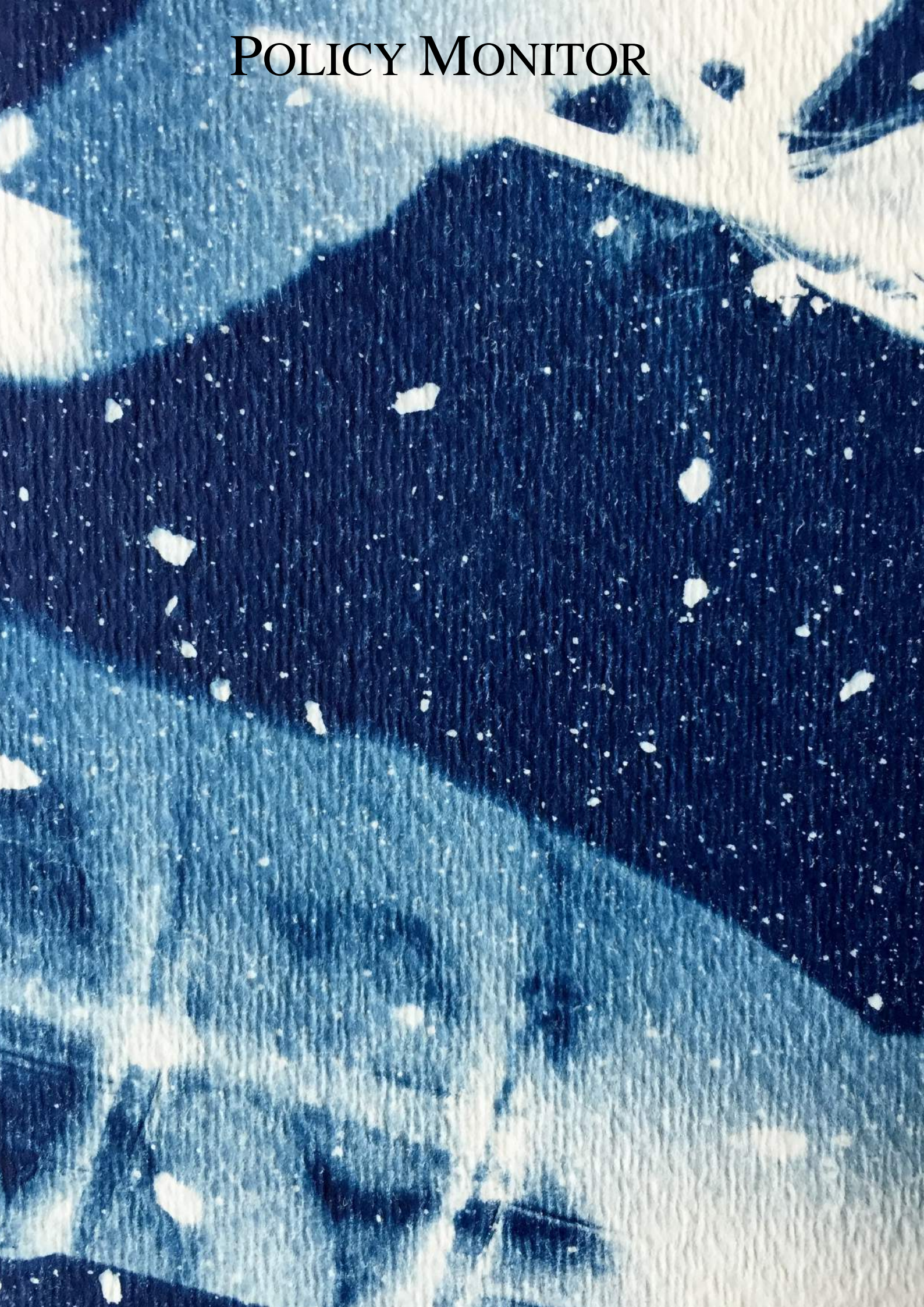




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Syrian informal tented settlements in Jordan: Humanitarian gaps and challenges

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Syrian refugees in Jordan have predominantly rented accommodation in urban and peri-urban areas or relied on humanitarian assistance channelled through formal camps. Yet, faced with unaffordable rents and living costs in Jordanian towns, the unsuitability of remote refugee camps, and the prospect of etching out a living through informal agricultural labour, over 16,000 Syrians have resorted to living in informal tented settlements (ITS) across rural Jordan. This article draws attention to the neglected plight of Syrian ITS in Jordan, analyses the Jordanian Government's policy response to the expansion of ITS, and calls for stronger humanitarian as well as legal support to vulnerable ITS dwellers.

Introduction

'This has always been the government's policy: Syrian refugees should stay in the camp or rent houses, but we never agreed on them living in tents outside the camp.'

If the Jordanian Government's policy on informal tented settlements (ITS) seemed rigid when reported by an anonymous official source to *The Jordan Times* in January 2014 (Sundelin 2014), it has only stiffened over the past two years. Although Syrians continue to pitch up ITS on peri-urban and rural agricultural land across Jordan, reports of forced evictions and relocations to formal refugee camps are on the rise. Despite being among those most in need of protection and basic humanitarian assistance, Syrians living in ITS tend to be hardest to reach and least likely to receive humanitarian aid. Furthermore, little is understood about their precarious legal situation. This highlights a clear oversight in the humanitarian and resilience strategy guiding international and local relief efforts in Jordan, which aims to meet the immediate needs of refugees both in and out of camps, as well as vulnerable host communities (Government of Jordan 2015). While this intended assistance is both welcome and imperative, the increasingly grim plight of ITS dwellers is too often overlooked.

Informal tented settlements: what and why?

Contributing to the disorder, there is a lack of consensus on what precisely constitutes an 'informal tented settlement' in Jordan. The REACH Initiative and UNICEF—two organisations monitoring and supporting ITS dwellers—rely on UN HABITAT's definition of ITS as: 'unplanned settlements and areas where housing is not in compliance with current planning and building regulations', capped at a minimum of four households, below which tracking is operationally unfeasible (REACH 2014d: 7). In an August 2014 assessment based on this criteria, REACH counted 125 ITS inhabited by 10,538 individuals, or 1,853 households across six of Jordan's 12 governorates (Al Aqaba, Al Mafraq, Amman, Irbid, Maan, and Zarqa)—a 320.8 per cent increase on December 2013 baseline figures (REACH

2014d: 9). More recent media reports speak of an estimated 16,000 individuals living in ITS (Resnick 2015).

ITS vary greatly in terms of size and location, but share a number of common features. Syrian refugees living in ITS are not officially eligible for shelter, education, water, sanitation, health, or other basic social and municipal services (REACH 2014d:6). Rather, tents and non-food items (NFIs)—typically those obtained from UNHCR and its partners on arrival in Jordan—are pitched on public or private agricultural land and re-purposed into homes, kitchens, and communal spaces (Amody 2014). Shallow pits are dug for latrines and water is purchased from vendors or landlords, often at great expense (MEDAIR 2014).

Above all, ITS are characterised by high levels of vulnerability and insecurity. Although 22 per cent of all Syrian refugees are food insecure, the figure jumps to 33 per cent among ITS dwellers (WFP 2015). With non-existent land, property, or labour rights and minimal social protection, Syrians in informal settlements live at the mercy of private landlords and the state. Frequently, Jordanian Government personnel push ITS dwellers from their makeshift homes, at times forcibly and without notice, before relocating refugees into the formal camps of Za'atari and Azraq (Achilli 2015:7). An illustrative example was the removal of Syrians from five ITS on the southern outskirts of Amman to Azraq in June 2014 (REACH 2014d:1), but smaller populations in the Jordan Valley and Jawa have also reported expulsion from public lands and relocation to the formal refugee camps (Serrato 2014:29).

Government eviction is not the only threat Syrian ITS dwellers face. While farm owners welcome the cheap labour offered by refugees and permit the erection of tents on their land, formal agreements are non-existent and tenure insecurity is correspondingly high. UNHCR (2015) reports that 20 per cent of Syrians in Jordan have no formal rental contract, while NRC (2015) found 10 per cent were at risk of immediate eviction. Rural landlords' temporary permissiveness can end at any time, swiftly leaving ITS dwellers both homeless and jobless.

Despite high eviction risks, Syrians are driven to form ITS as a means of surviving harsh economic conditions in Jordan. Well-documented rental inflation and housing shortages in Jordan's northern governorates price the poorest Syrians (and Jordanians) out of formal rental accommodation. In the most heavily affected cities like Mafraq, where over 50 per cent of the population is now Syrian, rents have increased by up to 300 per cent (Al Wazani 2014). As the country's average rent has risen by 14 per cent since 2013 (NRC 2015: 7), the only affordable urban accommodation is increasingly substandard, with garages, chicken houses, and tents, serving as homes for the poorest 20 per cent of the refugee population (Achilli 2015:5). Faced with tough choices, many Syrian families have absconded to rural ITS in search of improved living conditions.

Lastly, it is important to recognise the complexity of factors not only pushing refugees into ITS, but also pulling them towards more nomadic lifestyles. Compared to fixed-term rental contracts, ITS are flexible arrangements which allow refugees to regularly and rapidly migrate in search of greener pastures, warmer winter climates, or the next seasonal harvest. According to REACH (2014b), ITS dwellers in Ghwergah in the Aqaba governorate had moved on average twice in 2014 alone, with some households having relocated five times in the year. In some cases, Syrians living in ITS choose to replicate pre-crisis agricultural and/or nomadic lifestyles, although this number is often overstated. In the 1000-strong settlement of Ghwergah, for example, less than one third of informants engaged in seasonal migration before arriving in Jordan (REACH 2014b). Similarly, while many ITS dwellers are of

Bedouin heritage, reports labelling the entire population of 16,000 Syrian ITS dwellers as being Bedouin are potentially misleading (Resnick 2015).

Degrading policy environment

On the whole, Jordan has been generous in opening its doors to Syrian refugees, with UNHCR (2015) recently recording 629,000 persons of concern in the country. While many live in Jordanian towns and cities, where basic health and education services are accessible, approximately 20 per cent of Syrians are confined to official refugee camps. In theory, these camps should provide a lifeline to refugees, offering shelter, protection, and basic services. Yet, since its completion in April 2014, refugees have been reluctant to move into the pre-fabricated ‘t-shelters’ of Azraq camp. Ultimately, Azraq’s desert remoteness, coupled with the prospect of an undignified, sedentary, camp-based life, have deterred refugees from settling there (Achilli 2015). Although Za’atari has fared better, with *laissez-faire* camp management allowing innovative refugees to develop trade and commerce, job opportunities remain limited (Gavlak, 2014). For many of the poorest Syrians, the only option has been to pitch up on peri-urban and rural lands where they can attempt to etch out informal or agricultural livelihoods.

Living outside formal refugee camps, however, is replete with protection risks. In July 2014, the protection environment for Syrian ITS dwellers deteriorated substantially as the Jordanian Government ramped up its relocation of refugees into the formal camps of Azraq and Za’atari. Under what is known as the ‘14 July Procedure’, the Jordanian Government’s Syrian Refugee Assistant Department (SRAD) began a progressive clamp down on refugee freedoms, tightening its application of ‘bail out’ criteria, which permit Syrian refugees to reside among the community if sponsored by a stable Jordanian household with direct family relations. Simultaneously, SRAD required UNHCR to stop issuing Asylum Seeker Certificates to non-camp based refugees without ‘bail out’ documentation, ending UNHCR’s universal registration policy (Achilli 2015).

Finally, biometric verification of refugees at local police stations was stepped up in 2014. Although verification ostensibly facilitates the issuance of Ministry of the Interior (MOI) Cards to Syrian refugees, it has sparked concerns of forced returns and *refoulement* (Achilli 2015). In order to qualify for an MOI card, Syrians require documented proof of a lease agreement compliant with Jordanian tenancy laws—an impossibility for those living in ITS (NRC, 2015: 12). Even if obtained, the MOI card is invalidated upon moving away from the area in which it was issued, undermining the seasonal migration patterns of ITS. As a result, Syrian ITS dwellers’ security has plummeted and risk of eviction skyrocketed since the tightening of these regulations in early 2015.

Improving the humanitarian response

Like the ITS dwellers themselves, humanitarian agencies are struggling to operate under tighter government policies and enforcement. Not only does the increased risk of eviction render ITS populations more likely to move, it also creates challenges for aid agencies to track, reach, and provide for them. Although assessments such as those by UNICEF and REACH represent a vital contribution, aid agencies do not always enjoy the operational space to provide ITS dwellers with more targeted assistance than the sporadic distribution of NFIs. Sustained projects could help humanitarian workers establish the consistent communication channels necessary to keep up with the frequent movements of ITS, but these are unlikely to be authorised as long as the Government maintains its stance against informal camps.

Given the enhanced vulnerability of Syrian ITS dwellers, more must be done to promote and protect their rights. The forceful eviction of ITS without due notice is a clear violation of human rights standards on adequate housing and non-discrimination. Humanitarian agencies must impress upon the Jordanian Government its international obligations, while doing more to work through difficult housing, land, and property issues pertaining to ITS dwellers. For example, the Norwegian Refugee Council's (NRC) Information, Counselling and Legal Assistance (ICLA) programme provides crucial legal assistance to landlords and tenants in the context of urban shelter arrangements Programmes such as these could potentially further support rural ITS in navigating their legal rights and responsibilities in Jordan's complex, pluralistic legal system (Furr and Al Serhan 2008).

Conclusion

Given these trends, there is a clear need to further humanitarian assistance to and protection of Syrian ITS dwellers in Jordan's rural and agricultural areas. Efforts to track, monitor, and assist ITS dwellers are welcome, but will remain insufficient until humanitarian agencies can acquire more funding and space in which to operate. Meanwhile, advocacy and legal efforts such as the NRC's ICLA programme are essential to ensuring ITS dwellers' housing rights are upheld, and should be expanded to rural areas where possible. Finally, further studies are needed to clarify the legal position of ITS dwellers amidst Jordan's pluralistic web of statute, Sharia, and tribal based laws.

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