugee histories.

This research will be carried out by conducting a historical analysis of Lebanon and Jordan’s refugee policy as it applies to Palestinian and Syrian refugees prior to and during the Syrian conflict. The dependent variable will be the discriminatory refugee policies utilized by Lebanon and Jordan. The dependent variable will be measured by examining whether the Palestinian and Syrian refugees were allowed to cross the border or not, as well as examining the specific regulations and rules (such as visa, identification, payment requirements) necessitated by the host country. The independent variables will include: economic (analyzing the GDP strength of each host country prior to and during the Syrian conflict, as well as examining differences in employment, trade and investment rates in the host countries), institutional (the state capacities at the Lebanese and Jordanian borders, including: the number of security officers, the informal routes through which refugees can enter host countries, and the bureaucratic processes that refugees must endure in order to achieve temporary residency in the host country), security (evidence of violence perpetrated by refugees coming from the Syrian conflict, particularly, the number of reported security implications such as kidnappings and child soldier recruitment), foreign policy (an examination of the attitudes of the Jordanian and Lebanese governments towards the Syrian and Palestinian causes), domestic politics (an

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<sup>24</sup> This involves an additional wave of displacement to a population that has already endured one. See Erakat, Noura. “Palestinian refugees and the Syrian Uprising: filling the Protection gap during secondary forced displacement.” *International journal of refugee law* 26.4 (2014): 582. Print.

exploration of popular attitudes towards refugees, party politics and ethnic affinities in Lebanon and Jordan) and legal (an examination of Palestinian and Syrian refugees' abilities to return to their host country and their travel rights) factors.<sup>25</sup>

Primary and secondary sources will be used to conduct this study. Primary sources include official government statements, existing laws, and data from the UNHCR. Secondary sources include press accounts, and reports by human rights organizations.

This paper will be structured as follows: First, a historical analysis of border policies in Lebanon and Jordan will be given, specifically outlining the restrictions that were in place for both Palestinian and Syrian refugees escaping the Syrian conflict. The next section will identify, discuss and assess six major arguments in the literature and the extent to which they appear to explain Jordanian and Lebanese refugee policy towards Palestinian and Syrian refugees in the context of the civil war. Finally, the conclusion will explore some of the implications of this paper's findings.

### **Border Policies in Lebanon and Jordan**

As noted earlier, Jordan and Lebanon have implemented discriminatory policies with regards to the admission of Syrian nationals and Palestinian refugees fleeing the Syrian civil war.<sup>26</sup> In this section, I will examine these border policies in greater detail.

Lebanon, as noted above, hosts one of the largest refugee populations from the Syrian conflict. Thibos explains that one of the reasons for this large refugee population is that

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<sup>25</sup> These definitions were chosen based on their characterization in the literature review and analysis provided below.

<sup>26</sup> In fact, Jordan has previously discriminated against Palestinians fleeing the Iraq war, admitted large numbers of Iraqis but barring Palestinians, who for many years were forced to live in a barren camp on the Jordanian-Iraqi border until third countries could be found to take them. See Campbell, Elizabeth. H. "Palestinian refugees from Iraq in critical need of protection." *Middle East Institute*. 2 July 2008. Web. Accessed 31 August 2015.

Lebanon has kept its border entry points mostly open throughout the Syrian conflict, compared to Syria's other neighbors.<sup>27</sup> However, as the Syrian conflict enters its fourth year, Lebanon has enforced more restrictions on the Palestinian refugees from Syria in comparison to Syrian refugees. Since July 2013, the Lebanese government has also imposed existing border regulations more forcefully. These regulations do not merely involve passports and other identification documents being examined more carefully, but also refugees that are not believed to be seeking refuge due to *humanitarian need* only may be barred from entering the country.<sup>28</sup>

More specifically, as of early 2013, Lebanon has upheld a strict procedure for handling incoming Syrian refugees. Once a Syrian refugee approaches a Lebanese border and provides a valid passport or identification document, s/he receives an Entry Coupon (also called a Return Coupon) with an entry stamp. This stamp provides the Syrian refugee residency in Lebanon for 6 months, which could be renewed for another 6 months without any payment. After this 12-month period, Syrian refugees must renew their 6-month permit for USD 200, which could be renewed a second time for another USD 200.<sup>29</sup> Furthermore, Syrian refugees who have entered Lebanon through unofficial channels can attain a residency permit for USD 600.<sup>30</sup>

However, Lebanon's policies towards Palestinian refugees from Syria differ quite significantly from its entry criteria towards Syrian refugees escaping the same conflict. According to the UNHCR, as of 2013 there was evidence that some Palestinian refugees were being refused entry into Lebanon. However, the official policy imposed by Lebanon towards

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<sup>27</sup> Thibos, Cameron. "One million Syrians in Lebanon: a milestone quickly passed." *Migration policy center, European University Institute* 2014/03 (2104): 1. Print.

<sup>28</sup> UNHCR. Regional analysis Syria." *UNHCR* (28 March 2013): 8. Print.

<sup>29</sup> UNHCR. Regional analysis Syria." *UNHCR* (28 March 2013): 8-9. Print.

<sup>30</sup> UNHCR. Regional analysis Syria." *UNHCR* (28 March 2013): 9. Print.



the Palestinian refugees from Syria involved the provision of a 7-day transit visa as the Palestinian refugees enter the country for USD 17. Once that visa becomes outdated, they can attain an alternative visa valid for 3 months. However, as of June 2013 Palestinian refugees from Syria wishing to extend their stay in Lebanon must pay USD 200 in order to renew their 3-month visa for a one-year stay and longer.<sup>31</sup> As of 2014, however, Palestinian refugees will only be permitted to attain a residency for a 3-month period, without the opportunity to renew it. This means that many Palestinian refugees from Syria are presumed to have expired legal status documents since April 2015 and beyond. Therefore, they have been restricted from crossing the border into Lebanon. In addition Palestinian refugees in Lebanon have faced limited mobility and exposure to vulnerable living conditions.<sup>32</sup> Therefore, the policies implemented by Lebanon towards Palestinians have been greatly exclusionary in comparison to Syrian refugees escaping similar conditions in the Syrian conflict.

Jordan's entry restrictions towards Palestinian refugees have also been highly discriminatory in comparison to Syrian refugees. In 2013 Amnesty International reported that although the Jordanian government states that its borders are open, there are four groups of people that are generally restricted from entry into Jordan: Palestinian refugees arriving from Syria, individual men that cannot demonstrate that they have any familial ties within Jordan, people who do not have any identification documentation and Iraqi refugees escaping the Syrian conflict.<sup>33</sup> In fact, the Amnesty International report explains, as a result of these restrictions (in addition to insurgent and counterinsurgent activity occurring at its border), thousands of displaced people have remained and continue to reside at the Jordanian border.<sup>34</sup>

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<sup>31</sup> UNHCR. Regional analysis Syria." *UNHCR* (28 March 2013): 9. Print.

<sup>32</sup> "Syria regional crisis: emergency appeal 2015." *UNRWA* (2014): 15. Print.

<sup>33</sup> "Growing restrictions, tough conditions: the plight of those fleeing Syria in Jordan." *Amnesty International*. (2013): 10. Print.

<sup>34</sup> "Growing restrictions, tough conditions: the plight of those fleeing Syria in Jordan." *Amnesty International*. (2013): 10. Print.

Jordan's policies towards Syrian refugees have fluctuated throughout the Syrian war. Since the beginning of the Syrian conflict, Jordan has allowed Syrian refugees to enter on a humanitarian basis.<sup>35</sup> However, as of 20 May 2013, there has been evidence that Jordan has put into practice an "unannounced border closure policy," a direct response to the violent conflicts taking place at Jordan's borders.<sup>36</sup> Further, throughout 2014 the rate of entry of Syrian refugees had only increased by 8.15% as compared to the 393.5% upsurge in 2013,<sup>37</sup> mainly due to higher restrictions being implemented by the Jordanian government. In addition, there has been evidence of refugee refoulement made by the Jordanian government towards Syrian refugees, where they were returned to the country from which they have fled.<sup>38</sup> The Jordanian government's actions, however, have stood in contrast to its public statements on policies towards incoming refugees. In October 2014 Mohammed Momani, Jordan's Information minister stated, "there is no change in our open-border policy... Those who are injured, women and children continue to cross."<sup>39</sup>

Alternatively, Jordan's policies towards Palestinian refugees have remained static throughout the course of the Syrian conflict. Even prior to the formal enforcement of such a policy in January 2013, there was evidence of Palestinians being prevented from entering

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<sup>35</sup> Achilli, Luigi. "Syrian refugees in Jordan: a reality check." *Migration policy center European university institute* 2015/02 (2015): 3. Print. Further, this sources acknowledges: However, very little has been reported concerning the specific requirements made by the Jordanian government for the Syrian refugees.

<sup>36</sup> "Growing restrictions, tough conditions: the plight of those fleeing Syria in Jordan." *Amnesty International*. (2013): 11. Print.

<sup>37</sup> "Syria Regional Refugee Response." *UNHCR*. 9 July 2015. Accessed 2 July 2015. <http://data.unhcr.org/syrianrefugees/country.php?id=107>

<sup>38</sup> Achilli, Luigi. "Syrian refugees in Jordan: a reality check." *Migration policy center European university institute* 2015/02 (2015): 4. Print.

<sup>39</sup> Sweis, Rana F. "No Syrians are allowed into Jordan, agencies say." *The New York Times*. Middle East. 8 October 2014. Web. Accessed 29 July 2015.

Jordan from Syria.<sup>40</sup> Since May 2012, there have been several cases of refoulement reported.<sup>41</sup> This has led to many Palestinian refugees from Syria fearing such returns to Syria or detentions.<sup>42</sup> In 2014, there were 111 refoulement incidents reported.<sup>43</sup> The only Palestinians who are allowed to cross the border into Jordan include those that have Jordanian residential permits.<sup>44</sup> As a result, the “Palestinians who have made it to Jordan from Syria, unlike Syrian refugees, face an ongoing risk of refoulement and live in great uncertainty.”<sup>45</sup>

## Review of Literature and Analysis

Refuge policy has always been shaped by a tension between humanitarian values—reflected in the *1951 Convention Relating to the Status of Refugees* and the international refugee regime that has grown up around it—and states’ perception of their narrow national interests. As Goodwin-Gill notes, refugee policies can never “be entirely non-political.”<sup>46</sup> States thus interpret the 1951 Convention in different ways, and merely

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<sup>40</sup> “Growing restrictions, tough conditions: the plight of those fleeing Syria in Jordan.” *Amnesty International*. (2013): 10. Print.

<sup>41</sup> Refoulement is illegal under Article 33 of the 1951 Geneva Convention. See “Text of the 1951 Convention relating to the status of refugees.” *Convention and protocol relating to the status of refugees UNHCR*. 1951. 30. Print.

<sup>42</sup> “Growing restrictions, tough conditions: the plight of those fleeing Syria in Jordan.” *Amnesty International*. (2013): 10. Print.

<sup>43</sup> “Syria regional crisis: emergency appeal 2015.” *UNRWA* (2014): 21. Print.

<sup>44</sup> “Syria regional crisis: emergency appeal 2015.” *UNRWA* (2014): 21. Print. This resource also explains, “small numbers of Palestinian refugees fleeing the in Syria continue to cross into the country, many through irregular and unsafe routes.”

<sup>45</sup> “Syria regional crisis: emergency appeal 2015.” *UNRWA* (2014): 21. Print.

<sup>46</sup> Cooper, Hannah. “prospects for the governance of refugee protection: exploring the effect of an unbalanced level of asylum recognition rates amongst European countries.” *Migration studies unit working papers at London School of Economics* 2011/10 (2011): 26-7. Print.

signing the Convention certainly does not guarantee a state will, in practice, fully implement its requirements and values.<sup>47</sup> Cooper—in agreement with others<sup>48</sup>— notes:

There is a considerable amount of evidence that, since the 1990s, there has been a shift “from asylum to containment,” whereby Western states have largely adopted a narrow interpretation of the Refugee Convention and thus limited the protection offered to refugees, resulting in claims that “non-compliance with international treaty obligations for refugees is becoming something of a global norm.”<sup>49</sup>

This tension between norms embodied in international law and the realities of state practice has been a major focus of scholars. Less attention has been devoted to exploring policy variation within a single receiving country—the focus of this paper. A review of the literature on state refugee policy does point to six main sets of determining factors that seem likely to influence differential treatment of refugees: economic, institutional, security, foreign policy, domestic politics, and legal.<sup>50</sup>

In the sections below, each of these perspectives will be examined in turn. Following a general discussion, an assessment will be offered of the extent to which each of these seems to be a major determinant of the differential treatment of Syrian and Palestinian-origin refugees fleeing the Syrian conflict by Jordan and Lebanon.

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<sup>47</sup> Cooper, Hannah. “prospects for the governance of refugee protection: exploring the effect of an unbalanced level of asylum recognition rates amongst European countries.” *Migration studies unit working papers at London School of Economics* 2011/10 (2011): 26-7. Print.

<sup>48</sup> Loescher et al (2008), Steiner (2000) and Suhrke (1998) As seen in Cooper, Hannah. “prospects for the governance of refugee protection: exploring the effect of an unbalanced level of asylum recognition rates amongst European countries.” *Migration studies unit working papers at London School of Economics* 2011/10 (2011): 1-50. Print.

<sup>49</sup> Cooper, Hannah. “prospects for the governance of refugee protection: exploring the effect of an unbalanced level of asylum recognition rates amongst European countries.” *Migration studies unit working papers at London School of Economics* 2011/10 (2011): 2. Print.

<sup>50</sup> It is also important to recognize that there is no one specific cause or reason for why states accept or reject refugees.

## *Economic Explanation*

From an economic perspective, hosting refugees can involve a significant financial and fiscal burden, and for this reason host countries may move to regulate or prohibit their admission.<sup>51</sup> As one World Bank report notes, “the majority of the world’s refugees (75.19%) are hosted in countries sharing land or maritime borders with the country of origin. Of the bordering countries, the largest percentage of refugees is found in non-fragile, non-OECD lower middle-income countries.”<sup>52</sup> In addition, over 5.9 million refugees under UNHCR’s mandate (42%) live in states in which the GDP per capita is lower than USD 5,000.<sup>53</sup> These statistics show that refugee-receiving countries tend to face serious economic challenges.

However, not all refugees have negative economic impacts on the host country. The World Bank also emphasizes, “skills and knowledge... can be utilized for the benefit of the local people... [as well as the] contribution of refugees to local economies... associated with their access to transnational resources provided by other refugees and co-nationals living abroad, including remittances and social networks”<sup>54</sup> An example of this includes the benefits of remittances being sent from Somali family members to their refugee relatives abroad.<sup>55</sup>

However, in other cases the effect of refugee entry may be more clearly negative. In Malawi, for example, the influx of refugees both adversely affected “capital investment in the social and infrastructure sectors”<sup>56</sup> and created complaints of local business competition

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<sup>51</sup> The Hashemite Kingdom of Jordan. “Needs Assessment review of the impact of the Syrian crisis on Jordan.” The Hashemite Kingdom of Jordan: *Ministry of planning and international cooperation*. (2013): 1-14. Print.

<sup>52</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 3. Print.

<sup>53</sup> “UNHCR: global trends forced displacement in 2014: world at war.” *UNHCR* (2015): 2. Print.

<sup>54</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 8. Print.

<sup>55</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 8. Print.

<sup>56</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 6. Print.

leading to threats to close down the Dzaleka refugee camp.<sup>57</sup> Recognizing this general challenge faced by host countries like Malawi, the World Bank has noted that economic aid packages developed by the UNHCR were needed to respond to these economic strains.<sup>58</sup>

It is also worth recognizing that environmental pressures resulting from the large number of refugees present significant concerns to host communities. For instance, “the most evident environmental impacts can include: (i) deforestation and firewood depletion, (ii) land degradation, (iii) unsustainable groundwater extraction, and (iv) water pollution.”<sup>59</sup> In these contexts, refugees are usually held responsible for the negative outcomes of their presence in host countries.<sup>60</sup> Thomas Hoerz notes, “an often underestimated effect of refugee influxes is the depletion of fall back resources, essential foodstuffs gathered from the bush to supplement refugee rations and inadequate farm supplies for the local population.”<sup>61</sup>

The economic and environmental impacts that entering and residing refugees have on host countries may depend on various host country characteristics. Richard Black explains,

The level of impact may relate more to the overall population density in relation to pressure on resources and problems of waste disposal. Any impact will be affected by the distribution of this population at a local level, the type of economy in the region as a whole and the level of resource available. At the same time, it may be the case that pressure of population on resources does not work in a linear

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<sup>57</sup> Masina, Lameck. “Malawi President considers closing refugee camp.” *Voice of America*. December 1 2012. Accessed May 5 2015. <http://www.voanews.com/content/malawi-president-considers-closing-refugee-camp/1556655.html>

<sup>58</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 6. Print.

<sup>59</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 14. Print.

<sup>60</sup> Martin, Adrien. “Environmental conflict between refugee and host communities.” *Journal of Peace Research* 42.3 (2005): 332-3. Print.

<sup>61</sup> Hoerz, Thomas. “refugees and host environments: a review of current and related literature.” *GTZ* (1995): 8. Print.

fashion, but displays crucial threshold levels, beyond which any environmental impact may be magnified...<sup>62</sup>

In some instances, many refugees live in areas that are unsustainable due to infertile land or they may be home to “endangered natural habitats.”<sup>63</sup> However, in other instances, moving to areas that do not house many local residents may be a viable option as these areas can be used to cultivate land and create prosperous agricultural economies.<sup>64</sup> For example, in Swaziland the selling of natural resources by refugees in the land where they reside has been viewed as a beneficial way to fiscally manage these natural resources.<sup>65</sup>

Moreover, the economic impact of refugees on host countries can become more problematic as many host countries face existing financial burdens. Richard Black explains that it is important to examine the environmental atmosphere of the host country prior to the entry of refugees in order to assess and account for the environmental degradation that is caused by their entry and stay. For instance, in Somalia, Young shows that “‘a great deal of vegetational degradation had occurred before the refugees had arrived,’ whilst, in Pakistan, Spooner suggests that some refugee-affected areas have been in their current ‘degraded’ state for over a century.”<sup>66</sup> Thus, these economic impacts greatly affect host countries’ future development.

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<sup>62</sup> Black, Richard. “Forced migration and environmental change: the impact of refugees on host environments.” *Journal of environmental management* 42 (1994): 266. Print.

<sup>63</sup> Black, Richard. “Forced migration and environmental change: the impact of refugees on host environments.” *Journal of environmental management* 42 (1994): 267. Print.

<sup>64</sup> Black, Richard. “Forced migration and environmental change: the impact of refugees on host environments.” *Journal of environmental management* 42 (1994): 266-7. Print.

<sup>65</sup> Black, Richard. “Forced migration and environmental change: the impact of refugees on host environments.” *Journal of environmental management* 42 (1994): 267-8. Print.

<sup>66</sup> Black, Richard. “Forced migration and environmental change: the impact of refugees on host environments.” *Journal of environmental management* 42 (1994): 267-8. Print.

This economic perspective would appear to be relevant for both Lebanon and Jordan given that their economies have been deeply affected by the movement of refugees across their borders.<sup>67</sup> The economies of both Lebanon and Jordan have come under severe strain due to the increasing amount of refugee inflows from the Syrian conflict. In fact, before the outbreak of the Syrian crisis, both the IMF and the World Bank were expecting Lebanon's real GDP growth to be in the 4 to 4.5% range during the 2012-14 period.<sup>68</sup> A World Bank report has shown that the GDP growth rates in Lebanon have declined by 2.9% annually since the beginning of the conflict, which would amount to a total cost of \$7.5 billion by 2015.<sup>69</sup> Moreover, levels of "consumer spending, trade, profits and investment"<sup>70</sup> in Lebanon have lowered. In addition, "overcrowded schools and health facilities, and the deterioration in water, sanitation and other infrastructures will require an additional \$2.5 billion just to be restored to their pre-Syria crisis levels."<sup>71</sup>

Meanwhile, according to the Ministry of Finance in Jordan and USAID, the Jordanian economy would require 2.4% or \$871 million of its GDP to accommodate refugees by the end of 2014.<sup>72</sup> For Jordan's Ministry of Planning and International Cooperation, the Hashemite Kingdom had to forgo spending in the form of capital investment in the country as current

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<sup>67</sup> "Lebanon: Economic and social impact assessment of the Syrian conflict." *The World Bank* (2013): 1. Print.

<sup>68</sup> "Lebanon: Economic and social impact assessment of the Syrian conflict." *The World Bank* (2013): 37. Print.

<sup>69</sup> Rami Khouri, et al. "The Syrian refugee crisis and the contiguous state." *Boston University Institute for Iraqi Studies*. (2014): 20.

<sup>70</sup> Norwegian Refugee Council. "No escape: Civilians in Syria struggle to find safety across borders." (2014): 6.

<sup>71</sup> In addition, Jordanians, as well as the Lebanese, fear both the worrisome health care situation (for instance, Adrien Edwards, a spokesperson for the UNHCR describes, various health services such as "preventive services, chronic disease treatment and expensive referral care are not sufficiently provided at a cost that refugees... can afford") and the lack of other social services in the refugee camps becoming rampant. The transferrable health risks that are left untreated may not only spread across refugee camps but also into Jordanian and Lebanese society at large. See Malchow, Niklas and Oehring, Otmar. "The Syrian conflict and its impact on Jordan." *Regional Center on Conflict Prevention* (2013): 7. Print See Norwegian Refugee Council. "No escape: Civilians in Syria struggle to find safety across borders." (2014): 6.

<sup>72</sup> Norwegian Refugee Council. "No escape: Civilians in Syria struggle to find safety across borders." (2014): 6.



spending was linked to the Syrian refugees.<sup>73</sup> Additionally, Jordan's economy has been affected by the increase in Syrian refugee employment depriving the already underprivileged Jordanians of their occupations, and has created "increase[d] Syrian labor market activity [that] has put downward pressure on wages in the informal private sector."<sup>74</sup> As a result, the employment marketplace has shifted into a "cycle of low wage/low skill/low productivity."<sup>75</sup>

However, while the economic perspective explains why the host country restricts the *number* of refugees allowed admission, it does not explain different entry policies chosen in admitting Syrian and Palestinian refugees. On the contrary, if the economic factor determined Lebanon and Jordan's refugee policies, then Syrian and Palestinian refugees would be treated similarly.

### *Institutional Explanation*

The institutional perspective suggests that refugee policy is driven by whether a state has the actual capacity to regulate the number of refugees crossing its borders.<sup>76</sup> Such capacity would include both the number of security officers stationed at the borders, as well as the bureaucratic processes set in place to allow refugees in or out of the country. Borders are significant due to the fact that "in a sovereign state system they are legal markers of authority."<sup>77</sup>

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<sup>73</sup> Ministry of Planning and International Cooperation of The Hashemite Kingdom of Jordan. "Needs Assessment review of the impact of the Syrian crisis on Jordan." (2013): 1.

<sup>74</sup> Ministry of Planning and International Cooperation of The Hashemite Kingdom of Jordan. "Needs Assessment review of the impact of the Syrian crisis on Jordan." (2013): 3.

<sup>75</sup> Aljuni, Salem and Mary Kavar. "The impact of the Syrian refugee crisis on the labour market in Jordan: a preliminary analysis." *International Labour Organization*. (2014): 10.

<sup>76</sup> El-Meehy, Asya. "Regional dynamics of refugee flows: the case of Iran." *Persistent Permeability? Regionalism, Localism, and globalization in the Middle East*. Ed. Bassel F. Salloukh and Rex Brynen. Burlington: Ashgate, 2004. 103-19. Print.

<sup>77</sup> Long, Katy. "No entry! A review of UNHCR's response to border closures in situations of mass refugee influx." *UNHCR policy development and evaluation service*. (2010): 3. Print.

The capacity to control a state's borders depends on specific state characteristics. First, "it is weak and poor states that tend to resort to formal, physical border closures. Strong and rich states have a range of policy options which, in the post-Cold War period, have been employed to effectively close their borders to asylum seekers, even while they remain theoretically open to receiving refugees."<sup>78</sup> For instance, Western states have used mechanisms that prevent the entry of refugees into their territories even before they reach the borders. These include the magnified use of visas, and large monetary costs that must be paid for the vehicles that transport refugees.<sup>79</sup> Second, developed states with efficient administrative systems "are simply less crude in the methods they employ to circumvent asylum seekers' rights, able to manipulate rather than close borders."<sup>80</sup> However, as Long shows, there is strong evidence to suggest that Western states usually aim to strengthen and protect their borders from refugee entry, and Southern states' objective to merely forbid the entry of asylum seekers at their borders.<sup>81</sup>

States may accept large numbers of refugees, not due to their preference, but because they lack the capacity to reduce refugee flow in any meaningful way.<sup>82</sup> For example, Asya El-Meehy explains, Iran's treatment of Afghan and Azerbaijani refugees was similar; however, it was the "character of Iran's institutions and their autonomy from international actors [that]

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<sup>78</sup> Long, Katy. "No entry! A review of UNHCR's response to border closures in situations of mass refugee influx." *UNHCR policy development and evaluation service*. (2010): 3. Print.

<sup>79</sup> Long, Katy. "No entry! A review of UNHCR's response to border closures in situations of mass refugee influx." *UNHCR policy development and evaluation service*. (2010): 3. Print.

<sup>80</sup> Long, Katy. "No entry! A review of UNHCR's response to border closures in situations of mass refugee influx." *UNHCR policy development and evaluation service*. (2010): 3. Print.

<sup>81</sup> Long, Katy. "No entry! A review of UNHCR's response to border closures in situations of mass refugee influx." *UNHCR policy development and evaluation service*. (2010): 3-4. Print.

<sup>82</sup> El-Meehy, Asya. "Regional dynamics of refugee flows: the case of Iran." *Persistent Permeability? Regionalism, Localism, and globalization in the Middle East*. Ed. Bassel F. Salloukh and Rex Brynen. Burlington: Ashgate, 2004. 109. Print.

were found to have contributed to the state's ability to regulate refugee influxes."<sup>83</sup> Thus, a state's will to restrict the entry of refugees is dependent on the state's capacity to enforce such policies.

An example of the precise mechanisms implemented by host states to restrict the entry of refugees involves the current European refugee crisis. Having seen over 219,000 refugees and other migrants cross the Mediterranean, and the loss of over 3,500 lives in 2014, European countries have not only increased spending on an EU project called Triton aimed at "patrolling within 20 nautical miles of the Italian coast," they have also increased the number of maritime patrols to disrupt the entry of refugees arriving across the Mediterranean.<sup>84</sup> However, some European countries receive more refugees than others due to institutional factors. Germany, for example, receives the "largest number of asylum applications" <sup>85</sup> in Europe in large part because institutional arrangements within the "Schengen Area" of the EU prevent countries from imposing border controls.<sup>86</sup>

While Syria's neighbors share some entry regulations, they differ in how well they implement them.

For example, they have introduced policies that prevent refugees who have travelled back to Syria from re-entering. They also often deny entry to asylum seekers who do not have identity documents...Despite [these restrictions they] continue to grant

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<sup>83</sup> El-Meehy, Asya. "Regional dynamics of refugee flows: the case of Iran." *Persistent Permeability? Regionalism, Localism, and globalization in the Middle East*. Ed. Bassel F. Salloukh and Rex Brynen. Burlington: Ashgate, 2004. 118. Print.

<sup>84</sup> Laurence, Peter. "Why is EU struggling with migrants and asylum?" *BBC news*. Europe. 19 August 2015. Web. Accessed 28 August 2015.

<sup>85</sup> "2015 UNHCR sub regional operations profile-Northern, Western, Central and Southern Europe." *UNHCR*. Germany. Web. Accessed 28 August 2015.

<sup>86</sup> 2015 UNHCR sub regional operations profile-Northern, Western, Central and Southern Europe." *UNHCR*. Germany. Web. Accessed 28 August 2015.

defined exemptions that permit entry, for example to those requiring urgent medical care.<sup>87</sup>

However, since the onset of the Syrian conflict the Lebanese have faced challenges in implementing an effective supervision mechanism used to record the number and type of refugees crossing its borders.<sup>88</sup> One report explains, "...limited capacity, dearth of resources and lack of expertise help explain Beirut's tardiness in addressing a predictable crisis..."<sup>89</sup> Ninette Kelley, the representative of the UNHCR in Lebanon stated, "initially the government jointly registered Syrian refugees with UNHCR through its High Relief Commission. It stopped in 2011 as the numbers became larger due to insufficient capacity" and that it had operated once again in January 2013.<sup>90</sup> Further, as of late 2013, there has been an increase in the number of "ad hoc and temporary official checkpoints in El Bireh and Halba regions" in the aftermath of a bombing attack in Tripoli.<sup>91</sup> Nevertheless, it has been reported that although there are four official borders, various areas of the borders have been used by the refugees unofficially for crossings, and the importing of products and weaponry. In fact, the isolated nature of various natural and rocky portions of the Lebanese border with Syria has been increasingly helpful for factions involved in trafficking.<sup>92</sup>

Jordan, however, adopts heavy surveillance and control mechanisms at its borders. Although the Western region in Jordan has two official borders with Syria, Dar'a/Ramtha and

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<sup>87</sup> Norwegian Refugee Council. "No escape: Civilians in Syria struggle to find safety across borders." (2014): 9. Print.

<sup>88</sup> "Too close for comfort: Syrians in Lebanon." *International crisis group*. Middle East report. 141 (2013): 6. Print.

<sup>89</sup> "Too close for comfort: Syrians in Lebanon." *International crisis group*. Middle East report. 141 (2013): 5. Print.

<sup>90</sup> "Lebanon asks for \$180 million to aid Syrian refugees." *Reuters*. Reuters World. 4 January 2013. Web. Accessed 16 June 2015.

<sup>91</sup> "The consequences of limited legal status for Syrian refugees in Lebanon." *Norwegian refugee council*. (2014): 15. Print.

<sup>92</sup> "Syrian border crossings." Syria needs analysis project. *Map Action*. (2013). Print.

Naseeb/Jaber, the Syrian sides are under the Syrian Government's jurisdiction. The central area in Jordan, specifically bordering the As-Sweida governorate, does not receive many refugees as the Syrian Government maintains a strong hold over its side of the border, controlling entries and exits. Due to this many refugees use eastern routes to cross into Jordan unofficially. However, these unofficial routes are under heavy surveillance by the Jordanian Armed Forces.<sup>93</sup> Overall, the Jordanian side of the Jordan-Syria border is "militarized, particularly in the western areas bordering Dar'a governorate, while the eastern border, which is predominantly desert, is secured by regular patrols rather than large military positions."<sup>94</sup>

Whilst the institutional perspective might explain overall refugee flow, the lack of institutional capabilities certainly does not explain the discriminatory policies. On the contrary, discrimination only occurs when the state has some institutional capacity to differentiate between categories of refugees, accepting some and turning back others. As seen in the earlier discussion of Jordanian and Lebanese policy, both countries have at least some capacity to influence the number of refugees crossing their borders.

### *Security Explanation*

The security perspective highlights threats that various refugee groups might pose to a host country and community.<sup>95</sup> The question of refugee admission and asylum thus becomes securitized, "transferring [the issue] from the sphere of normal politics to that of the politics of

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<sup>93</sup> "Syrian border crossings." Syria needs analysis project. *Map Action*. (2013). Print.

<sup>94</sup> "Syrian border crossings." Syria needs analysis project. *Map Action*. (2013). Print.

<sup>95</sup>

threat, urgency and survival,”<sup>96</sup> and suggesting that it must be dealt with by “suspending ordinary procedures and rules by which action would otherwise be bound.”<sup>97</sup> Protracted refugee situations may be particularly likely to raise such concerns.<sup>98</sup>

Direct security threats to host countries resulting from refugee influxes, specifically linking the emergence of “refugee warriors” or “armed groups of exile” and the spillover of war into the host state, constitute the strongest connection between refugees and host country struggles.<sup>99</sup> Other possible security threats include the crossing of fugitives and rising rates of law-breaking behavior, as well as a higher probability of conflict between various states (the refugee-sending and refugee-receiving state, for instance).<sup>100</sup> Salehyan and Gleditsch note that, “refugee flows are one of the mechanisms underlying the observed diffusion or spillover effects in civil war outbreaks.”<sup>101</sup> One example includes the incitement of conflict in Macedonia due to the presence of Kosovar refugees in 1999.<sup>102</sup> Additionally, Lishcer sheds light on what she calls a “second category of refugees... that flee as a result of direct persecution or oppression by violent actors that target them for ethnic, religious or political reasons. The experiences of these persecuted refugees can generate a degree of political

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<sup>96</sup> Hammerstad, Anne. “Securitization from below: the relationship between immigration and foreign policy in South Africa’s approach to the Zimbabwe crisis.” *Conflict, Security and Development* 12.1 (2012): 4. Print.

<sup>97</sup> Hammerstad, Anne. “Securitization from below: the relationship between immigration and foreign policy in South Africa’s approach to the Zimbabwe crisis.” *Conflict, Security and Development* 12.1 (2012): 5. Print.

<sup>98</sup> Loescher, Gil and James Milner. “Protracted refugee situations and state and regional insecurity.” *Conflict, security and development* 4.1 (2004): 4. Print.

<sup>99</sup> Loescher, Gil and James Milner. “Protracted refugee situations and state and regional insecurity.” *Conflict, security and development* 4.1 (2004): 11. Print.

<sup>100</sup> Walton, Oliver. “Preventing conflict between refugees and host communities.” *Governance and social development resource centre*. (2012): 2.

<sup>101</sup> Saleyan, Idean and Kristian Skrede Gleditsch. “Refugee flows and the spread of civil war.” *International Organization* 60.02 (2006): 360.

<sup>102</sup> Krcmaric, Daniel. “refugee flows, ethnic power relations and the spread of conflict.” *Security studies* 23.1 (2014): 196-8. Print.

cohesion that could lend itself to militarization” in host countries.<sup>103</sup> A recent example of this perspective includes calls in Kenya to close or move Somali refugee camps in the wake of the Garissa University College attacks by the Somali belligerent group, Al-Shabaab.<sup>104</sup>

Indirect security concerns due to the movement of refugee influxes across host country borders “may arise when the presence of refugees exacerbates previously existing inter-communal tensions in the host country, shifts the balance of power between communities, or causes grievances among local populations...when refugees compete with local populations for jobs and social services.”<sup>105</sup> Loescher and Milner argue however, “refugees alone are a necessary but not a sufficient cause of host state insecurity.”<sup>106</sup> Rather, state insecurity arises when refugees enter an already insecure environment (or one that is prone to becoming insecure), leading to the “securitization” of the refugees’ presence.<sup>107</sup> For example, in a World Bank report, Salehyan and Gleditsch list three possible scenarios that can cause refugees to (further) weaken a host state.<sup>108</sup> First, the enlargement of rebel communal systems and the dispersal of violent activities can be found at refugee camps. When located

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<sup>103</sup> Doar, Kira and Joseph Krauss. “Return to Fatahland? Syria’s refugees in Lebanon’s conflict.” *IMES* Capstone paper series. (2013): 6. In fact, however, Doar and Krauss challenge this assumption by arguing that the refugees that have escaped are mostly women and children, who have been attempting to flee the fighting, and the “predominantly civilian nature of certain refugees does not fit the ‘State in Exile Model’ which includes refugees that are loyal to a living leadership, and are willing to engage in armed resistance to create “regime change in the sending state.” Therefore, such examples of the spillover of violence from civil conflicts may not apply to certain regional situations or particular conflicts.

<sup>104</sup> Cumming-Bruce, Nick. “U.N. asks Kenya not to close Somali refugee camp in wake of Garissa killings.” *The New York Times*. 14 April 2015. Accessed 6 May 2015. <http://www.nytimes.com/2015/04/15/world/africa/un-asks-kenya-not-to-close-somali-refugee-camp-in-wake-of-garissa-killings.html>

<sup>105</sup> Loescher, Gil and James Milner. “Protracted refugee situations and state and regional insecurity.” *Conflict, security and development* 4.1 (2004): 12. Print.

<sup>106</sup> Loescher, Gil and James Milner. “Protracted refugee situations and state and regional insecurity.” *Conflict, security and development* 4.1 (2004): 12. Print.

<sup>107</sup> Loescher, Gil and James Milner. “Protracted refugee situations and state and regional insecurity.” *Conflict, security and development* 4.1 (2004): 12-3. Print.

<sup>108</sup> “The impacts of refugees on neighboring countries: a development challenge.” *The World Bank*. World Development Report 2011. (2011): 3-4. Print.

near the borders of the country of origin, they can act as areas for rebel collaboration.<sup>109</sup> Second, the enabling of the transfer of weapons as well as ideologies related to violent acts can also take place. For instance, refugee fighters within a host state can arise as seen through the impacts that the Palestinian Liberation Organization (PLO) had on the civil wars in Jordan (1970) and Lebanon (1975).<sup>110</sup> Lastly, security pressures due to refugee presence in a host country can create tense bilateral relations between the host state and the country from which the refugees are fleeing. An example of this includes the influence of Rwandan Tutsi refugees on the dismissal of the Milton Obote administration in Uganda (1980-85).<sup>111</sup> These three examples illustrate the indirect ways through which refugees can instigate security threats in a host country.

Such direct and indirect refugee related security challenges to host countries could also be seen in the Syrian case. In Lebanon, refugee groups can be politicized and can actively support opposition forces.<sup>112</sup> For instance, violent conflicts between pro-Syrian regime troops and anti-regime forces have taken place in areas where refugees live.<sup>113</sup> In addition, there has been proof that as a result of the poverty stricken conditions that these refugees live in, some have returned to Syria to fight with the Free Syrian Army.<sup>114</sup> Further, evidence of a spillover of violence from the Syrian conflict into Lebanon has been reported:

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<sup>109</sup> "The impacts of refugees on neighboring countries: a development challenge." *The World Bank. World Development Report 2011*. (2011): 13. Print.

<sup>110</sup> "The impacts of refugees on neighboring countries: a development challenge." *The World Bank. World Development Report 2011*. (2011): 14. Print.

<sup>111</sup> "The impacts of refugees on neighboring countries: a development challenge." *The World Bank. World Development Report 2011*. (2011): 14. Print.

<sup>112</sup> Wood, Josh. "Syrian refugees face hostility in Lebanon." *The New York Times*. 4 July 2012. Accessed 31 March 2015. [http://www.nytimes.com/2012/07/05/world/middleeast/05iht-m05-lebanon-refugees.html?\\_r=0](http://www.nytimes.com/2012/07/05/world/middleeast/05iht-m05-lebanon-refugees.html?_r=0)

<sup>113</sup> Syrian refugees choose to remain in such dangerous locations due to assumption that these areas do not contain residents allied with the Syrian regime, and as a result they are safer than other areas to live in.

<sup>114</sup> Wood, Josh. "Syrian refugees face hostility in Lebanon." *The New York Times*. 4 July 2012. Accessed 31 March 2015. [http://www.nytimes.com/2012/07/05/world/middleeast/05iht-m05-lebanon-refugees.html?\\_r=0](http://www.nytimes.com/2012/07/05/world/middleeast/05iht-m05-lebanon-refugees.html?_r=0)



Lebanon has experienced a rash of car and suicide bombings since July 2013. These attacks, eleven of which targeted Hezbollah, Iran, or Shi'ite neighborhoods and were claimed by some of the many Sunni militant groups operating on Lebanese soil today, were likely prompted by Hezbollah's increasingly open cooperation with the Syrian regime against Syrian opposition forces.<sup>115</sup>

Timur Goksel, a former spokesperson for UNIFIL, the United Nations peacekeeping force on the Lebanese and Israeli border, notes that one implication of hosting refugees in the above security environment is that kidnapping has been used "as an instrument of justice... In Lebanon's recent past, kidnapping became a political act, which often led to violence. People started kidnapping to gain something from the other side, not to resolve disputes."<sup>116</sup> Furthermore, when asked about the effect of the Syrian conflict on kidnapping trends in Lebanon, Goksel continues, "the spillover from Syria is more than political at this point, it's become a matter of law and order. There are hundreds of thousands of Syrian refugees in Lebanon right now<sup>117</sup>... and if they can't find a way to survive, some of them get involved in crimes such as these."<sup>118</sup> These survival mechanisms include monetary rewards.<sup>119</sup> Therefore, kidnappings have added to Lebanon's already precarious security situation, indicating a diminished "rule of law."<sup>120</sup>

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<sup>115</sup> Thibos, Cameron. "One million Syrians in Lebanon: a milestone quickly passed." *Migration policy center, European University Institute* 2014/03 (2104): 7. Print.

<sup>116</sup> Anderson, Sulome. "The Syrian war is creating a massive kidnapping crisis in Lebanon." *The Atlantic*. 6 September 2013. Print.

<sup>117</sup> This article was published in 2013. The numbers of refugees currently in Lebanon have increased. Please refer to figures mentioned in the introduction.

<sup>118</sup> Anderson, Sulome. "The Syrian war is creating a massive kidnapping crisis in Lebanon." *The Atlantic*. 6 September 2013. Print.

<sup>119</sup> Anderson, Sulome. "The Syrian war is creating a massive kidnapping crisis in Lebanon." *The Atlantic*. 6 September 2013. Print.

<sup>120</sup> Anderson, Sulome. "The Syrian war is creating a massive kidnapping crisis in Lebanon." *The Atlantic*. 6 September 2013. Print.

The second implication of hosting Syrian refugees in Lebanon is the support given by the Syrian refugees to the rebel groups.<sup>121</sup> This support includes the trafficking of weapons across the Lebanese and Turkish boundaries. As a result, the “series of clashes... between political and religious groups who either support or oppose the Syrian regime has shaken Lebanon and prompted fears that renewed factional rivalries could erupt into outright warfare.”<sup>122</sup>

A third, related security implication of hosting Syrian refugees involves the recruitment of child soldiers.<sup>123</sup> Anderson explains that child soldiers have been a persistent issue in Lebanon since its 15-year civil war during which children were born into a society where holding and using weaponry was the norm. However, as a consequence of the Syrian conflict, many children are also being brought up in an insecure environment: “poor and mostly Sunni, many of them are drawn to the growing Salafist militias that have spread throughout Lebanon over the past few years.”<sup>124</sup> Fadi Abi Allam, the president of the Permanent Peace Movement, an NGO that operates to diminish the number of child soldiers, notes that the collapse of a social environment in which the deployment of child soldiers is supported, the shortage of food supplies and goods in a society, as well as the societal need for such a phenomenon, in addition to framing such acts in religious terms, have amplified the number of child soldiers over the years in Lebanon.<sup>125</sup>

In Jordan, however, several security challenges are also present due to the crossing of Syrian and Palestinian refugees across its borders. Although Jordanian forces are stationed to man its border with Syria, limited finances constrains its ability to carry out such security

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<sup>121</sup> Thompson, Nick. “Syria’s conflict stirs up old rivalries in Lebanon.” *CNN*. 24 May 2012. Print.

<sup>122</sup> Thompson, Nick. “Syria’s conflict stirs up old rivalries in Lebanon.” *CNN*. 24 May 2012. Print.

<sup>123</sup> Anderson, Sulome. “Lebanon’s Sunni Child Soldiers.” *Vice*. 30 April 2013.

<sup>124</sup> Anderson, Sulome. “Lebanon’s Sunni Child Soldiers.” *Vice*. 30 April 2013.

<sup>125</sup> Anderson, Sulome. “Lebanon’s Sunni Child Soldiers.” *Vice*. 30 April 2013.

measures effectively (due to the large numbers of refugees arriving at the border). A second security challenge involves the possibility of Jordanian Salafists appealing to incoming refugees to join their radical missions.<sup>126</sup> Indeed, Jordan is concerned that “eventually those people might turn [on] Jordan and hence, pose a long-term security threat just like Jordan was confronted with in 1980 when fighters returned from Afghanistan” where they experienced similar exposure to Salafists.<sup>127</sup> Lastly, child soldier recruitment in refugee camps is also a concern for Jordanian authorities. However, Jordan faces an intricate balance of limiting such practices within camps, and pressure from fraudulent individuals that profit monetarily from such practices.<sup>128</sup> For this reason, Sommerfelt and Taylor explain that Jordanian leaders appear to act upon honing in on terror establishments that encourage child soldier enlistment. Moreover, this raises the question of whether Jordanians are *able* to control and limit the conscription of child soldiers.<sup>129</sup> Therefore, the above instances show the concerning security situation in Jordan.

While security considerations would certainly explain the reluctance of states to accept large numbers of refugees, they do not explain restricting Palestinians more than Syrians. On the contrary, Syrian refugees are much more likely to engage in paramilitary activity.<sup>130</sup> Palestinians on the other hand, have generally remained relatively neutral in the Syrian

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<sup>126</sup> Malchow, Niklas and Oehring, Otmar. “The Syrian conflict and its impact on Jordan.” *Regional Center on Conflict Prevention* (2013): 7. Print.

<sup>127</sup> Malchow, Niklas and Oehring, Otmar. “The Syrian conflict and its impact on Jordan.” *Regional Center on Conflict Prevention* (2013): 7. Print.

<sup>128</sup> In fact, during Sommerfelt and Taylor’s “fieldwork in March 2014 just mentioning the child soldier recruitment issue to Jordanians in Mafraq tended to prompt reports of a range of exploitative ills: corrupt camp personnel, too tight control of camp boundaries and lack of control of activities inside the camp.”

See Sommerfelt, Tone and Mark B. Taylor. “The big dilemma of small soldiers: recruiting children to the war in Syria.” *Norwegian peacebuilding resource centre* (2015): 5. Print.

<sup>129</sup> Sommerfelt, Tone and Mark B. Taylor. “The big dilemma of small soldiers: recruiting children to the war in Syria.” *Norwegian peacebuilding resource centre* (2015): 5. Print.

<sup>130</sup> As explained above.

conflict.<sup>131</sup> For the most part the latter “merely call for dialogue and pray for the safety of Syria.”<sup>132</sup> This specific approach is needed given the delicate nature of the Palestinians’ situation.<sup>133</sup> Therefore, if the security explanation were the primary driver of discriminatory policy, one would expect to see Palestinians given preference over Syrians, not the reverse.

### *Foreign Policy Explanation*

The foreign policy perspective holds that the treatment of refugee groups is to a large extent a function of a state’s broader foreign policy goals. One foreign policy objective is meeting the general pressure to comply with international humanitarian norms and the refugee regime. Indeed the primary tool of UNHCR in trying to encourage countries to provide asylum is that of moral suasion.<sup>134</sup> Betts explains, “the global refugee regime represents the set of norms, rules, principles, and decision making procedures that regulate states’ responses to refugee protection.”<sup>135</sup> This regime constitutes both the 1951 Geneva Convention and the United Nations High Commissioner for Refugees (UNHCR).<sup>136</sup> However, states’ responsibilities towards refugees have not been made “clear, explicit, or binding either in the

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<sup>131</sup> El Natour, Souheil and Samer Manna’a. “The humanitarian and legal status of displaced Palestinians from Syria and Lebanon.” *Al-Majdal* 56 (2014): 21-4. Print.

<sup>132</sup> Awkal, Talal. “Palestinians should stay out of Syria conflict.” *Al-Monitor*. 21 December 2012. Web. Accessed July 11 2015.

<sup>133</sup> This situation involves high levels of uncertainty concerning where Palestinians can go in light of the highly unstable political and security environment in Syria, as well as the lack of host states that are willing to accept Palestinian refugees into their countries, and adopt them (temporarily) in their communities. The word ‘temporarily’ can be understood by states in different ways due to the uncertainty of their right of return to Palestine as a result of the protracted nature of the Palestinian-Israeli conflict. See Awkal, Talal. “Palestinians should stay out of Syria conflict.” *Al-Monitor*. 21 December 2012. Web. Accessed July 11 2015.

<sup>134</sup> In addition, the acceptance of refugees into a hosting nation can include the likely benefits of “excludable prestige.” This involves the distinct aspiration to be viewed as a nation that takes its human rights obligations seriously through the provision of refugees with protection within its borders. See Cooper, Hannah. “prospects for the governance of refugee protection: exploring the effect of an unbalanced level of asylum recognition rates amongst European countries.” *Migration studies unit working papers at London School of Economics* 2011/10 (2011): 26-7. Print.

<sup>135</sup> Betts, Alexander. “the refugee regime complex.” *Refugee survey quarterly* 29.1 (2010): 17. Print.

<sup>136</sup> Betts, Alexander. “the refugee regime complex.” *Refugee survey quarterly* 29.1 (2010): 16. Print.

1951 Geneva Convention or in other supplementary inter-State agreements.”<sup>137</sup> Nevertheless, states comply with international laws for both “reciprocity and legitimacy”.<sup>138</sup> Betts further explains,

Providing asylum imposes a cost on the individual contributing states. However, states generally value the existence of the overall regime because it provides global public goods or security and stability, on the one hand and humanitarianism, on the other. Furthermore, providing asylum also confers legitimacy upon States insofar as compliance with the long-established norm of asylum is an important element of what defines a “civilized state”<sup>139</sup>

Another foreign policy objective is showing support or opposition to states and/or their causes of interest. Support for the refugees’ general cause is the main driver for allowing the refugees across host country borders. Hence, perceptions of refugee groups, and political consequences associated with their assistance are vital to shaping host country policies towards refugees.<sup>140</sup> One example is Tanzania’s varying treatment of the Burundian refugees and the Rwandan refugees. One report explains, “following the 1996 Buyoya coup, Tanzania shifted towards increased sympathy for the Burundian rebellion out of a sense of growing

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<sup>137</sup> Betts, Alexander. “the refugee regime complex.” *Refugee survey quarterly* 29.1 (2010): 18-9. Print.

<sup>138</sup> Betts, Alexander. “the refugee regime complex.” *Refugee survey quarterly* 29.1 (2010): 19. Print.

<sup>139</sup> In addition, states are more willing to accept refugees onto their territories when the refugee regime overlaps with other international regimes. For instance, “the UNHCR has been able to use institutional connections between refugee protection and other issue areas as a basis for claiming that protection is related to states’ higher order concerns in parallel domains such as migration and security.” See Betts, Alexander. “the refugee regime complex.” *Refugee survey quarterly* 29.1 (2010): 19. Print.

<sup>140</sup> Related to this political imperative, the agency of refugees is another important factor that some argue needs to be accounted for when explaining state refugee policies. This is exemplified by the 14,000 Nigerian refugees that as of September 2014 were unwilling to be taken to camps in Cameroon, and thus, remained at the border. As seen in “Nigeria regional refugee response plan.” *UNHCR*. August-December 2014. 1-33. Print.

solidarity, and an intention to bring the Buyoya regime to its knees.”<sup>141</sup> Tanzania’s political aspirations and gains are emphasized through its acceptance and support of one refugee group over another.

Turkey provides a strong example of the linkage between foreign policy and the treatment of refugees. The Turkish government has made much of its willingness to host refugees and indeed is covering the expenses almost entirely by itself instead of depending on UNHCR. This appears to be a part of Turkey’s broader foreign policy in projecting itself as a major regional actor.<sup>142</sup> Nuh Yilmaz adds, “...the [Syrian crisis] experience has... hardened Turkey’s decision-makers, boosting their confidence to mount more muscular cross-border interventions, and laying to rest any naivety over the prospects for resolving all regional conflicts through dialogue.”<sup>143</sup> In addition, the AKP party’s portrayal of Sunni interests<sup>144</sup> has also influenced Turkey’s acceptance of refugees as a result of the Syrian crisis, as most of the refugees that are arriving into Turkey are Sunni Arabs.<sup>145</sup>

The United States’ refugee policy during the Cold War is another example of the differential treatments of refugees. The US’ refugee policy of accepting refugees from communist countries “was meant to contribute to the overarching objective of damaging and ultimately defeating communist countries, particularly the Soviet Union.”<sup>146</sup> However, it has

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<sup>141</sup> “Burundian Refugees in Tanzania: a key factor in the Burundi Peace Process.” *International Crisis Group* 12 (1999): 5. Print.

<sup>142</sup> Yilmaz is a lecturer at Marmara University in Istanbul, Turkey.

Yilmaz, Nuh. “Syria: the view from Turkey.” *European Council on Foreign Relations*. 19 June 2013. Web. Accessed 12 July 2015.

<sup>143</sup> Yilmaz, Nuh. “Syria: the view from Turkey.” *European Council on Foreign Relations*. 19 June 2013. Web. Accessed 12 July 2015.

<sup>144</sup> “The rising costs of Turkey’s Syrian Quagmire.” *International Crisis Group*. Europe Report N. 230. (2014): ii. Print.

<sup>145</sup> “The rising costs of Turkey’s Syrian Quagmire.” *International Crisis Group*. Europe Report N. 230. (2014): 2. Print.

<sup>146</sup> Newland, Kathleen. “The Impact of U.S. Refugee Policies on U.S. Foreign Policy: A Case of the Tail Wagging the Dog?” in *Threatened Peoples, Threatened Borders: World Migration and U.S. Policy*. Teitelbaum. *Carnegie Endowment for International Peace*. 1 January 1995. Web. Accessed 10 August 2015.

been evident that a host state's actions, like the US, may have unintended foreign policy implications. Kathleen Newland explains,

In some cases, generous US reception policies allowed unfriendly regimes to rid themselves of their most acutely discontented citizens and those most politically active in opposition... [Further,] the US Cold War policy of encouraging refugee flows from "enemy" states may have done more to stabilize than destabilize unfriendly regimes. This argument was used, implicitly, to justify a turn-around in policy toward Cuban refugees in 1994...<sup>147</sup>

However, unlike the examples given above it is difficult to explain the current discriminatory refugee policies of either Lebanon or Jordan in terms of the foreign policy goals. On the contrary, both countries have already articulated general support for the Palestinian cause. Indeed, one could argue that they have foreign policy reasons *not* to discriminate against Palestinian refugees since it runs counter to their efforts to portray themselves as sympathetic to the Palestinians' plight.<sup>148</sup>

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<sup>147</sup> Moreover, just as the US' foreign policy agendas are able to influence the acceptance of various refugee groups over others, specific refugee groups are able to influence the US' foreign policy. For instance, the over 400, 000 Cubans who had entered the US between 1960 and 1970 have now totaled to around 1 million Cubans. This group engages within US politics by voting at higher rates than the US voting populace. In addition, they are also politically active in Washington: "the Cuban-American constituency offers a largely cohesive and united voice against the Castro government, which is relayed to Washington almost exclusively by one powerful lobby, the Cuban-American National Foundation (CANF)." See Newland, Kathleen. "The Impact of U.S. Refugee Policies on U.S. Foreign Policy: A Case of the Tail Wagging the Dog?" in *Threatened Peoples, Threatened Borders: World Migration and U.S. Policy*. Teitelbaum. *Carnegie Endowment for International Peace*. 1 January 1995. Web. Accessed 10 August 2015.

<sup>148</sup> "Lebanon president stresses Palestinian refugees' right of return." *Palestinian Return Centre*. 8 November 2005. Web. Accessed July 12 2015. Also see, Fritzsche, Jasmin. "Challenging the International framework for Palestinian refugees in light of the Syria crisis." *Al Majdal* 56 (2014): 8. Print.

Faced with this paradox, Jordan in particular has sought to argue that excluding Palestinians somehow serves Palestinian interests.<sup>149</sup> Prime Minister Abdallah Ensour has declared:

There are those who want to exempt Israel from the repercussions of displacing the Palestinians from their homes. Jordan is not a place to solve Israel's problems. Jordan has made a clear and explicit sovereign decision to not allow the crossing to Jordan by our Palestinian brothers who hold Syrian documents. Receiving those brothers is a red line because that would be a prelude to another wave of displacement, which is what the Israeli government wants. Our Palestinian brothers in Syria have the right to go back to their country of origin.

They should stay in Syria until the end of the crisis.<sup>150</sup>

Although Israel's responsibility in the displacement of Palestinians since 1948 cannot be overlooked, it appears that the Jordanian government is placing blame on Israel in the hopes of deflecting attention off its own discriminatory policies. Palestinians do not feel that the Palestinian cause is being served by preventing them from leaving dangerous conditions in Syria due to the civil war. Both the Lebanese and Jordanian governments from time to time justify the discrimination against Palestinians as foreign policy support for the Palestinians, but this seems to merely constitute an attempt to mask a hostile policy.

The foreign policy perspective thus appears to provide no reason for discriminating against Palestinian refugees in comparison to Syrian refugees, as both Lebanon and Jordan have expressed general support for the Palestinian cause (although Jordan in particular has

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<sup>149</sup> "Lebanon president stresses Palestinian refugees' right of return." *Palestinian Return Centre*. 8 November 2005. Web. Accessed July 12 2015. Also see, Fritzche, Jasmin. "Challenging the International framework for Palestinian refugees in light of the Syria crisis." *Al Majdal* 56 (2014): 8. Print.

<sup>150</sup> Al-Samadi, Tamer. "Jordanian PM: we can't accept Palestinian refugees from Syria." *Al Monitor*. 11 January 2013. Web Accessed 12 July 2015.



sought in a rather convoluted fashion to justify its argument on foreign policy grounds). Current policies thus contradict their efforts to appear sympathetic towards the Palestinians' plight.

### *Domestic Politics Explanation*

The domestic politics perspective suggests that refugee policy may be driven by policymakers' calculations of how refugee flows will affect domestic politics. It thus examines the political challenges and demographic implications that arise as a result of a large refugee intake.<sup>151</sup> This includes issues such as popular attitudes to refugees, party politics, or ethnic affinities. However, Loescher and Milner show, "not all refugees are seen as threats. The question of which refugees are seen as threats, and why, may be partially explained by understanding the[ir] perception as members of the local political community or as outsiders."<sup>152</sup> The World Bank shows, "approximately 25,000 refugees from the Central African Republic were in the Democratic Republic of Congo during the 1990s. Like their Congolese hosts, the refugees belonged to the Yakoma ethnic group, so their integration into the host society was smooth and peaceful."<sup>153</sup>

However, the influx of refugees into a host country can have different types of domestic political implications. One can involve the impact of demographic change on the cultural and ethnic make-up of the country. Salehyan explains, "ethnic tensions may become

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<sup>151</sup> While one is aware that both cultural considerations and historical influences are two different factors, they are included under the Domestic Politics Perspective as they influence and are influenced by the influx of refugees in host countries, Lebanon and Jordan. In other words, this section focuses on the ways that the internal dynamics (popular attitudes to refugees, party politics, or ethnic affinities) within hosting states are affected by the incoming refugees, Palestinians and Syrians, as a result of the Syrian crisis.

<sup>152</sup> Loescher, Gil and James Milner. "Protracted refugee situations and state and regional insecurity." *Conflict, security and development* 4.1 (2004): 15. Print.

<sup>153</sup> "The impacts of refugees on neighboring countries: a development challenge." *The World Bank. World Development Report 2011*. (2011): 11. Print.

especially pronounced when refugees possess ethnic ties with groups already present in the host society. In countries where ethnic cleavages are deeply entrenched, large, [and] unexpected migrant inflows may tilt the delicate ethnic balance in the host society and spark inter-group conflict.”<sup>154</sup> Ethnic tensions due to the presence of refugees in a host state can arise in a few ways: first, the presence of large numbers of refugees of a particular ethnicity can lead to the growth of their military and political strength in the host country. Second, “a refugee movement may enlarge the majority ethnicity. Even if this majority does not abuse its demographic clout, ethnic minorities may turn to violence to compensate for their inferior numbers.”<sup>155</sup> Third, ethnic conflicts that result from the entry of refugees may cause one minority group to relocate to another area/new host country or join other cultural groups in bordering states.<sup>156</sup> An example of this includes the aftermath of the 1994 Rwandan genocide and government takeover by the (Tutsi-led) Rwandan Patriotic Front, when “millions of Hutu refugees fled the country to the eastern provinces of the Democratic Republic of Congo. This severely affected relations between Congolese Hutus, Tutsis, and other ethnic groups.”<sup>157</sup> The ethnic, political and other sensitivities are going to be particularly heightened in the case of protracted conflicts, where there is a reasonable expectation that refugee groups will stay for a long time in the host state.

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<sup>154</sup> Salehyan, Idean. “the externalities of civil strife: refugees as a source of international conflict.” *Conference on Migration, International relations, and the evolution of world politics*. Woodrow Wilson school of public and international affairs, Princeton university, March 16-17, 2007: 8.

<sup>155</sup> Butale, Cheludo. “The socio- cultural impact of cross border refugee flows and the possible spread of conflicts in host countries in Africa.” *International Association for Political Science Studies*. A different view. 16 April 2015. Web. Accessed 11 August 2015.

<sup>156</sup> Butale, Cheludo. “The socio- cultural impact of cross border refugee flows and the possible spread of conflicts in host countries in Africa.” *International Association for Political Science Studies*. A different view. 16 April 2015. Web. Accessed 11 August 2015.

<sup>157</sup> Butale, Cheludo. “The socio- cultural impact of cross border refugee flows and the possible spread of conflicts in host countries in Africa.” *International Association for Political Science Studies*. A different view. 16 April 2015. Web. Accessed 11 August 2015.

A domestic threat that can occur as a result of the entry of refugees involves the (political) mobilization of refugee groups within the host country. El-Meehy explains, “refugees are typically conceptualized as having the potential to trigger opportunities for collective action...”<sup>158</sup> This threat may have influenced the restricted entry policies of Bangladesh towards the Rohingya refugees from Myanmar. For instance, “the *Jemaah Islamiah*, which is linked to al-Qaeda, hide out in the Rohingya camps...”<sup>159</sup> [indent in original] The fear of political and religious group mobilization in the Rohingya refugee camps may have motivated Bangladesh to limit the entry of Rohingya refugees.

Similar to the examples given above, it is certainly the case that the Syrian refugees in Lebanon could affect its precarious demographic political balance. The majority of refugees fleeing Syria are almost certainly Sunni,<sup>160</sup> which has implications for the 18 religious sects that are currently documented in Lebanon.<sup>161</sup> Lebanon’s sectarian demographic balance of power is extremely fragile, and thus change in the balance between groups constitutes a central concern for all political and sectarian leaders. In the past Maronite Christians have felt threatened by the influx of Palestinians after 1948, explaining that their addition to the population has tilted the political equilibrium towards the Muslims.<sup>162</sup> Today, some Lebanese Shia Muslims fear that the numbers of Sunni Muslim refugees will override the “delicate sectarian balance,”<sup>163</sup> one that has been in place since 1990 following the 15-year long civil

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<sup>158</sup> El-Meehy, Asya. “Regional dynamics of refugee flows: the case of Iran.” *Persistent Permeability? Regionalism, Localism, and globalization in the Middle East*. Ed. Bassel F. Salloukh and Rex Brynen. Burlington: Ashgate, 2004. 107. Print.

<sup>159</sup> Ullah, Akm Ahsan. “Rohingya refugees to Bangladesh: historical exclusions and contemporary marginalization.” *Journal of immigrant and refugee studies*. 9 (2011): 156. Print.

<sup>160</sup> Haddad, Simon. “The origins of popular opposition to Palestinian resettlement in Lebanon.” *International migration review* 38.2 (2004): 475.

<sup>161</sup> “The Middle East: Lebanon.” *CIA: The World Fact book*. 1 May 2015. Accessed 6 May 2015. <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>

<sup>162</sup> Haddad, Simon. “The origins of popular opposition to Palestinian resettlement in Lebanon.” *International migration review* 38.2 (2004): 475.

<sup>163</sup> Dettmer, Jamie. “Demography and violence in Lebanon.” *Middle East Institute*. 15 July 2013. Web. Accessed 14 July 2015.

war. As a result, “th[e] massive Syrian influx feeds into a more general belief that Lebanon’s Sunni community—and more specifically Islamists in its midst—are being empowered, riding an irresistible regional tide.”<sup>164</sup> Such conditions are extremely important given the sensitive nature of Lebanon’s consociational model, allocating evenhanded representation to the three major sects in Lebanon: Maronite Christians, Sunni Muslims and Shia Muslims,<sup>165</sup> constituting around, 21%, 27%, and 27% of the population respectively.<sup>166</sup>

However, since most Syrians and the majority of Palestinians are Sunni, domestic politics provides little reason for discrimination between the two. Both refugee groups ought to be equally threatening in a demographic sense to non-Sunnis in Lebanon. One report explains,

[Such a] fear has historic roots: it echoes the community’s experience with Palestinian refugees, whose initial, theoretically short-term resettlement turned into a massive, largely Sunni, long lasting, militarized presence. [Thus,] many are quick to compare Syrian refugees with their Palestinian predecessors. As a result, they tend to view the Syrian influx as a demographic threat.<sup>167</sup>

One domestic political factor that might explain discrimination between the two refugee groups is the way that Syrians and Palestinians currently residing in Lebanon are treated within Lebanese society. Although Syrians have been branded by many Lebanese as “low-income, poorly uneducated, menial workers, criminals or abusive security officers and soldiers” due to their long-time and forceful impact in Lebanon and its politics over the

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<sup>164</sup> “Too close for comfort: Syrians in Lebanon.” *International crisis group*. Middle East report. 141 (2013): 16. Print.

<sup>165</sup> Haddad, Simon. “The origins of popular opposition to Palestinian resettlement in Lebanon.” *International migration review* 38.2 (2004): 475. Print. [470-92]

<sup>166</sup> “The Middle East: Lebanon.” *CIA: The World Fact book*. 1 May 2015. Accessed 14 July 2015. <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>

<sup>167</sup> “Too close for comfort: Syrians in Lebanon.” *International crisis group*. Middle East report. 141 (2013): 15. Print.

years,<sup>168</sup> some have cautioned against Lebanon's political parties' influence over the Lebanese public's perception of Syrians. One Lebanese journalist explains that the perception of Syrians created by political actors has affected the way that they are being treated in Lebanon. For example, when the FPM (Free Patriotic Movement) refers to Syrians as harmful to Lebanese society, they "push them into a corner." He continues, "We are making them feel targeted and helpless. In doing so, we are making them more aggressive and hostile towards Lebanon."<sup>169</sup>

However, similar language has also been used in reference to Palestinian refugee presence in Lebanon. Hanafi explains that relations between the Lebanese and the Palestinians have been "characterized by deep ethno-national divisions, political confrontation, and, in the post-civil war years, ideological controversy."<sup>170</sup> For instance, many Lebanese completely resist Palestinian assimilation into the country,<sup>171</sup> in other words: "*tawteen*" or 'implantation' or 'settlement' in Arabic.<sup>172</sup> This concern usually creates a public fear that pressures the government to deny Palestinians their basic rights. For instance, "debates about Palestinians' civil and economic rights typically start by affirming that the objective should not be

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<sup>168</sup> "Too close for comfort: Syrians in Lebanon." *International crisis group*. Middle East report. 141 (2013): 11. Print.

<sup>169</sup> "Too close for comfort: Syrians in Lebanon." *International crisis group*. Middle East report. 141 (2013): 16. Print.

<sup>170</sup> Hanafi, Sari. "forced migration in the middle east and north Africa." Ed. By Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona. *The Oxford Handbook of refugee and forced migration studies*. Oxford: Oxford university press, 2014. 6. Print.

<sup>171</sup> As do many Palestinians claiming the Right of Return to Palestine. As seen in Hanafi, Sari. "forced migration in the middle east and north Africa." Ed. By Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona. *The Oxford Handbook of refugee and forced migration studies*. Oxford: Oxford university press, 2014. 6. Print.

<sup>172</sup> Hanafi, Sari. "forced migration in the middle east and north Africa." Ed. By Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona. *The Oxford Handbook of refugee and forced migration studies*. Oxford: Oxford university press, 2014. 6. Print.

*tawteen.*”<sup>173</sup> [Indent in original] Therefore, Palestinians’ rights have been limited to the “humanitarian or security” domains.<sup>174</sup>

One domestic politics factor that can explain Lebanon’s discriminatory treatment of Palestinians over Syrian refugees is lingering memories of the Lebanese civil war 1975-1990, which many Lebanese attribute to Palestinian presence since 1948. The outbreak of the Lebanese civil war involved fighting between predominately Christian militias and Palestinian guerilla groups aligned with the (leftist/Muslim) Lebanese National Movement.<sup>175</sup> The conditions that gave rise to the Lebanese civil war included frustrations that Palestinians had towards the Lebanese government for not being able to shield them from attacks by Israel in their refugee camps (Nahr al- Barid and Baddawi) beginning on February 21 1973.<sup>176</sup> These hostile relations led Palestinians and Lebanon’s pro-Palestinian parties to demand the resignation of the Lebanese government.<sup>177</sup>

The Lebanese civil war corresponded with three incidents that amplified tense relations between the Palestinians and the Lebanese. The first includes Lebanese Army attacks on Palestinian camps in May 1973. The Maronite and right-wing parties (parties that do not support the Palestinians’ presence in Lebanon) used this as an opportunity to draw attention to the failures of the Cairo Agreement of 1969, an agreement that outlined what Palestinian

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<sup>173</sup> Hanafi, Sari. “forced migration in the middle east and north Africa.” Ed. By Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona. *The Oxford Handbook of refugee and forced migration studies*. Oxford: Oxford university press, 2014. 6. Print.

<sup>174</sup> Hanafi, Sari. “forced migration in the middle east and north Africa.” Ed. By Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona. *The Oxford Handbook of refugee and forced migration studies*. Oxford: Oxford university press, 2014. 6. Print. In addition, this has been explained further under the security perspective.

<sup>175</sup> Brynen, Rex. *Sanctuary and Survival: The PLO in Lebanon*. Boulder: Westview Press, 1990. Print.

<sup>176</sup> Siklawi, Rami. “The dynamics of Palestinian political endurance in Lebanon.” *The Middle East Journal* 64.4 (2010): 605. Print.

<sup>177</sup> Siklawi, Rami. “The dynamics of Palestinian political endurance in Lebanon.” *The Middle East Journal* 64.4 (2010): 606. Print.

refugee rights and rules consisted of in Lebanon signed by the Palestinians and the Lebanese<sup>178</sup> (it was terminated on May 21 1987 by the Lebanese Chamber of Deputies).<sup>179</sup>

Second, the Lebanese civil war coincided with the following conditions:

The expulsion of the PLO from Jordan [shifted] most of the Palestinian resistance [to] Lebanon and this step further embroiled the country in international rivalries, so that after the 1973 Arab-Israeli war, the central theater of the struggle between the Arabs and Israel after the 1973 war would be located in Lebanon.<sup>180</sup>

The third incident involves the deterioration of Palestinians' living conditions in Lebanese refugee camps, giving opportunities for fundamentalist groups to develop.<sup>181</sup> Indeed, "these new fundamentalist movements exploited the miserable conditions through the provision of aid and weapons, therefore gaining approval from the camp residents and shifting their struggle into a new dimension."<sup>182</sup>

The events highlighted above draw attention to the various influences and implications that Palestinians had on and during the outbreak of the Lebanese civil war. Therefore, these incidents show cause for Lebanon to limit the entry of Palestinian refugees in comparison to Syrian refugees across their borders as a result of the Syrian conflict.

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<sup>178</sup> Siklawi, Rami. "The dynamics of Palestinian political endurance in Lebanon." *The Middle East Journal* 64.4 (2010): 601. Print.

<sup>179</sup> Siklawi, Rami. "The dynamics of Palestinian political endurance in Lebanon." *The Middle East Journal* 64.4 (2010): 610. Print.

<sup>180</sup> Siklawi, Rami. "The dynamics of Palestinian political endurance in Lebanon." *The Middle East Journal* 64.4 (2010): 606. Print.

<sup>181</sup> Siklawi, Rami. "The dynamics of Palestinian political endurance in Lebanon." *The Middle East Journal* 64.4 (2010): 610. Print.

<sup>182</sup> Siklawi, Rami. "The dynamics of Palestinian political endurance in Lebanon." *The Middle East Journal* 64.4 (2010): 610. Print.

Nevertheless, it is also important to note that the refugee camps have not been the only locations in Lebanon where such intense outbreaks of violence have occurred.

Furthermore, the protracted nature of the Palestinian-Israeli conflict only heightens these domestic political concerns in Lebanon and (as will be seen below in) Jordan. For instance, the 100,000 Palestinians that Lebanon temporarily accepted in 1947-9 have remained there for more than six decades and their number has grown to three to four times as many.

In Jordan, sectarian calculations are unlikely to have been particularly important. Jordan is predominantly Sunni, like most of the entering refugees. In fact, the vast bulk of the refugees registered with the UNHCR are Sunni Muslims.<sup>183</sup> This would not come as a threat to Jordanian sectarian politics as 97.2% of Jordan's population identifies as Sunni Muslims.<sup>184</sup>

However, Jordanian politics since 1948 have been driven by a cleavage between Jordanians of East Bank origin and those of Palestinian origin. These tensions arose from battles between Israel and the Palestinians, especially when Israeli strikes intervened on Jordanian territory as seen in the Battle of Karama in 1968.<sup>185</sup> "The pervasive and chaotic presence of armed Palestinian *fedayeen* [guerilla] groups who expected immunity from Jordan's laws was leading to a state of virtual anarchy throughout the Kingdom."<sup>186</sup> [indent in original] Indeed, these tensions were serious enough to give rise to the Jordanian civil war in 1970,<sup>187</sup> in which the Jordanian government attacked "Palestinian guerrillas in towns all over Jordan following weeks of sporadic fighting between the two sides."<sup>188</sup> One incident that led to

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<sup>183</sup> Lund, Aron. "Exile has no religion." *Carnegie Endowment for International peace*. 15 December 2014. Web. Accessed 16 July 2015.

<sup>184</sup> "The Middle East: Jordan." *CIA: The World Fact book*. 1 May 2015. Accessed 16 July 2015.  
<https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>

<sup>185</sup> "Diplomatic and military initiatives." *The Hashemite Kingdom of Jordan*. Web Accessed 17 July 2015.  
[http://www.kinghussein.gov.jo/his\\_periods4.html](http://www.kinghussein.gov.jo/his_periods4.html)

<sup>186</sup> "Diplomatic and military initiatives." *The Hashemite Kingdom of Jordan*. Web Accessed 17 July 2015.  
[http://www.kinghussein.gov.jo/his\\_periods4.html](http://www.kinghussein.gov.jo/his_periods4.html)

<sup>187</sup> "Too close for comfort: Syrians in Lebanon." *International crisis group*. Middle East report. 141 (2013): i-31. Print.

<sup>188</sup> "1970: civil war breaks out in Jordan." *BBC Home*. On this day 1970-2005. 17 September 1970. Web. Accessed 18 July 2015.



such infighting was Black September—involving the capture and landing of western aircrafts by Palestinian fighters on Jordanian territory.<sup>189</sup>

The Jordanian civil war of 1970 had implications<sup>190</sup> on the treatment of Palestinians living in Jordan, as well as on Palestinian refugees fleeing to Jordan since then. For instance, in addition to a strengthening of both Palestinian and East Bank Jordanian national identities,<sup>191</sup> the provision of various public services to Palestinians were limited, specifically regarding service in the army, security guard operations, and higher learning opportunities.<sup>192</sup> These lingering memories have also had an effect on Jordan's treatment of Palestinian refugees fleeing the Syrian conflict. A Human Rights Watch report gives the experience of one Palestinian refugee, Nidal, who had entered Jordan illegally in order to attain medical treatment for a wound caused by the Free Syrian Army. Nidal recalls the way he was treated by the Jordanian authorities:

At the Jordanian refugee screening facility in Raba' Sahran, however, officers discovered his identity and immediately deported him again via Nassib, despite his injury. "When I got there," he said, "I knew why I was forbidden to stay in Jordan. An officer there told me: 'Remember the events of 1970.' ... And I told him my father was granted amnesty and entered Jordan several times since then, most recently in 1998, but he said, 'You are not a Jordanian, you are a Palestinian.'" Nidal [the Palestinian refugee] was nine years old in 1970."<sup>193</sup>

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<sup>189</sup>"1970: civil war breaks out in Jordan." *BBC Home*. On this day 1970-2005. 17 September 1970. Web. Accessed 18 July 2015.

<sup>190</sup> Only some will be discussed here.

<sup>191</sup> Sirriyeh, Husein. "Jordan and the legacies of the civil war of 1970-71." *Civil Wars* 3.3 (2000): 79. Print.

<sup>192</sup> Sirriyeh, Husein. "Jordan and the legacies of the civil war of 1970-71." *Civil Wars* 3.3 (2000): 77. Print.

<sup>193</sup> "Not Welcome: Jordan's treatment of Palestinians escaping Syria." *Human Rights Watch*. (2014): 25. Print.

As shown in this section, the domestic politics perspective partially explains the reasons why the Lebanese and Jordanian governments discriminate against Palestinian refugees crossing their borders (in comparison to Syrian refugees). Past decades of domestic tensions and conflict involving Palestinians has undoubtedly affected the way both Lebanese and Jordanian officials have dealt with new waves of Palestinians seeking asylum within these countries.

### *Legal Explanation*

The legal perspective would explain different host country policies towards refugees by reference to their formal legal statuses. Specifically, it focuses on how this legal status might affect their temporary residency<sup>194</sup> and future repatriation. Some refugees lacking recognized citizenship, for example, would be much harder to repatriate to their country of ordinary residence after a conflict is over, and thus, are more likely to become a long-term presence.<sup>195</sup> The fact that many Somali refugees that fled due to the downfall of Somalia in the 1990s have found ways to achieve long term residence in Kenya<sup>196</sup> illustrates this point. Lindley explains, “refugees have engaged in a range of informal strategies to move on with their lives: obtaining Kenyan identification documents through unofficial channels, relocating to urban areas despite restrictions, and participating in informal employment, trade or business.”<sup>197</sup> Somalis aimed to secure citizenship documents in order to mobilize in and out of

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<sup>194</sup> Jacobsen, Karen. “The forgotten solution: local integration for refugees in developing countries.” *UNHCR. Working paper 45*. (2001): 3. Print. Furthermore, “to quote one observer, “in a refugee context questions of development and human capabilities are put on hold- the situation is supposed to be merely temporary after all.”

<sup>195</sup> Jacobsen, Karen. “The forgotten solution: local integration for refugees in developing countries.” *UNHCR. Working paper 45*. (2001): 1-43. Print.

<sup>196</sup> Lindley, Anna. “Seeking solutions to Somali displacement in Kenya: current and potential policy approaches.” *Development viewpoint 67*. (2011): 1. Print.

<sup>197</sup> Lindley, Anna. “Seeking solutions to Somali displacement in Kenya: current and potential policy approaches.” *Development viewpoint 67*. (2011): 2. Print.

Kenya without restriction. This has created difficulties for the Kenyan government to locate, identify and legally repatriate Somali refugees back to Somalia.

Prior to assessing the other legal challenges that host countries may face in returning refugees to their countries of prior residence, it is relevant to recognize that in addition to providing foreign policy incentives to uphold international humanitarian norms, the international refugee regime can create legal obligations for host countries to do so too; in particular, through accession to the 1951 refugee convention and any subsequent implementing of legislation. This point will be addressed in relation to the host countries in this research below.

One challenge that host countries may face in returning refugees to their countries of previous residency is the refugee's individual choice to do so, as some refugees may not want to return to their country of former residence for various reasons. Stein and Cuny ask, "Why would adequately protected and nourished refugees return home during conflict conditions to a country ruled by a government that originally caused the flight?"<sup>198</sup> This is concerning to host countries as large numbers of refugees may not find the adequate resources and services needed to survive when they return home. In addition, relief agencies may not reach people in need living in dangerous conditions on time or provide them with living essentials.<sup>199</sup> They are left to fend for themselves without any international help. Therefore, it becomes more likely that these refugees will reside indefinitely in the host country.

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<sup>198</sup> Stein, Barry N. and Frederick C. Cuny. "refugee repatriation during conflict: protection and post return assistance." *Development in practice* 4.3 (1994): 181. Print.

<sup>199</sup> Stein, Barry N. and Frederick C. Cuny. "refugee repatriation during conflict: protection and post return assistance." *Development in practice* 4.3 (1994): 181. Print. The nature of their return also poses problems for their future subsistence: "When large-scale movements occur, they are often very rapid and may include elements of coercion. For instance, [between 1988 and 1994] over one million refugees have returned to Burundi, Uganda, Sudan, Ethiopia, Liberia, and elsewhere because of threats or attacks in their country of asylum."

However, while some states may find it legally challenging to return refugees to their country of former residence, others may not. Lebanon and Jordan have not signed the 1951 refugee convention and as a result they are not bound by it. Both countries have chosen this path for two reasons. First, legal considerations matter as both countries' judicial court systems would not permit not abiding by their obligations had they signed the 1951 refugee convention, and second this is largely due to the kinds of political sensitivities discussed in the previous section.

The central legal reason for the discriminatory treatment of Palestinians (as opposed to Syrians) by Lebanon and Jordan has to do with Palestinians' lack of national/citizenship documentation, which is straining their travel rights, temporary residency in the host country, as well as other privileges usually granted. In fact UNRWA explains, "many Palestinian refugees from Syria do not have legal status and are unable to access civil registration procedures and basic social services."<sup>200</sup> Wesam Sabaaneh<sup>201</sup> clarifies,

Palestinians are suffering the same as the Syrians, in general. What makes it worse and more difficult is that as a Palestinian refugee, you don't have the institutions of a Syrian citizen. This means you don't have a passport, [and] you don't have a nationality; you have a paper stating that you are a Palestinian refugee in Syria. Mainly, this was done in agreement with Arab countries and the international community to keep the Palestinian identity under the Palestinian cause...<sup>202</sup> [Brackets in original]

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<sup>200</sup> "Syria crisis." UNRWA. 8 September 2015. Web. Accessed 8 September 2015.  
<http://www.unrwa.org/syria-crisis>

<sup>201</sup> Wesam Sabaaneh is the Director of the Jafra Foundation for Youth and Development. "The Jafra Foundation focuses on the youth and development aspects of life in the camps of Palestinian refugees in Syria, Lebanon, and Turkey." Sabaaneh, Wesam. "The Palestinians in Syria before and after the Syrian crisis" (transcript number 435). *Palestine Center*. 22 June 2015. Web. Accessed 30 June 2015.

<sup>202</sup> Sabaaneh, Wesam. "The Palestinians in Syria before and after the Syrian crisis" (transcript number 435). *Palestine Center*. 22 June 2015. Web. Accessed 30 June 2015.

These circumstances force Palestinian refugees to face great difficulties in attempting to return to their country of previous residence.<sup>203</sup> Therefore, Palestinians from Syria “are a minority within a minority, without a state to speak for them” or return back to legally.<sup>204</sup> This is one reason why Lebanon and Jordan have applied discriminatory restrictions towards Palestinians in comparison to Syrian refugees escaping the Syrian conflict.

The legal perspective partially explains the discriminatory policy applied to Palestinian refugees escaping the Syrian civil war. Because Palestinians are protracted refugees and are not citizens of Syria or any state, host countries could face difficulties in eventually having them return to Syria. By contrast, Syrian refugees are Syrian citizens who have a clear legal right to return at any time.

## **Conclusion and Future Implications**

This paper has examined the border policies in both Lebanon and Jordan, and explored the various sets of factors that might account for discrimination against Palestinians seeking asylum from the Syrian civil war. It has shown that *although economic, institutional, security, and foreign policy concerns shape Lebanon and Jordan’s response to the number of refugees*

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<sup>203</sup> The possession of citizenship and/or national documentation is significant as it provides Palestinians with a high probability of returning to the country that issued them. For example, upon Palestinians’ expulsion from Kuwait following the First Gulf War in 1991, most Palestinians holding Jordanian passports, and travel documents from Syria and Lebanon were allowed to enter those host countries (with the exception of Egypt). See Erakat, Noura. “Palestinian refugees and the Syrian Uprising: filling the Protection gap during secondary forced displacement.” *International journal of refugee law* 26.4 (2014): 591. Print. Furthermore, Palestinians with Syrian travel documents would be allowed to re-enter Syria (without a permit) according to Syrian Law 1311, Article 10. However, not all Palestinians in Syria have Syrian travel documents and thus, their return to Syria is limited. In addition, this is merely a travel document not a nationality. Thus, the return of all Palestinians to Syria remains uncertain (especially in a post-Syrian conflict context). See As-Sahly, Nabil Mahmoud. “Profiles: Palestinian refugees in Syria.” *Badil*. Political Overview. 1999. Web. Accessed 8 September 2015. See “Syria: the legal rights and obligations of a Palestinian who has been issued a Syrian travel document, including whether they must report for military service.” *Refworld*. Immigration and refugee board Canada. 2012-2013. Web. Accessed 8 September 2015.

<sup>204</sup> Su, Alice. “When fleeing war becomes illegal.” *The Atlantic*. Global. 14 August 2014. Web. Accessed 6 September 2015.

*crossing their borders, they do not explain the different treatment imposed upon Palestinian and Syrian refugees experiencing the same displacement pressures. Instead, discrimination against Palestinians can only be understood by examining the domestic politics and legal factors that shape Lebanese and Jordanian refugee policy.*

One scholarly implication of my findings is the need to look at the differential treatment of refugee groups of different nationalities more substantially, and not to treat host country refugee policies as identical towards all refugees. One policy implication is that given the particular obstacles that Palestinians face, they may be under even greater pressures to take the risky move to flee a field. For instance, “the trip to more welcoming countries can have deadly consequences. Turkey is the only country neighboring Syria that still allows in Palestinians fleeing the civil war, but getting there is perilous, expensive, and likely requires a trip through ISIS territory.”<sup>205</sup> Furthermore, although we have no numbers, it is sadly clear that significant numbers of Palestinians has sought to flee onwards to Europe. Indeed, hardly a week goes by without reports of Palestinians drowning at sea.<sup>206</sup>

This research also highlights the importance of exploring the differences in refugee policy towards some refugee groups of the same nationality. An examination of the policies implemented by host countries towards each of these specific groups (the elderly and the injured, for example) and if these host country policies changed over time and why, would be significant given these groups’ statuses as already vulnerable, and more susceptible to having their rights abused in crisis situations.

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<sup>205</sup> Storchlic, Nina. “Arab Countries are forcing Palestinian exiles back into Syria.” *The Daily Beast*. Homeless. 26 August 2015. Web. Accessed 28 August 2015.

<sup>206</sup> See “EU holds urgent talks after 700 in migrant boat sinking.” *The Associated Press*. Mashable. April 20 2015. Web. Accessed 28 August 2015; “Mediterranean’s worst migrant boat disasters.” *Sky News*. World. 20 April 2015. Web. Accessed 28 August 2015; Storchlic, Nina. “Arab Countries are forcing Palestinian exiles back into Syria.” *The Daily Beast*. Homeless. 26 August 2015. Web. Accessed 28 August 2015.

Overall, this research shows that refugees seeking refuge in (neighboring) host countries should not be discriminated against, especially as a result of diverse characteristics such as: race, nationality, ethnicity, religion, gender, and political affiliation. The evident diverse treatment of different national refugee groups marks one failure of the international community's response to refugee crises around the world, including the refugee predicament arising from the Syrian conflict. Indeed, this failure underlines two problems that must be dealt with in the near future. One is that this dilemma has not been resolved and therefore refugees' lives are increasingly risked as they attempt to escape persecution on a day-to-day basis. The other is that it poses great dangers for the creation of effective, just, and moral refugee policies and their implementation. Therefore, it is imperative that host states lift the restrictive policies in place for all refugees, not merely for some over others. Indeed, states must find policy solutions to accommodate the needs of refugees indiscriminately during this extremely frightening, dangerous and uncertain time of their lives.

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