

Civil Documentation Strategies in Light of the Syrian Refugee Crisis:

A Case Study of Jordan, Lebanon, and Turkey

By

Romana Osman



© Lian Saifi/NRC

Master's thesis submitted in partial fulfilment of the requirements for the degree of Master of
Arts in Modern Middle Eastern Studies

Leiden University

S1396935

November 2018



Universiteit
Leiden

**Civil Documentation Strategies in Light of the Syrian Refugee Crisis:
A Case Study of Jordan, Lebanon, and Turkey**

Abstract

The overwhelming majority of the more than five and a half million Syrians have fled to neighboring countries in the Middle East without their civil documents. Particularly in a refugee context, it is crucial for the standard of living for Syrian refugees and eventual return to Syria to be adequately documented. Complex civil registration systems in the host countries, however, often prevent Syrian refugees from obtaining civil documentation, thereby expanding the problem of the lack and loss of civil documentation of Syrian refugees. This thesis examines the different civil registration systems and their consequences for Syrian refugees in Jordan, Turkey, and Lebanon through an in-depth analysis focusing on legal status, marriage and birth registration. This thesis argues that the difference in implemented civil registration systems is determined by each host country's social, political, and economic situation before and during the Syrian refugee influx and the extent to which the Syrian refugees have impacted the country, positively and negatively. In Turkey, the government has adopted a temporary protection regime, which includes refugee-sensitive civil registration systems. However, in Lebanon and to a lesser extent Jordan, Syrian refugees are still facing many challenges trying to obtain civil documentation due to the complex civil registration systems. As the eight years of hosting refugees has turned out more harmful than beneficial for the host countries, discussions on the return of Syrian refugees has increasingly become louder. However, a lot of change is still required to ensure that Syrian refugees are adequately documented.

Table of Content

	List of abbreviations	V
	Glossary	V
	Introduction	1
1	Background	5
	1.1 What is a nationality?	5
	1.2 What is statelessness?	6
	1.3 What is a refugee?	7
	1.4 Civil Documentation	8
	1.5 Governmental strategy	9
2	Methodology	10
3	Civil registration procedures	12
	3.1 Syrian refugee context	12
	3.2 Civil documents in Syria	13
	3.3 Challenges in obtaining civil documentation	14
	3.3.1 A lack of essential documents	14
	3.3.2 Practicalities	15
	3.3.3 Knowledge gap	16
4	Jordan	17
	4.1 Strengthening Syrians and Jordanian alike	17
	4.2 Access to civil documentation	18
	4.2.1 MoI card	19
	4.2.2 Marriage registration	21
	4.2.3 Birth registration	23
	4.3 Access to services	23
	4.4 Forced return to Syria	25
5	Turkey	26
	5.1 From open-door policy to temporary protection	26
	5.2 EU-Turkey deal	27
	5.3 Heightened political tension: failed coup attempt	28
	5.4 Political opportunism or morally obligated	28
	5.5 Access to civil documentation	29

	5.5.1 Legal Status	29
	5.5.2 Marriage registration	31
	5.5.3 Birth registration	32
	5.6 Access to services	32
	5.4 Creating conditions for return	34
6	Lebanon	36
	6.1 Political immobility	36
	6.2 Nation against refugees	37
	6.3 Access to civil documentation	38
	6.3.1 Legal Residency	38
	6.3.2 Marriage registration	40
	6.3.3 Birth registration	40
	6.4 Access to services	42
7	Conclusion	44
	7.1 Answer on research questions	44
	7.1 Limitations	48
8	Bibliography	49

List of Abbreviations

AFAD	Disaster and Emergency Management Presidency
ASC	Asylum Seeker Certificate
CRC	Convention on the Rights of the Child
CRSR	Convention relating to the Status of the Refugees
CSSP	Convention relating to the Status of Stateless Persons
GDMM	General Directorate on Migration Management
GDP	Gross Domestic Product
IDPs	Internally displaced persons
JOD	Jordanian Dinars
LIFP	Law on Foreigners and International Protection
MoI	Ministry of Interior
NRC	Norwegian Refugee Council
PDMM	Provincial Directorates of Migration Management
PSD	Personal State Department
TPR	Regulation on Temporary Protection
UDHR	Universal Declaration of Human Rights
UNGA	United Nation General Assembly
UNHCR	United Nation High Commissioner for Refugees
UVE	Urban Verification Exercise

Glossary

Deftar ha'ila	Family booklet that records all members of a family in one document.
Hawiya	National ID card for all Syrians above the age of 14
Kalam Nofous	Local civil registry office
Ketb al-ktab	Islamic marriage contract
Kimlik	Turkish ID card, in thesis used as the temporary protection ID card
Mokhtar	Local Mayor
Non-refoulement	Fundamental principle of international law that forbids a country receiving asylum seekers from returning them to a country in which they would be in likely danger of persecution
Sheikh	A religious leader in a Muslim community

Introduction

No one expected the civil uprising that gradually commenced in Syria in 2011, to turn into a full-scale civil war with international involvement. Currently, eight years later, the disastrous scope of the ongoing conflict has become clear. Its impact has created a humanitarian crisis, which by many is called the worst humanitarian crisis the world has ever faced. Consequently, Syrians are currently the largest forcibly displaced population in the world, as more than half of the pre-war population has been forced to flee their homes (Mercy Corps, 2018). The images and stories are well-known: civilians that leave behind everything, fleeing from war-torn cities in search of safety and a better future. Sometimes these civilians even risk their lives trying to reach Europe with unsafe boats. However, a less obvious and highly underreported consequence of conflict is the lack and loss of civil documentation. Around 70 per cent of the Syrian refugees that have fled to neighboring countries lack basic identity documents. The United Nations High Commissioner for Refugees (UNHCR) describes this situation as a “ticking time-bomb”, as proper civil documentation is of major importance for the lives of refugees, the establishment of identity, and the prevention of statelessness.

To be recognised as a person before the law is one of the most basic human rights adopted in several international law treaties. Through civil registration systems, governments allow persons to obtain a legal identity. Civil documentation enables persons to hold legal proof of their own legal identity. This legal proof is crucial to claim human rights under law, first and foremost the right to a nationality, but also other rights, such as the right to travel, to work, to move freely, to vote, etc. In addition, civil documentation grants a person access to governmental services, such as access to healthcare, education, and social benefits. Successful registration of life events, such as births and marriages, is solely possible with adequate civil documentation. In a refugee context, however, civil documents are often (deliberately) destroyed, lost, confiscated, or forgotten, as a result of conflict and the subsequent forced displacement. Yet, particularly for refugees, proper civil documentation is crucial to receive effective protection in host countries. Without proper documentation, refugees are often not even able to enter a country through regular channels and face many challenges trying to obtain legal residency and/or refugee status, to access humanitarian assistance, and to access services. Moreover, refugees are unable to successfully complete civil registration systems, for instance birth registration, if they are not in the possession of the required civil documents.

As the overwhelming majority of the more than five and a half million Syrians have fled to neighboring countries in the Middle East without their civil documents, the magnitude of the problem requests adequate response. To lower the number of undocumented Syrian refugees, host countries have been required to adopt inclusive and efficient civil registration systems, that incorporate refugee-sensitive procedures. Especially, as adequate documentation would facilitate better integration in their societies and safe return to Syria after the end of the conflict. However, this would have been the case in an ideal world. In reality, host countries have been overwhelmed by the sudden responsibility the Syrian refugee influx formed. Many countries have closed their borders to Syrian refugees and as a result, the majority remained in the direct region. The Syrian refugee influx has placed a heavy burden on these countries, which often already struggled with political instability and structural challenges, such as (youth) unemployment, overburdened infrastructure, high pressure on social services etc. Depending on a variety of factors that continuously influence how host countries organize their refugee responses, complex civil registration systems have often been adopted. These complex civil registration systems in the host countries, however, often prevent Syrian refugees from obtaining civil documentation, particularly birth and marriage certificates, thereby expanding the problem of the lack and loss of civil documentation of Syrian refugees. These civil documents, however, are crucial to establish a good standard of living in the host countries. Moreover, civil documentation is crucial to prevent statelessness of Syrian refugees, particularly of children born to Syrian parents in exile to whom their link to Syria might be endangered.

Jordan, Turkey, and Lebanon are the three countries that have taken in the vast majority of the Syrian refugees. Regardless, each of these countries is characterized by its own historical, social, political and economic conditions. Although all three countries have been praised for taking in a large number of Syrian refugees, the level of commitment to properly host refugees have resulted in different degrees to which Syrian refugees have received protection in each host country. Depending on this level of commitment, each host country has implemented different civil registration systems. As civil documentation is often the key to a better life, these different civil registration systems have influenced the lives of Syrian refugees considerably. Yet, analyzes of these differences of civil registration systems and their impact on Syrian refugees has been highly neglected in academic work on the Syrian refugee crisis.

The majority of the conducted research on the Syrian refugee crisis has predominantly focused on the impact of the crisis on host countries. However, there is a lack of conducted academic research that focusses on the impact of host countries' refugee responses on Syrian refugees themselves. Especially the lack and loss of civil documentation and the consequent challenges experienced during civil registration procedures are highly neglected. It must be acknowledged that the majority of research on the lack and loss of civil documentation of Syrian refugees and its consequences is conducted by (I)NGOs. Moreover, comparative academic research that focusses on civil registration systems as part of host countries' refugee response is non-existent. Yet, it is important to analyze what factors influence countries to adopt and/or change their strategy regarding Syrian refugees, which also determines how and to what extent a host country is willing to facilitate inclusive and effective civil registration systems. Moreover, the results can contribute to positive pathways for host countries' implementation of civil registration systems concerning refugees. In addition, it is crucial to gain insight in the significance of civil registration procedures on the quality of life of refugees in exile, as well as to what extent these refugees are in the possession of proper civil documentation. Moreover, in light of an ending crisis in Syria, it is crucial to understand the importance of civil documentation on the return of Syrians to their country and the role that host countries play in properly documenting refugees. Therefore, this thesis sheds light on the civil registration systems and the consequent documentation challenges faced by Syrian refugees by aiming to answer the following question:

What explains the different implementation of civil registration systems for Syrian refugees in the host countries Jordan, Turkey, and Lebanon?

This thesis argues that the different implemented civil registration systems in Jordan, Turkey, and Lebanon are determined by each country's social, political, and economic situation before and during the Syrian refugee influx and the extent to which the Syrian refugees have impacted the country, positively and negatively.

The purpose of this Master's thesis is three-fold. The first purpose is to develop insight into what reasons countries could have for the adoption of particular civil registration systems for Syrian refugees and so to explain why there are differences. Secondly, the purpose is to gain insight into the consequences of particular civil registration systems on the lives of Syrian refugees and the challenges Syrian refugees face while attempting to obtain civil documentation, thereby emphasizing on legal status, birth- and marriage certification. And

thirdly, the purpose is to gain a deeper understanding of the influence the lack and loss of civil documentation has on the lives of Syrians in exile

This thesis is divided in a theoretical and an empirical part in order to answer the various research questions. In the first chapter, the theoretical background is provided, that gives understanding to the legal core of a person's identity: the right to a nationality. This chapter includes an explanation of the notions of being stateless and being a refugee, and highlights the importance of civil documentation for a person's legal identity. In addition, this chapter gives inside to the different motivations of governments while drawing up a strategy that deals with sudden refugee influx. The second chapter lays out the methodological approach of this thesis, which is inherently explanatory and explorative. In chapter three, the empirical part of the thesis is initiated. This chapter provides insight into the Syrian refugee crisis in light of the lack and loss of civil documentation. In addition, it provides an overview on the challenges Syrian refugees experience while obtaining civil documentation. In the following three chapters, a clear profile of each host country will elaborate on the factors that contribute to the development of different civil registration systems. By providing an overview of the civil registration systems, by focusing on legal status, birth registration, and marriage registration, an analysis is made on influential factors that shape governments to adopt the civil registration systems. Moreover, it will focus on the access to services for Syrian refugees as a result of the civil registration systems. In chapter four, the first case study on Jordan, is analyzed. Chapter five covers the second case study Turkey, which is followed by the case study on Lebanon in chapter six. Finally, with the outcome of the analysis of the three host countries, this thesis provides an answer to the research questions in the conclusion.

1 Background

With the creation of international law, countries together have determined and defined general principles that safeguard humanity's fundamental values, including the right to a nationality for all persons. Civil registration is the foundation of a person's existence. Through its procedures, civil registration underlines the link to an identity and a nationality, even when a person is uprooted. Civil documents are considered the legal proof of a person's nationality and grants access to civil registration. Within a refugee context, these civil documents are often missing, resulting in the need for adjusted civil registration systems. Yet, as international law is consent-based, some governments do not consider this their responsibility, contributing to the complex puzzle of the lack of loss of documentation for refugees. In order to understand this puzzle, this chapter will elaborate on the principles, the importance of documentation, and state strategy.

1.1 What is a nationality?

"Everyone has the right to a nationality", on 10 December 1948, the United Nations General Assembly (UNGA) adopted this resolution in Article 15 of the Universal Declaration of Human Rights (UDHR). The right to a nationality was first mentioned in the American Declaration on the Rights and Duties of Man on 2 May 1948, therefore often called the main influencer of Article 15 of the UDHR. However, the principles of the right to a nationality had already emerged during the drafting process in 1947. In addition to the first paragraph of Article 15, the United Kingdom and India opted for an amendment in May 1948, resulting in the adoption of a second paragraph that states that "No one shall arbitrarily be deprived of his nationality nor denied the right to change his nationality" (Ganczer, 2015, pp. 15-17). Ever since, the right to a nationality has been mentioned in multiple international legal frameworks.¹ In 1959, the UNGA adopted the Declaration on the Rights of the Child, which underlines a child's right to a nationality at birth. Principle 3 states that "The child shall be entitled from his birth to a name and a nationality" (Ganczer, 2015, p. 18). While drafting the Declaration, it was mentioned that this Principle is subject to complex legal issues, as it fails to mention its application in different national legislation, which in certain states is based on *jus soli*, the right to obtain the nationality

¹ Article 24 of the International Covenant on Civil and Political Rights (1966), Article 8 of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children (1986), Article 29 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), Article 18 in the Convention on the Rights of the Child (2006), and the frameworks mentioned in the text.

of the state in which a person is born, and in other states is based on *jus sanguinis*, according to which a person's nationality is determined by the nationality of the parents (Veerman, 1992, p. 171).

The in 1989 adopted Convention on the Rights of the Child (CRC) was the first human rights document that linked the right to nationality to statelessness. Article 7 states that “the child shall be registered immediately after birth and shall have the right . . . to acquire a nationality.” Birth registration essentially protects a child's right to an identity as it is part of effective civil registration to acknowledge the existence of a person (UNICEF, 2005, p. 1). Moreover, “states parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.” Despite national laws based on *jus sanguinis*, states are obliged to establish registration systems that safeguard a child's ability to be registered at birth, as birth registration is a steppingstone to a nationality, granted by the same state or not. In addition, Article 8 states that appropriate assistance and protection should be given to a child to preserve his or her identity, including nationality (United Nations, 1989) (Ganczer, 2015, pp. 20-21). However, it is crucial to make a distinction between international law on paper and the willingness of states to translate these principles into action. The problematic issue of these legal documents is that it remains unclear which state has the obligation to provide a nationality to a person.

1.2 What is statelessness?

Worldwide, at least ten million people are not considered a national by any state under the operation of its law: they are stateless (UNHCR) (United Nations, 1954, p. Art. 1). The majority of states do not grant the same rights to stateless people as to their own citizens, which often have civil, political, economic, and social rights. Stateless persons are often denied access to education, employment opportunities, housing, healthcare, and social welfare, and do not have the right to vote, nor the freedom of movement (Weissbrodt & Collins, 2006, p. 248). In 1954, the cornerstone of international protection for stateless persons was laid with the adoption of the Convention relating to the Status of Stateless Persons (CSSP). The Convention established important minimum standards of treatment with regard to a number of rights, including the right to employment, education, freedom of religion, and housing (United Nations, 1954). Under the 1961 Convention on the Reduction of Statelessness, considered the leading international instruments concerning fighting statelessness, a set of rules have been established

for the prevention and reduction of statelessness. In a detailed manner, the Convention sets out safeguards to prevent statelessness in several different contexts, including regulation on how to bridge the gap between *jus soli* and *jus sanguinis*, by stating that nationality could either be granted at birth, or upon application with the appropriate authority.

There are several causes of statelessness, including the inability to register due to administrative barriers and a lack of documentation, the inheritance of statelessness, discrimination against a particular group, and gender-based nationality law based on *jus sanguinis*. Another cause could be conflict between the nationality laws of two states, which occurs when a child is born in a state which grants nationality by descent, *jus sanguinis*, while the parents hold nationality of a state that grants nationality by birth, *jus soli*, leaving the child without a nationality (UNHCR, 1999, p. 3). Moreover, relatively new causes of statelessness have been identified due to complex temporary phenomena. During the Syrian conflict for instance, non-state actors, such as Local Councils in southern Syria and the Free Independent Judicial Council under the interim government in northern Syria, have become involved in executing civil registration systems. Yet, the questionable legitimacy and value of these documents could leave states without clear guidance on whether or not to accept these documents (Albarazi & van Waas, 2016, p. 30).

1.3 What is a refugee?

Globally, it is estimated that, in addition to the estimated 10 million stateless persons worldwide, at least 1.5 million stateless persons are also refugees. (Albarazi & van Waas, 2015, p. 7). Because of the overlap between stateless persons and refugees, initially, an ad hoc committee was established to draft international law on both categories combined. Nonetheless, two separate conventions were developed by the committee: the above mentioned 1954 CSSP and the 1951 Convention relating to the Status of the Refugees (CRSR) (Goldenziel, 2016, p. 596). Article 1 of the CRSR defines a refugee as “a person who has fled his or her country owing to a well-founded fear of being persecuted.” Refugees often face physical, (psycho)social, and economic hardships in the process of fleeing their homes. Having fled to another country outside of the realm of possible protection by their own government, it is required of the other government to establish frameworks that protect refugees within its borders. Yet, the binding factor of the above mentioned legal documents is based on consent, which sometimes results in the absence of these kind of frameworks (Hathaway & Foster, 2014, pp. 24-25).

1.4 Civil documentation

Due to the nature of displacement, refugees often live under uncertain, unstable, and unsafe conditions. Besides the earlier mentioned conflict of nationality laws, documentation challenges place immense pressure on refugees, increasing the risk of becoming stateless (Albarazi & van Waas, 2015, p. 16). As a result of conflict and subsequently forced displacement, refugees' civil documents are often (deliberately) destroyed, lost, confiscated, or forgotten. Moreover, unaccompanied or orphaned children are among refugees which the majority of time, are unable to identify themselves due to the absence of any civil documents. Upon arrival in a new country, refugees may experience barriers to accessing civil registration procedures due to the lack or absence of required documents for obtaining legal residency, refugee status, nationality, and family lineage. Moreover, these civil documents are needed for refugees to gain access to services such as healthcare, education, and social benefits, and to be able to apply for work permits. Without proper documentation, effective protection of refugees fleeing from conflict, persecution, and natural disasters is likely to be more difficult. Often it is not even possible to flee to another country through legal access channels. Civil documentation in this context refers to the registration of life events such as birth, marriages and deaths, while identity documents are used to prove a person's identity, such as ID cards, passports, or refugee ID cards (Manby, 2016, pp. 1, 8,12).

With rapid influxes of refugees, as is witnessed after the start of the Syrian conflict, it is increasingly important to either strengthen existing civil registration systems or to establish efficient, inclusive, and fast civil registration systems to determine a "person's eligibility for a particular status and to issue the appropriate documents" that align with international law and take away existing barriers for civil registration (Manby, 2016, p. 1). It is therefore crucial that refugees are able to register life events such as births, as this legal recognition of a child is generally required for obtaining other civil documents. In the situation of forced displacement, birth certificates could be necessary to prove someone's nationality later on. Yet, birth registration is often still challenging in a refugee context. In certain countries, including Jordan and Lebanon, marriage registration counts as a precondition for birth registration. However, parents frequently lack awareness and knowledge of civil registration procedure, and/or have limited access to the right authorities due to the absence of legal residency (Albarazi & van Waas, 2015, pp. 19-20).

1.5 Governmental strategy:

In essence, international treaties are solely binding when a state is signatory. It is therefore not illogic that states that host large refugee populations often have not signed international agreements concerning refugees and stateless persons, as it commits states to obligations. Particularly for governments that already experience political instability, and/or problems in providing services to their own citizens due to economic hardship, such as quality education, food subsidies, employment, water, and adequate housing, these obligations can be a serious hurdle, causing societal backlash on the government. Therefore, governments develop strategies in which they weigh their interests and compose appropriate responses to refugee influxes in a way that it benefits the state. The majority of times, host governments fear that refugee populations will remain permanently in their country. Consequently, governments have to choose to what extent they provide refugees with legal status, civil documentation, and access to services that will improve refugees' living conditions. According to Giorgio Agamben's theory of 'the state of exception', authorities are expanding their power through the suspension of the rule of law in order to solve a threatening crisis. By certain governments, refugee influxes are perceived as such security crises. In order to preserve the state, these governments allow themselves to implement special measures for refugees. Refugees are denied similar rights as citizens and deprived of any form of state protection (Wurts, 2016). However, contrary to this deterring strategy, which aims for refugees to not remain in the country, governments can also benefit from hosting and assisting refugee populations within their state borders. By maximizing the state's access to refugee recourses, monetary support by third countries could be allocated to support both the refugee population and the host communities, and to build up the country's infrastructure as a whole. Additionally, by integrating refugees in host communities, host countries have increased chances to receive support from development organisations, such as United Nations Development Programme and the World Bank. The presence of aid agencies also generates resources, such as employment opportunities, increase demand of local services, and economic revenue. Moreover, a government's role in a refugee crisis can generate both international as national recognition, while for certain leaders it can result in personal empowerment. Governments can use their positive role in a refugee crisis as leverage while negotiating agreements for the benefit of the country. Moreover, by embracing refugees as potential asset, rather than a burden, governments could utilize refugees' skillset for the improvement and increase of economic activity (Jacobsen, 2002, pp. 593-594).

2 Methodology

In this Syrian-refugee focused Master's thesis, an in-depth multiple case-analysis will be made on civil documentation procedures in a regional context, namely Jordan, Turkey, and Lebanon. The purpose of this thesis is threefold: (1) to develop insight into what reasons countries could have for the adoption of particular civil registration systems for Syrian refugees and so to explain why there are differences, (2) to gain insight into the consequences of particular civil registration systems on the lives of Syrian refugees and the challenges Syrian refugees face while attempting to obtain civil documentation, and (3) to gain a deeper understanding of the influence the lack and loss of civil documentation has on the lives of Syrians in exile. A qualitative literature-based research design will be used in order to answer the research questions, which enables to focus on civil registration systems and consequent challenges in a detailed manner. As a qualitative research not only allows to provide descriptive and detailed information but is also the appropriate design to explain contexts with; this design aligns with the thesis research objective (Bryman, 2012, p. 401). Within the context of this research, it is inappropriate to portray refugees as mere numbers, as the aim is to see past the numbers and to dig deeper into the real issues refugees are facing. Moreover, it would be hard to generate understanding behind governmental choices for particular civil registration systems by using a quantitative design. Yet, where quantitative data strengthens and contributes to the qualitative data, it will be used.

Although the cases in this research also host refugees from other countries, this research will only focus on Syrian refugees. Within the region, specific regulations have been tailor-made solely for the Syrian refugee population in order to deal with the scope of the influx, and/or as part of international agreements, such as the Jordan compact and the EU-Turkey deal, which will be elaborated on further upon in this thesis. In order to focus on these regulations, as well as to limit the research, it is decided that other refugee populations besides Syrians are excluded from the data analysis. Although Syrian refugees are not a homogenous group, due to the scope of the research, all persons that have fled from Syria to the neighboring countries will be considered Syrian refugees. A multiple case study design has been used with as cases Jordan, Turkey, and Lebanon. These cases have been decided upon based on a quantitative indicator: all cases have a large Syrian refugee population, as well as qualitative indicators, such as the composition of society, historical experience with refugee influxes, and political systems, which in all cases are different. The multiple case study will not solely be for the purpose of

comparison, but rather to provide contextual insight according to the qualitative research design (Bryman, 2012, p. 75).

By conducting a literature-based desk-research, data will be collected by analyzing a wide variety of sources. Primary sources will be used to identify the main challenges Syrian refugees are dealing with, host countries' governmental perspective on the refugee population within their borders, and the rights and entitlements of Syrian refugees. Primary sources will mainly provide firsthand views on issues and will include reports that contain interviews and statements with and by refugees, governmental documents, speeches and statements by both government officials and NGO staff. In addition, legal documents, such as the UDHR, the TPR, and several other human right treaties will be consulted. Secondly, a large number of secondary sources will be used, including (NGO) reports, newspapers, publications on websites of particular institutions, and textbooks. All sources will be selected based on quality, objectivity, and relevancy to answer the research questions.

3 Civil registration procedures

3.1 Syrian refugee context

The civil uprisings that suddenly erupted in the Middle East in 2011, often referred to as the Arab Spring, had in every country a different process and outcome. In Syria, the government's crackdown on peaceful demonstrators caused the formation of the Free Syrian Army, which was the beginning of Syria's slide into a full-scale civil war with international involvement. This conflict and the subsequent humanitarian crisis of epic proportion have caused the largest displacement crisis since World War II. Currently, eight years after the start of the Syrian conflict, more than half of the pre-war Syrian population has been forcibly displaced, internally and cross-border, rating Syrians the largest forcibly displaced population worldwide (Mercy Corps, 2018). Within Syria, more than six million people remain internally displaced, over a million Syrians have fled to Europe, and around five and a half million people have registered as refugees in the neighboring countries. The three countries that host the largest Syrian refugee populations are Jordan, which hosts 660.000 Syrians, Turkey, which hosts 3.4 million Syrians, and Lebanon, which hosts about a million Syrians (Connor, 2018) (Joint NGO Regional Report, 2018, p. 4). Within these three host countries, Syrian refugees often live under harsh conditions. Without proper civil documentation the vulnerability of these refugee increases, as they often cannot apply for legal residency, register civil events, enjoy certain rights, request humanitarian assistance, and access services such as healthcare, education, housing, and employment.

Yet, the lack and loss of civil documentation among Syrian refugees in the host countries are of epic proportions. Surveys by the Norwegian Refugee Council (NRC) show that around 70 per cent of the Syrian refugees lack basic identity documents, while these are essential to apply for legal residency in the host countries and access services.² Also family booklets, the civil document that registers all family members and proves both the parental identity and the marital status, are often lacking. These booklets, particularly with the absence of a national ID card and passport, are essential identity documents, which are required while registering civil events, such as births, marriages, and deaths. To state an example, during the eight years of living in exile, hundreds and thousands of children have been born from Syrian refugee parents.

² Basic identity documents have been defined in this particular research as not having a (valid) national ID card.

These babies have been born as refugees and will remain stateless if the link to a Syrian father cannot be proven. A birth certificate is the first step to secure Syrian nationality. Yet, completing birth registration procedures is often experienced as complex, as birth registration procedures in Syria are different. In 2017, 83 per cent of the Syrian refugee families in Lebanon were unable to register the birth of their child due to administrative and legal hurdles (VASYR, 2017, p. 14). Moreover, half of the married Syrian refugees do not possess a marriage certificate, while this is a pre-requisite for obtaining birth certificates in both Jordan and Lebanon (NRC, 2017). In order to acquire civil documents, some families have taken drastic measures, such as using fake civil documents to be able to complete registration procedures, which are often expensive and is a serious crime, and returning to Syria to access registration procedures. According to UNHCR, lack and loss of civil documentation, and the subsequent risks many face of becoming stateless is a “ticking time-bomb.” (Clutterbuck, Cunial, Barsanti, & Gewis, 2018, p. 60). In the first period of refugee influx in the region, the host countries did not have structures to facilitate the procedures well. Governments thought that the conflict in Syria would end quickly and that the refugees would return home soon after. However, as the conflict and the subsequent refugee crisis became protracted, governments had to change their perspectives, which did not necessarily mean adaption of civil registration procedures. Although some host governments have been taking mitigating measures to decrease the lack of civil documentation, the problem is still widespread, affecting the present and future lives of many Syrians.

3.2 Civil documents in Syria

For Syrian refugees in exile, it is key that via civil documentation the link to Syria and the Syrian nationality is secured. Article 3 of the Syrian Nationality Law underlines that persons born to Syrian fathers inside and outside of Syria will automatically be considered a Syrian citizen. The law is based on paternal *jus sanguinis*. Persons born to a Syrian mother will not automatically obtain Syrian nationality. Syrian women could only grant Syrian nationality to their children if the paternal lineage of the child is unknown and only when the child is born inside Syria (Article 3(B), 1969). Consequently, most children born to Syrian parents in exile will not immediately face the risk of statelessness. However, particularly in this context in which families have been separated and people have been displaced and disappeared on large-scale, the inability of Syrian women in exile to transmit the Syrian nationality to their children in absence of the father causes increased difficulty for these children to prove their entitlement to Syrian nationality. Due to the conflict, one in four refugee households lack a father to transfer

the Syrian nationality, they are female-headed households (UNHCR, 2016, p. 10). Also, children born in exile to Syrian women who are unable to prove their marriage to a Syrian man, or whose whereabouts are unknown, have no evidence to prove their link to a Syrian father (Albarazi & van Waas, 2016, p. 19) (UNHCR, 2016).

In Syria, all persons aged 14 and above can obtain a national ID card, a *hawiya*. In addition, family booklets, *deftar ha'ila*, could be obtained and updated in Syria or at a Syrian diplomatic mission in a third country. Newly married couples need to obtain their own family booklet by showing their marriage certificate. Although many refugees have lost their civil documents due to the crisis, it is crucial to acknowledge the shortcoming of the Syrian civil registration system pre-crisis. Civil registries have never digitalized their hard-copy records and Syrian national and local customs have always had a large influence on civil registration procedures. According to Syrian customs, for instance, a *ketb al-ktab*, the unregistered Islamic marriage contract, is often deemed sufficient without (or at a later stage) registering the marriage officially with the authorities (Albarazi & van Waas, 2016, p. 19). Due to the conflict in Syria, many civil registry offices have been closed or destroyed, information covered in hard-copy records are permanently lost, and proof of new civil events, birth, marriages, divorces, and deaths have largely not been recorded. For Syrians that have fled to the neighboring countries, these issues could not only endanger their link to Syrian nationality upon return, but could also provide a source for challenges in obtaining civil documentation on the long run (Clutterbuck et al., 2018, p. 69).

3.3 Challenges in obtaining civil documentation

Although civil registration provides the basis for individual legal identity, many barriers prevent people from registering life events. Particularly, Syrian refugees face more challenges, due to the protracted displacement, that contributes to under-registration of civil events.

3.3.1 A lack of essential documents

To access civil registration procedures, host countries require certain documents to be handed in, starting with identity documents, which refugees often do not possess. This lack of required civil documents is a significant barrier to completing civil registration procedures. As part of their strategy to push away refugees, some governments deliberately implement registration procedures with difficult requirements. In Lebanon, for instance, only 26 per cent of the Syrians above the age of 15 have legal residency, often due to high fees, while this proof of residency is essential to register any other form of civil events, as well as accessing services (VASyR,

2017, p. 13). Similar problems occur when a birth notification, which is provided by an authorized medical facility after giving birth, is lacking. In some cases, women have given birth in (private) hospital where they are not entitled to free healthcare and are unable to pay a high medical fee. In other cases, children are born outside of a hospital with the help of unauthorized midwives. However, this birth notification needs to be submitted in order to obtain a birth certificate. The lack of marriage certificates is also a major obstacle, as it also is a required document while registering births, at least in Jordan and Lebanon. Yet, over half of the married Syrians in exile do not possess their marriage documentation (NRC, 2017). As briefly mentioned previously, non-state actors in Syria have been issuing civil documents in non-governmental held areas. Host countries are finding themselves in difficult positions as the legal value and validity of such documents are questionable. As a result, local authorities within the host countries have been inconsistent concerning the acceptance of, and of which non-state actor issued documents (Albarazi & van Waas, 2016, p. 30).

3.3.2 Practicalities

Although language is not a problem in Jordan and Lebanon, as both are Arabic-speaking countries similar to Syria, in Turkey, the difference in languages increases the difficulty of the civil registration procedures. The absence of Arabic speaking Turkish officials, especially at district offices, contributes to miscommunication between Turkish officials and Syrian refugees. Moreover, the “Turkification” of Arab names and the difference between the Turkish and the Arabic alphabet could have an effect on proving family links, especially to Syrian fathers (Albarazi & van Waas, 2016, p. 33). It is reported that *Khaled* has been translated into *Halit*, while *Marwa* is turned into *Merve* etc (Horoz, 2018).

In certain host countries, the issuance of civil documents is subjected to fees. For some refugee families, the financial burden that comes with civil registration is too high. In Jordan, costs for marriage certificates are ranging between 25 and 110 Jordanian Dinars (JOD). Moreover, refugees that are lacking required documents for civil registration could find themselves in situations where they are required to pay prohibitive costs. This could, for instance, be the case when there is no proof of marriage, yet parents aim to obtain a “recognition document”, or when a child is not registered within the legal time limit. For some Syrian families with vulnerable financial positions, especially female-headed households and households without a legal right to work, the financial burden of paying for transportation to go to a registration

office could even be too much, especially when the distance to the offices is large (Albarazi & van Waas, 2016, pp. 32-33).

3.3.3 Knowledge gap

Research points out that Syrian refugees understand the importance of civil documentation but lack the awareness of civil registration procedures in the host countries. Syrian refugees are often unsure where to register, what steps to take, and/or what the required documents are. This confusion is increased by inconsistency regarding the required documents for civil registration by different governmental entities at different locations. As the procedures are often governed at the local level, this may vary depending on time and place. Due to the lack of knowledge of procedures in host countries, Syrian refugees have continued to stick to Syrian practices instead of adapting to new procedures. However, in the host countries, these practices are mostly not accepted as valid registration, thereby increasing the vulnerability of Syrian refugees. A good example is the previously mentioned *ketb al-ktab*, the Islamic marriage issued by a local *sheikh*. Within the host countries, such unregistered marriages are deemed informal and need to be registered officially in order to be recognized by authorities and used as proof in civil registration procedures. Yet, Syrian refugees have continued the *ketb al-ktab* tradition, under the assumption that Arab countries have the same customs. (I)NGOs in cooperation with governments have taken steps on increasing awareness under Syrian refugees, while governments have eased procedures as will become clear in the following chapters (Albarazi & van Waas, 2016, pp. 29-32).

4 Jordan

While the Arab Spring spread over the Middle East, Jordan experienced some protests, but remained relatively stable after reforms were made. Situated along the southern border of Syria, Jordan became a safe haven for many Syrian refugees. As of September 2018, 670,429 Syrians have registered with UNHCR as refugees. Jordan has a long-standing history taking in refugees; more than two million registered Palestinian refugees live in Jordan, the vast majority has been granted full Jordanian citizenship (UNRWA, 2016). Moreover, apart from the Palestinian and Syrian refugees, multiple other refugee populations, including Iraqis, Yemenis, and Sudanese are residing in the country. While the resource-poor Kingdom has been dealing with a strained economy well before the influx of Syrian refugees, the large number of refugees has impacted the country significantly, increasing national debt in relation to the gross domestic product (GDP) to almost 96 per cent in 2018 (Statista, 2018). Consequently, public discontent and subsequently potential political instability caused the Jordanian government to adapt their refugee response plan by narrowing its hospitality towards Syrian refugees. However, due to Jordan's experience with previous refugee influxes, the Amman-government understands that cooperation with the international community could provide opportunities for the development of the Kingdom as well, which has impacted civil registration procedures positively.

4.1 Strengthening Syrians and Jordanians alike

Around 80 per cent of the registered Syrian refugees live outside the refugee camps, predominantly in the Amman governorate, as well in the two northern governorates Mafraq and Irbid, which are also home to the most vulnerable Jordanian communities (UNHCR, 2018C). Prior to the influx, Jordan already struggled with structural challenges such as poverty, overburdened infrastructure, unemployment, water scarcity, and high pressure on social services. Yet, the impact of the refugee influx on these host communities have been significant, as food and rent prices jumped, job competition further increased, infrastructure further crumbled, and governmental service delivery stained, particularly education, healthcare, and waste management. Although the government often suppressed the call for political change by reminding Jordanians of the potential consequences of revolution by referring to the situation in Syria, the refugee influx “revealed long-present and deepening fissures in Jordan's political, economic, and social infrastructure” (Francis, 2015, p. 3). As a result, marginalized Jordanians increasingly expressed their public frustrations, pushing the government to alter its refugee response. By mid-2013, border restrictions became tighter: some border crossings closed, the

number of Syrians that could enter restricted, and more refugees were placed in the camps. Since 2014, Jordan's hospitality toward Syrian further worsened, as protection efforts decreased. However, the Jordanian Kingdom has always been a country that opened its borders to refugee populations and is therefore accustomed to negotiating opportunities with the international community. "Unsurprisingly, Jordan has demonstrated the most sophisticated regional response to the Syrian refugee crisis of all the major neighboring host countries ... joining refugee and development responses in one comprehensive national plan" (Francis, 2015, p. 5). By streamlining foreign aid for both vulnerable Jordanians and Syrians, the government has not only has attempted to capitalize on international support, it also aimed to strengthen its legitimacy by pleasing the Jordanian population while still responding to Syrian refugees' needs. Furthermore, Jordan's use of its role in the refugee response to leverage for international support and opportunities for nation building, demonstrates that the government understands the relationship between refugee influx and potential foreign aid. The Jordanian royal family, in particular, Queen Rania who was born to Palestinian parents, has an important role in pleading for refugees and support for host countries with the international community, thereby improving the country's image (Francis, 2015, p. 5).

4.2 Access to civil documentation

Upon arrival, all refugees are officially required to report their arrival at one of Jordan's refugee camps, which are co-managed by UNHCR and the government. Within the camps, all refugees obtain a 'Proof of Registration' document from UNHCR. After receiving approval to move out of the camp, eligible Syrian refugees are given 'Asylum Seeker Certificates' (ASC) per individual or family, which enables refugees to access assistance and services by UNHCR and other humanitarian agencies (IHRC & NRC, 2016, p. 8). Yet, to obtain documentation in Jordan, civil documents from Syria are required, which in some cases were confiscated at the border or are not in the possession of the refugee. Before 2013, the Jordanian authorities predominantly retained identity documents, such as passports and ID cards. However, at the height of the refugee influx in 2013, other civil documents, such as family booklets and marriage certificates, were also retained. When this practice ended in early 2014, the Jordanian authorities had confiscated some 219,000 documents (IHRC & NRC, 2016, p. 14). Moreover, obtaining other civil documentation is significantly more complicated when certain civil documents, either from Syria or essential documents in Jordan, are missing, as further explained in this chapter (Townzen, 2016).

4.2.1 MoI card

Upon arrival in Jordan, Syrians must also register with the Jordanian Ministry of Interior (MoI) to obtain a MoI Service Card (MoI card). This card “serves as proof of legal residency in a host community in a specific district” and is “used for accessing public services including health and educational services within the district in which the card was issued” (IHRC & NRC, 2016, p. 8). Additionally, it allows refugees to travel freely in Jordan, obtain a drivers’ license, and to apply for a work permit. The government restricts NGOs that are financed with foreign money to only assist refugees with a card (IHRC & NRC, 2016, p. 29). In July 2014, the process of obtaining and/or renewing the MoI card became increasingly complex, as a decision by the MoI restricted Syrians without an official ‘bail-out’ document from obtaining a MoI card. As all refugees must have been registered in a camp, refugees are solely allowed to relocate to host communities upon receiving a bail-out document through the bail-out process, which requires Syrians to have a Jordanian sponsor who is a relative above the age of 35 and married. At the same time, the government restricted UNHCR from issuing ASCs to Syrians without bail-out document. Consequently, refugees who tried to obtain an ASC from UNHCR after 14 July without a bail-out failed to do so, making it impossible for these refugees to access humanitarian services. Moreover, these Syrians were not able to apply for a MoI card. However, the number of refugees that remain officially registered in the refugee camps, while having moved to the host communities without authorization is quite high. NRC estimated that as of September 2016, that 17,000 of the 55,000 Syrians that were officially registered as residents of Azraq refugee camp, have left without a ‘bail-out’ document (IHRC & NRC, 2016, p. 8). The consequences of the exclusion of Syrians without bail-out document to access registration procedures for other documentation purposes became even more severe after the government decided, in January 2015, to officially cancel the bail-out process, without lifting the restrictive bail-out decisions (IHRC & NRC, 2015, p. 12).

The government’s aim to have more insight into the Syrian population living in its communities seems clear. On the one hand its policies aim to keep the Syrians within the camps, and on the other hand it aims to control their movement outside of the camps. In line with this agenda, the Jordanian government introduced a re-registration system to verify all Syrian nationals in early 2015, refugees and non-refugees, residing in Jordan outside the camps, which is called the “Urban Verification Exercise” (UVE). In order to obtain new biometric MoI cards, all Syrians have been expected to report to the local police stations and go through the biometric scanning process. Before receiving the new MoI cards, the refugees must hand in a variety of civil

documents, starting with proof of identity. This could either be a Syrian passport or ID card for adults, a family booklet or passport for children born in Syria, or a birth certificate for children born in Jordan. As many Syrians travelled without these documents and the Jordanian authorities retained a lot of these civil document at the border, the requirement of civil documents caused some challenges. However, through the UVE, the government enabled refugees to retrieve the retained documents. As of August 2016, more than 80 per cent of the documents had been returned. In addition, proof of address and health certificates issued by an authorized health center are also required for all Syrians above the age of twelve. At the beginning of the UVE, only 12 health centers were permitted to issue the certificates, but later on, this number was increased to 30. Moreover, as many Syrians in Jordan live under harsh economic conditions, the price of a single health certificate of 30 JOD was too high for many households. As a result, the government reduced the price to five JOD, after which the demand suddenly increased. In addition, refugees that have entered Jordan after December 2013 are required to show an ASC, which is particularly difficult for Syrians that applied for an ASC after 2014, without proof of bail-out (IHRC & NRC, 2016, pp. 8-15).

All refugees are eligible for a MoI card, however, due to these requirements, a large group is facing challenges trying to obtain a new MoI card, particularly the refugees without an ASC. Among the Syrians without ASC are affluent refugees that never reported their arrival in Jordan in a refugee camp and were living off their savings. As the crisis has become a protracted situation, savings have run low, causing increasing vulnerability of this group (Townzen, 2016). In addition, refugees that left the refugee camps without bail-out after July 2014 are facing challenges trying to obtain a MoI card. This includes all refugees that have left the camp from January 2015 onwards, when the bail-out system was cancelled. Another major reason for not obtaining the MoI card is the financial barrier. Although the card itself is free, additional costs, which could include costs for transportation, the costs for the health certificate, the inability to work due to the long waiting times, and the costs for gathering all required documents, could be a significant amount for households (Swan, 2017, p. 13). Some refugees have reported that they were not aware of the process for obtaining the MoI card, while others have stated that the waiting times were long as the local police offices and health centers were overwhelmed with the task. Yet, the most significant reason for the inability to obtain the card was a lack of the required documents. The financial costs for Syrian refugees to obtain or renew a Syrian passport at the Syrian Embassy in Amman are often too high, reportedly between \$ 400 and \$ 200. In addition, refugees often feel unsafe reaching out to the Syrian authorities.

Refugees that have left Syria before the age of 14 and turned 18 in Jordan are particularly facing many challenges trying to obtain the card. They often do not have a Syrian ID card or passport, while family booklets are not accepted as a proof of identity since they are considered adults. Additionally, the lack of birth certificates, family booklets, and retained documents are posing challenges on Syrian refugees in Jordan. For these complex cases, a committee was established by government agencies and UNHCR. However, refugees are often unaware of its existence and the process level is very low (IHRC & NRC, 2016, pp. 10-21). As of December 2017, 403,332 Syrians, around 60 per cent of all Syrians registered as refugees in Jordan, successfully obtain a new MoI card. As the government acknowledged this low number, it eased requirement. At the beginning of March 2018, it launched a campaign allowing UNHCR to issue ASCs to Syrians that have entered Jordan through informal borders and/or have no bail-out. “As of April 30th, an estimated number of more than 32,000 individuals came forward for rectification and almost 14,349 Asylum Seeker Certificate were granted” (JIF, 2018). The campaign, which ran until 27 September 2018, ensured that refugees had the opportunity to obtain legal status. With a valid ASC, Syrians are allowed to obtain a MoI card, as well as having access to protection and assistance by humanitarian agencies (JIF, 2018).

4.2.2 *Marriage registration*

In order to marry in Jordan, both Syrian and Jordanian couples need to apply for a marriage certificate from one of the Shari’a courts. This contains a whole process that starts by providing proof of identity, which generally is done by showing the MoI card, or in absence of this card, by showing Syrian documents. The bride’s guardian, generally speaking her father, as well as two witnesses are also required to provide their identity documents. In addition, the couple has to proof that they are not carriers of the genetic disease Thalassaemia, by providing a health certificate issued by the Ministry of Health. Like other non-Jordanian couples, it is impossible for Syrian couples to marry without the permission of the MoI. With the approval letter of the MoI, which needs to be acquired in Amman, the couple can sign the marriage contract in the presence of the witnesses and with approval of the guardian. Subsequently, the judge will provide the couple with a marriage certificate at a cost ranging from 25 JOD to 110 JOD. Couples that have married informally through a *ketb al-ktab*, either in Jordan or Syria, are also able to legalize their wedding through registration. Although these marriages are illegal in Jordan, by paying a 1000 JOD fine, couples can request a marriage ratification certificate from a Shari’a court. The process is similar to the formal marriage process, but the court could order additional requirements, such as demanding the presence of the witnesses and the *sheikh* who

were involved in the informal marriage ceremony. Another common practice in Syria are early marriages of persons before the age of 18. This practice continues to occur in Jordan. Particularly girls from female-headed households are often pushed to marry young due to poor living conditions. In Jordan, it is prohibited to marry before the age of 18, but with judicial approval, it could be allowed for persons between the ages of 15 and 18. However, commonly “child” marriages are arranged informally. It is possible for these cases to submit for the marriage ratification certificate, but only if the girl was between the ages of 15 and 18, and even then, it depends on the judge’s verdict. For married children below the age of 15 it is impossible to register the marriage. As a marriage certificate is required while registering a birth, children born in early marriages are often unregistered, risking becoming stateless (IHRC & NRC, 2015, pp. 19, 22).

Although the process seems straightforward, a lot of refugees are experiencing challenges obtaining a marriage certificate. Among the biggest challenges are the costs. As 93 per cent of the refugees outside of the camps are living below the poverty line in Jordan, the expenses for the registration of the marriage are often perceived too high (JIF, 2018, p. 10). The court that conducts or ratifies the certificate depends on the bride’s location of residence listed on the MoI card. However, as refugees are often on the move to new places, depending on housing and job opportunities, travel expenses are in some cases significant. In other cases, the court fees are too high. Particularly, the 1000 JOD fine for informal marriages is a major hurdle for registration. As the Jordanian government recognizes this, several improvements have been made to ease the process. In 2013, the government decided that couples that married informally outside of Jordan could register their marriage in Jordan without paying the fine. In addition, between October and December 2014, and May and July 2015, the fine was waived for couples that have married informally in Jordan. Other challenges have been the lack of awareness of the importance of civil documentation and the procedures in Jordan, inconsistencies in court practices, and a lack of the required documents. Again, the persons without bail-out status experience most difficulty. Although a MoI card is not officially required, the MoI reportedly denied refugees’ requests for approval if they were lacking a MoI card. Moreover, these same persons are often afraid to travel out of fear of being arrested and/or deported (IHRC & NRC, 2015, pp. 20-23).

4.2.3 Birth registration

When giving birth in Jordan, authorized hospitals or midwives give the family a birth notification. This notification has to be handed in at the Civil Status Department within 30 days. Besides proof of identity, a proof of marriage is required by the Civil Status Department, which can be either a marriage certificate, a marriage ratification certificate, or a family booklet from Syria. Once these documents have been approved, the parents receive the birth certificate. Previously, the fee for registering within 30 days was 1 JOD. However, after advocacy efforts, the fee has recently been lifted. If the parents fail to register their child within the time limit, a fine must be paid of 10 JOD. Birth registration, however, has to be done within a year. If more than a year has passed since the birth, the parents are required to go to a Magistrates Court for special permission. Children born in Syria, but having fled to Jordan before registering their birth, are not able to receive a birth certificate in Jordan. This, however, is the case for many children as due to the nature of conflict families have been unable to register their newborns. Recently, the government has allowed these children to receive a new MoI card if their names are mentioned in the families' ASC (JIF, 2018, p. 11). Yet, 75 per cent of the Syrian households in Jordan have at least one child that does not have a birth certificate (Boncenne, Erba, John, & Khan, 2018, p. 100). By far the largest hurdle for completing birth registration is the lack of required documents, particularly the inability of parents to prove their marriage, often due to early marriages and the nature of displacement. Parents also lacked the birth notification as a result of giving birth at home, or the inability to pay high hospital fees. Particularly after February 2018, when the subsidized healthcare was canceled, refugees had to resort to not giving birth in medical facilities. In addition, the lack of awareness of the procedures for birth registration and the inconsistency of the Civil Status Department are also reasons for the lack of birth registration. Yet, birth registration is evident to establish an identity for these children and to safeguard them from becoming stateless (IHRC & NRC, 2016, pp. 22-24)

4.3 Access to services

Despite that Jordan is host of one of the largest refugee populations worldwide, it has not signed any international treaty on refugee rights, nor statelessness. Nevertheless, the kingdom does uphold customary international law by providing fairly good treatment for refugees within their borders. Since the beginning of the refugee influx, Jordan allows Syrian children free access to public education. However, as over half of the Syrian refugee population is below the age of 18, this decision put a large pressure on the capacity of the education sector. Although prior to the influx, the government aimed to reduce double-shifted schools, the large number of Syrian

crisis has caused an increase of double-shifted schools (Francis, 2015, pp. 8-9). Moreover, refugee children had to provide identity documents and MoI cards in order to enroll in public schools (HRW, 2016). At the start of the 2016-2017 school year, the Ministry of Education announced that all children could access public education, regardless of their nationality and documentation status. This decision was extended during the following two school years (JIF, 2018, pp. 8-9). As of January 2017, 72 per cent of the registered Syrian refugee children are enrolled in schools (UNICEF Jordan, 2017).

At the beginning of the crisis, registered refugees with UNHCR could enjoy free healthcare. This changed in 2014, after the government decided that Syrians had to pay the non-insured Jordanian rate, which is about 35-60 per cent of what other non-Jordanians pay. However, this only applied to Syrians with a MoI card and ASC. Without these documents, Syrians had to pay the same rate as other non-Jordanians. After the earlier mentioned revoking of subsidized healthcare in January 2018, there is no longer a difference between documented and undocumented Syrian refugees. Moreover, 80 per cent of the medical costs have to be paid up front. Although pre- and post-natal care, family planning, and vaccinations were free due to a special 2016 decree by the Ministry of Health, since 2018, these services are not provided consistently in public health facilities. From the beginning of the refugee influx until the end of 2016, the Jordanian government stated that it already invested JOD 1,5 billion on healthcare for Syrians, a significant amount for a country in economic hardship (Human Rights Watch, 2018).

In February 2016, the Jordan Compact was signed. This trade-agreement between Jordan and the European Union (EU) focused on job creation for Syrian refugees and Jordanian host communities. It committed Jordan to issue 200,000 work permits for Syrian refugees in a three-year period, in exchange for eased rules of origin to improve Jordan's access to the EU market. The work permits, however, are restricted to certain sectors only, such as agriculture and construction. In addition, refugees need to have a MoI card in order to obtain a work permit (JIF, 2018, p. 9). Within two years after signing the agreement, close to 90,000 work permits were issued, which includes the number of renewals. In addition to the disappointing results, more than 95 per cent of the work permits were granted to males (Ministry of Labour, 2018, p. 3).

4.4 Forced return to Syria

Besides that Jordan is signaling that without additional financial help from donors, it is no longer able to assist Syrian refugees within its border to the extent as before, the government also strictly enforces MoI cards to have better security insight of who is present in the kingdom. The freedom of movement of refugees without official bail-out certificate, MoI card, ASC and sometimes work permits is increasingly restricted as they face involuntary relocation to the camps, predominantly Azraq refugee camp, after police checked their lacked documentation status through roadside check-up stations, workplace inspections, random checks, and sometimes even raids. A result of the relocation is family separation, the majority of times concerning the breadwinner of the households, as they are more exposed to police checks. In addition, Jordan has initiated deportation of Syrians back to Syria in 2017, going against the principles of non-refoulement. In total, 2,361 deportations, confirmed by UNHCR, have occurred (JIF, 2018, pp. 13-15).

5 Turkey

Located at the northern border of Syria, Turkey has been a destination for many Syrians, particularly the ones fleeing from Aleppo. Due to the welcoming rhetoric of the Turkish government, the Syrian population grew fast during the first years of the influx. As of October 2018, 3,577,752 Syrians have been registered with the Turkish government and UNHCR, in addition to almost 370,000 non-Syrian refugees, making Turkey host of the largest refugee population worldwide (UNHCR, 2018B). In the ten years before the refugee influx, Turkey was among the fastest growing economies in the world. This enabled Turkey to have an active role in managing the refugee influx by adopting a temporary protection regime, which includes refugee-sensitive civil registration systems and access to services for Syrian refugees. Due to Turkey's geographical position close to Europe, the Turkish government has had a unique position to negotiate beneficial agreements. However, as the economic growth slowed down, the number of Syrian refugees reached its height, and the government increased its power, critical voices became louder. In 2016, a coup surprised Turkey, which turned Turkey in a state of emergency.

5.1 From open-door policy to temporary protection

Although Turkey is signatory to the 1951 Convention and the additional 1967 Protocol, it is one of the few countries that included geographical constrictions by granting the right to asylum only to Europeans, thereby excluding Syrians. When in 2011 the first Syrians entered Turkey, the government received them with open arms, referring to the Syrian refugees as "guests". When the number of Syrians entering Turkey continued to increase and it became clear that the Syrians would not return to their homes anytime soon, Turkey ended this legal ambiguous status by adopting the Law on Foreigners and International Protection (LIFP) in April 2013, which entered into force in April 2014. The LIFP grants 'temporary protection' for persons that have been forced to flee their country *en masse* and subsequently have crossed the Turkish border. Moreover, the LIFP introduced the General Directorate on Migration Management (GDMM), a newly established agency under the Ministry of the Interior with the mandate of centralizing asylum procedures. In October 2014, the government adopted additional legislation on the rights, obligations, and procedures regarding temporary protection with the Regulation on Temporary Protection (TPR) (Baban, Ilcan, & Rygiel, 2017, pp. 88-89).

Until early 2013, almost all Syrians that had fled to Turkey were hosted in refugee camps which are located across southeastern Turkey along the border with Syria. Although living conditions in these camps have been described as relatively safe and comfortable compared to refugee camps in other host countries, Syrian refugees have relocated in high speed to urban settings, despite the significant worse living conditions. Main reasons for this shift have been the fact that Syrians who entered illegally were not eligible for registering at the camps and that the capacity of the camps became overburdened as the influx of Syrians increased and intensified. While by the end of 2014 55,000 Syrians were seeking refuge in Turkey monthly, the vast majority, 80 per cent of the Syrians were settled outside the camps (İçduygu, 2015, p. 8). Currently, 90 per cent of the Syrians live outside the camps (Ineli-Ciger, 2017, p. 576). Although the TPR is incorporating Syrians into the Turkish already extensive welfare system, it is failing to offer future prospect on full citizenship, leaving Syrians in an insecure and unstable situation. As in this period legislation regarding work permits lacked, many Syrians were facing economic hardships as they were forced to settle for low-paying work in the informal sector. At the same time, tensions in the host community increased, as the large number of Syrians put pressure on the delivery of services (Baban, Ilcan, & Rygiel, 2017, p. 46). As the end of the conflict in Syria did not seem near and many Syrians felt challenged by the insecure situation in Turkey, an increasing number of Syrians risked their lives reaching Europe by crossing the sea.

5.2 EU-Turkey Deal

In 2014, 138,000 refugees arrived in Europe to seek international protection, while at the height of the movement in 2015, nearly 500,000 refugees had made their way to Europe. In March 2016, the EU and Turkey agreed upon a non-binding document, the EU-Turkey deal, with the aim to stop the illegal flow of refugees coming to Europe. In essence, the deal states that for every Syrian refugee that will be returned from Greece to Turkey, another Syrian refugee will be resettled in the EU through legal ways. Turkey, in its turn, would need to prevent refugees from travelling to Europe from its shores. As part of the agreement Turkish citizens would be allowed to travel visa-free to the EU, the of accession talks of Turkey to the EU would be reopened, and more than three billion euros would be provided to support Turkey's efforts regarding Syrians refugees in the first two years, with promises for an additional three billion in 2018 (Chen, 2018, p. 4). Yet, post-deal, the relationship between both parties have intensified as Turkey has complained about needing to meet too many conditions and that the EU is too slow with transferring the agreed upon amounts, while the EU has complained that

the capacity of Turkish state institutions is too weak to absorb the cash injection. However, both parties understand that cooperation is in their best interest. It is not the government, but EU's Emergency Social Safety Net, flagship of the deal, that is responsible for most of the direct aid to registered Syrians in Turkey (International Crisis Group, 2018, pp. 2,14).

5.3 Heightened political tension: the failed coup attempt

Following a failed coup attempt on 15 July 2016, Turkey declared a state of emergency. Under this state of emergency, normal legislative procedures were replaced by legislation through presidential decrees. In October 2016, this resulted in amendments to the LFIP: All persons under temporary protection “who are suspected to be involved in terrorist or criminal organisations or who are deemed to pose a threat to public order, public safety or public health can be issued with an immediate removal decision” (Zoeteweyj-Turhan, 2018, p. 56). In addition to the use of ambiguous and vague terms such as ‘terrorism’ and ‘threat to public safety’, the amendment gives Ankara free rein to put aside its obligation of non-refoulement under international law. Subsequently, in some cases, Syrians have been deported to Syria, particularly Syrian refugees that worked for INGOs have been the victim of ordered deportations. After the coup, (I)NGOs have been forced to operate in a heightened suspicious environment: many (I)NGOs have been investigated, staff have been arrested and/or had their official registration approval cancelled, or refused when trying to renew (Zoeteweyj-Turhan, 2018, p. 56). Besides the forced shut down of around 1500 (I)NGOs, the elimination of over 100,000 civil servants for alleged links to ‘terrorist organisations’ has resulted in loss of capacity of governmental institutions that assist both Turkish citizens and Syrian refugees, particularly in the education and healthcare sectors (International Crisis Group, 2018, pp. 1, 10).

5.4 Political opportunism or morally obligated?

During the past eight years of refugee influx, the approach of the Turkish government, or rather said, Turkey's ruling Justice and Development Party (AKP) under President Erdoğan, has seemed beneficial, rather than a burden. The government has stated that Turkey's approach towards the Syrians in Turkey to safe ‘human dignity’ is morally motivated. However, Turkey's bargain with the EU, the EU-Turkey deal, which at the expense of Syrian refugees benefited Turkey with large amounts of money and other concessions, question this noble motivation (Gardner, 2016). Not only does Erdoğan emphasize Turkey's generous open-door policy in contrast to the EU's reluctance to take in refugees as a means to strengthen its position

and improve Turkey's image. Erdoğan likewise compares the 'embarrassing' small amount of financial aid by 'western institutions', such as the UN, to the 'enormous' investment Turkey has made over the years. Through the naming and shaming of western actors, the support for the government by the Turks has increased (Hintz & Feehan, 2017). The political opposition has long feared that the AKP would use the refugee response to render political support from naturalized Syrians. When in June 2016 Erdoğan announced a plan to grant Syrians citizenship, societal backlash, which included hostility towards Syrian refugees, forced the government to take a more moderate stance. As a result, the plan was altered by stating that solely highly skilled and educated Syrians would receive citizenship (International Crisis Group, 2018, p. 7). This illustrates that the government uses citizenship as political leverage, rather than realistic positive pathways for refugee integration (Baban, Ilcan, & Rygiel, 2017, p. 88). Despite the welcoming rhetoric used by the government, Syrian refugees' integration into the Turkish society has not been far-reaching, as this chapter demonstrates (Hintz & Feehan, 2017).

5.5 Access to civil documentation

5.5.1 Legal status

Under Turkey's 'open-border' policy, Syrians refugees, regardless of their religious, ethnic, political, or cultural differences have been allowed to enter Turkey. Until early 2014, all Syrian nationals, including those without identification documents and stateless persons from Syria, were able to enter through at least six border crossings along the entire border. Yet, from 2015 onwards, a hardening of border restrictions made admission in Turkey more complicated. By March, the number of open land borders had been reduced to two, which only admitted Syrians with emergency needs or for family reunification (Universalia, 2016, p. 42). Consequently, Syrian refugees have attempted to cross into Turkey through smuggling routes. Increased hostility by Turkish border guards has been the answer to this development, which led to the death of over 330 refugees by November 2017 (HRW, 2018A). UNHCR's role in Turkey has been limited to providing assistance to the registration procedures, as the government's ownership of the refugee crisis management has been strong, also concerning refugee registration. When the first Syrians arrived in Turkey in April and May 2011, UNHCR registered them according to the RSD. However, the Disaster and Emergency Management Presidency (AFAD) took over registration not long thereafter, issuing ID cards for refugees within the camps. By 2014, the GDMM was established, which took over the registration management (Universalia, 2016, pp. 34-36). As the status of Syrian refugees is legally adopted under the banner of the temporary protection regime, all Syrian nationals, including those

without identification documents and stateless persons from Syria are allowed to be registered (Yıldız & Uzgören, 2016, pp. 3-4).

Upon arrival in Turkey, Syrians are required to register with the local office of the GDMM, the Provincial Directorates of Migration Management (PDMM), to receive the temporary protection status. For Syrians without identity documents Turkey has implemented the option to provide the information orally. The registration procedure is initiated by obtaining a pre-registration paper for an initial security check. In addition, information on the continuation of the registration procedure is given, while a date is set for an interview to determine the applicant's status. During this phase, applicants are required to live in a designated satellite city, which upon receiving temporary protection can be left. Within six months, the applicant will receive a temporary protection identity card, a *kimlik*, free of charge with a validity period of three years (Law Library of Congress, 2016). Refugees that have entered Turkey irregularly are also eligible to the temporary protection status. During the initial stages after the government took over registration management from UNHCR, registration procedures were chaotic and consistently changing. "Different government officials and agencies applied different registration processes and requested different documentation" (Baban, Ilcan, & Rygiel, 2017, p. 91). For Syrian refugees, who often already struggled with the language barrier during the first period in Turkey, this inconsistency increased the complexity of the registration procedure. In addition, the *kimliks* have been changed several times. In 2016, an obligatory largescale verification mission led to delays in registration and subsequent inaccessibility of social services (Baban, Ilcan, & Rygiel, 2017, pp. 92-93). As the temporary protection regime is developed as an emergency response, it does not guarantee any right to citizenship. Although the *kimlik* is not the same as a residence permit, it does allow Syrian refugees to stay legally and move freely in Turkey, and have access to rights and services (UNHCR, 2017, pp. 6-7). However, actual access to services is dependent on governmental goodwill. Political instability or governmental change could affect these entitlements and place refugees in a vulnerable position (Yıldız & Uzgören, 2016, p. 5).

As of mid-2018, more than 700,000 refugees are in possession of Turkish residence permits. From a security perspective, the large number of newcomers on Turkish territory increased the government's will to know who exactly is present in Turkey. As of January 2015, Syrians are obligated to either file for residency or register for temporary protection status within 90 days after arrival. Previous to this date, Syrians that overstayed the 90-day limit were able to cross

into Syria, thereby renewing this period. However, because of the new enforcement, Syrians that overstayed the 90-day limit can be fined up to \$250 (Norman, 2016). Yet, obtaining a residence permit is not an easy task for Syrian refugees, as a valid passport (which the majority of the Syrians in Turkey do not have), a bank account with at least \$6,000, and a Turkish health insurance, which yearly costs \$300, are required (Cagaptay & Yalkin, 2018). Registration for the temporary protection status is relatively easy, however, some Syrians never registered for temporary protection as they remained hopeful of traveling to Europe and feared that registration would jeopardize this chance. Since 2011, more than 55,000 Syrians have been granted citizenship. Although the opposition and parts of Turkish society are against the plan, the government has promised to naturalize an additional 300,000 Syrians in the years to come (al-Jablawi, 2018).

5.5.2 *Marriage registration*

According to Turkish law, all refugees above the age of eighteen are allowed to marry. Yet, many Syrians failed to register their marriages due to difficult civil documentation requirements before the initiation of the TPR. A lack of procedures regarding lost documents, the absence of the right documents, and documents issued by non-state actors contribute to the hardships experienced by Syrians trying to obtain registration. According to a 2014 AFAD report, around five per cent of Syrians inside the camps and around 27 per cent of those living outside the camps crossed the Turkish border with their own passports (AFAD, 2014, p. 48). While many Syrians have been unable to travel to Syria to secure documentation, the Syrian embassy in Ankara has had limited capacity, requires money, and is not as accessible for Syrians who are considered part of the opposition (Arij, 2016). Under the TPR, registering marriage is relatively easier, as the temporary protection *kimlik* can be used as an identity document. A medical report confirming the absence of genetic diseases, four photocopies, a signed petition of marriage, and a document proving that the applicant is not already married are also required. The latter document is a hurdle for many Syrians that have travelled to Turkey without documents and are left with nothing to prove their marital status. Consequently, many Syrians are facing challenges in completing the marriage registration procedure. For the couples that successfully complete the registration procedures and receive a marriage certificate, it is required to notify the marriage at the PDMM (UNHCR, n.d.).

5.5.3 Birth registration

The Turkish Parliament's Refugee Subcommittee stated in March 2018 that more than 310,000 babies of Syrian origin have been born in Turkey since 2011 (Sarioğlu, 2018). Upon giving birth, which the majority of times is done in a Turkish hospital, the mother is provided with a birth report. Within 30 days, the birth should be notified at the local Population and Civil Registry Department free of registration fees. Required documents are the birth report and ID documents from the parents. Before the introduction of the TPR, many Syrians were unable to finish this step, as they often fled to Turkey without their civil documents. Shortly after the introduction of the TPR, the number of successful birth registrations did not increase, as the registration system for the *kimlik* was overwhelmed for quite some time by the enormous demand, leaving a lot of Syrians without any identity documents. A marriage certificate is not requested, but if the father is absent and the mother does not have a marriage certificate nor a birth certificate of the father, the father's name will not be mentioned on the child's birth certificate. This is problematic for the future of the child, as this prevents a child from proving a rightful claim on Syrian nationality through the paternal line. Without the right civil documentation, like a family booklet or a marriage certificate, particularly children born from pregnant women that arrived in Turkey without a husband, are left in limbo. At the local Population and Civil Registry Department, the child will be issued a *kimlik*, which provides legal status in Turkey. In addition, the birth should be reported to the PDMM in order to receive the temporary protection status and subsequent access to services. Although the process for birth registration is relatively easy in Turkey compared to Jordan or Lebanon, lack of awareness among Syrians results in a lack of birth registrations. Also, the language barrier poses challenges on the awareness of procedures. There are no Arabic speaking officials working at the local Population and Civil Registry. Babies born from illegal marriages, such as child marriages, religious marriages, or second marriages are also likely not to be registered as the parents could be prosecuted upon approaching the authorities (Reynolds & Grisgraber, 2015, pp. 7-11).

5.6 Access to services

With the adoption of the TPR in 2014, the level of protection for Syrian refugees improved as it became clear what rights and entitlement were granted. Prior to the adoption, the absence of legislation left many Syrians in vulnerable positions. Nevertheless, the right to education for all children regardless of their nationality or status is secured in Article 42 of the Turkish Constitution, making education accessible to Syrians since the beginning of their arrival.

Likewise, this right is granted to Syrians under the TPR, stating that persons with temporary protection status are entitled to access preschool, language education, vocational training, and primary, secondary, and higher education. Yet, although the enrollment rate is slowly increasing, it has been challenging to keep Syrian children in the free public schools. Many children are dealing with a language barrier as their knowledge of Turkish is limited (Ineli-Ciger, 2017, pp. 559-560). In temporary education centers, introduced by the Ministry of Education, almost 40 per cent of the school-going Syrian children are receiving a modified Syrian curriculum in Arabic with Turkish language classes. For the first time in 2017 this number has been lower than the enrollment in public schools, reflecting the government's efforts to gradually integrate these children into the national education system. Nevertheless, more than 350,000 children, 38 per cent of the Syrian children, remain out of school (UNICEF, 2017, p. 23). The main reasons why children remain out of school are the need to support their families by working, the requirement to be registered with the Turkish authorities, the language barrier, and the lack of capacity to accommodate all Syrian children. In an attempt to increase the enrollment number, conditional cash-based assistance is provided to vulnerable families. Moreover, as a result of a governmental decision to waive the tuition fees for Syrian students attending state universities, almost 15,000 Syrians were pursuing a university degree as of February 2017 (Ineli-Ciger, 2017, p. 560).

Under the TPR, Syrians with temporary protection status have access to free basic healthcare. Within state hospitals, registered Syrians are able to receive free medical treatment for primary and emergency health services. Accessing medical services at a private hospital is not possible for registered Syrians, except in emergency situations or with a referral from another health facility. In several provinces with high numbers of Syrians, registered Syrians can access medical care provided at Migrant Health Centers, which employ Arabic-speaking staff, often Syrian refugees themselves (UNHCR, 2017, p. 29). However, although access to healthcare is free, a lot of Syrians are facing challenges obtaining the right treatment due to the high cost of medicines, which are not free (Yıldız & Uzgören, 2016, p. 11).

In January 2016, the Turkish Council of Ministers adopted the Regulation Concerning Work Permits of Temporary Protection Beneficiaries, giving registered Syrians the right to apply for work permits. Prior to this Regulation, Syrians worked without social protection in the informal economy, vulnerable to exploitation and low wages, if they received payment at all. Although the adoption of the Regulation was a step forward, in reality, the procedure for applying for the

work permit is complicated, resulting in a low number of actual issued permits. Issued work permits only allow the registered person to work in the area registered on the *kimlik*, certain jobs are not available for Syrians, and workplaces are conditioned by quotas: the number of Syrians is limited to ten per cent of the total workforce, while only one Syrian is allowed to work at a place with less than ten employees (Ineli-Ciger, 2017, p. 561). Moreover, the employers are required to apply for the work permit on behalf of their Syrian employees. However, the regulations regarding the work permit are discouraging, as the police does not investigate workplaces for illegal workers and legally employing Syrians costs a lot of money. Employers are obligated to pay the minimum wage of TRY 1,800, pay social security contributions, and pay a work permit fee of TRY 229, which prior to 2018 cost TRY 615 (Leghtas & Hollingsworth, 2017, p. 11). As of March 2018, just over 40,000 Syrians were in the possession of a work permit, 19,925 Syrians with temporary protection status and 20,970 Syrians with a residence permit. As governmental statistics suggest that the number of working-age Syrians is over two million, the number of issued work permits forces 98 per cent of the Syrians to work outside of the formal labour market. With 59 per cent of the Syrian households classified as multi-dimensionally poor, deprived of multiple factors that determine poverty, the lack of legal work contributes to the increasing vulnerability of the Syrians. Many Syrians, however, are happy with any job as the high unemployment rate and the subsequent competition is hindering many households from having a stable income (Revel, 2018) (Ineli-Ciger, 2017, p. 563).

5.7 Creating conditions for return

Despite Turkey's politically polarized setting, the host country is remarkably united in their increasing negative stance towards refugees. According to research by the Bilgi University, two thirds of the respondents, including almost half of the AKP-voters, stated that the government's policies towards Syrians are wrong (Jones, 2018). In addition, violent incidents between Syrians and Turks increased "threefold in the second half of 2017 compared to the same period in 2016" (International Crisis Group, 2018, p. 1). Although Turkish society has welcomed Syrians with solidarity, the pressure of integrating the enormous influx has had a major impact on the country. Over \$30 billion has been invested by the government in the accommodation of refugees, burdening Turkey's economic abilities (Jones, 2018). Under the banner of clearing the Syrian side along Turkish border from terrorists, Turkey has initiated the discussion on return to Syria, stating that it will facilitate return as good as possible by rebuilding infrastructure and facilities. After Operation Euphrates Shield concluded in March

2017, Turkey rebuilt the regions' infrastructure, particularly schools, health facilities, and mosques, after which almost 140,000 Syrians returned to the regions of Jarabulus, Azaz, and Al-Bab. The Turkish government did the same after the liberation of Afrin as part of Operation Olive Branch last March. Already before the operation, First Lady Emine Erdoğan stated that as many as 500,000 Syrians could return to Afrin. While the Turkish government established improved conditions for return of Syrians, it does not force Syrians under temporary protection status to return (Marks, 2018).

6 Lebanon

For Syrians from areas along the border with Lebanon, such as the areas around the cities of Damascus and Homs, Lebanon became the main destination to escape the conflict. As of September 2018, 976,002 Syrians have been registered as refugees with UNHCR in Lebanon, which as a result hosts the highest per capita population of refugees in the world (UNHCR, 2018A). It is estimated that the country also hosts between the 300,000 and 500,000 unregistered Syrian refugees, as well as an estimated 45,000 Palestine refugees from Syria (Janmyr, 2016, p. 6). After the 1975-1990 civil war, Lebanon's economy was significantly damaged. Although between 2007 and 2010 record growth levels were reached due to post-war reconstruction programmes, the conflict in Syria slowed down this economic growth. Moreover, Lebanon's political arena has been characterized by political immobility. Consequently, by the end of 2017, the public debt reached above 150 per cent of the Lebanese GDP (Export-Enterprises.com, 2018). When in 2014 a power-sharing government was formed, civil registration procedures were deliberately made difficult to keep Syrians from staying long-term or permanent. For the Lebanese government, safeguarding political and ethnical stability has been a major reason for deterring Syrians to come to, or to stay in Lebanon. Moreover, having negatively experienced the Palestinian refugee influx in the past, the Lebanese government have been determined to not make similar mistakes

6.1 Political immobility

At the beginning of the Syrian crisis, the borders were open and a national response by the Lebanese government lacked. Merely two policies were adopted in 2012 to protect Lebanon from possible negative future effects of the crisis: the dissociation policy, which announced Lebanon's neutral position towards the Syrian conflict, and the non-encampment policy, to prevent the formation of official refugee camps. Besides which, the government perceived the refugee influx as a temporary issue, it is crucial to understand the lack of a national response in the light of the complex political system. In Lebanon, power is shared in a grand coalition government based on sectarian division: a Maronite president, a Sunni prime minister, and a Shi'i leader in the legislature. In addition, sectarian-based quotas have preserved both the cabinet and the parliament from predominance of a particular group. Within this complex web, elites have often been at the center of decision making by bargaining and closing informal deals. Consequently, increased elite discords have often led to political immobility in times of crisis. This has also been the case in the first five years after the beginning of the Arab

uprisings, as two power-sharing cabinets collapsed, and Lebanon experienced a presidential vacuum for more than two years. This political stand-off ended in October 2016, when the parliament agreed upon a deal for Michel Aoun, Maronite leader of the Free Patriotic Movement, to become president, if Saad Hariri, Sunni Future Movement's leader, would become prime minister (Fakhoury, 2017, p. 682).

6.2 Nation against refugees

Following ten months of negotiations, Sunni Prime Minister Tamam Salam finally formed a power-sharing government in February 2014, which held until December 2016. This government realized that the Syrian crisis would not end soon and that the refugee influx would be a long-term issue. Having experienced a similar situation with the Palestinian refugee-case, the government feared a similar outcome if the open-door policy continued. Currently, some 450,000 Palestinian refugees are permanently settled in Lebanon, as they never left the Lebanese refugee camps (Atallah & Mahdi, 2017, pp. 22-26). Moreover, the dominant perspective of the Lebanese population on Syrian refugees is negative, as they are often portrayed as a burden on the economy, infrastructure, and services. With the division of power along sectarian lines, Lebanese Christians and increasingly Shia Muslims have feared the influx of predominantly Sunni Syrians and the subsequent shift in the demographic balance between the groups. The Lebanese Sunni community approached the Syrians at first with solidarity, as many are linked by family and tribal ties across the border areas. However, since 2013, this stance altered gradually, resulting in tighter governmental policy, which has also been advocated for by Sunni politicians. The strategic value of the Sunni Syrians and the subsequent Lebanese Sunni support decreased as the security risks increased. In 2013, conflict between Alawites and Sunnis spilled over to the northern town of Tripoli and Beirut, in the same year, Hezbollah, part of a Lebanese Shia political party, admitted its involvement in the Syrian crisis; and the increasing clashes of Islamist fighters with the Lebanese army and several bomb attacks on Lebanese soil were clear indicators that it was hard to keep the spillover of the Syrian conflict out of Lebanon (Hägerdal, 2018, p. 5). Consequently, Tammam Salam's government installed a crisis cell to deal with the humanitarian crisis and new policies were adopted. Besides increasingly restrictive border policy, that has been aimed at limiting and decreasing the number of Syrian refugees in Lebanon, other restrictive policies concerning civil registration and access to the labor market have been adopted. Although a formal national response has been lacking, it is perceived that the governmental strategy is aimed at deterring Syrians from residing permanently in Lebanon by making administrative procedures difficult

and discriminatory. Subsequently, governmental policies are aimed to facilitate return, rather than to formalize the presence and status of Syrian refugees (Atallah & Mahdi, 2017, pp. 22-26).

As Lebanon is not a party member to any of the refugee treaties, the Lebanese government has refrained from calling Syrians ‘refugees’, in order to not acknowledge them as such. Rather, vague terms like ‘displaced’ and ‘*de facto* refugee’ have been used to refer to Syrian refugees. The Lebanese government has been reluctant to directly engage with the refugee presence, out of fear for creating political and ethnical instability and giving the incentive for permanent settlement within the borders. Given that Lebanon itself is still recovering from years of conflict within their own borders, public services and infrastructure were already strained pre-influx of Syrian refugees. Due to the general unwillingness of the government to manage the refugee response, (I)NGOs and local municipalities have been allowed to relatively act in a relatively autonomous way. Yet, their capacity to do so depends on almost entirely on the support of donors (Dionigi, 2016, pp. 25-30). Lebanon has understood the benefits that stem from its position in hosting Syrian refugees, however the lack of political consensus sometimes resulted in the failure to safeguard donor assistance, as was the case when the World Bank wanted to establish a trust fund that would have benefit both Syrians and vulnerable Lebanese communities (O'Driscoll, p. 2). While donor fatigue is responsible for decreasing international support, the call for return of refugees to Syria is increasingly louder (HRW, 2018B, p. 15). Hosting Syrian refugees in the country has placed enormous pressure on Lebanon’s financial health. As Prime Minister Saad Hariri stated at the 2017 Brussels Conference "Supporting the Future of Syria and the Region", Lebanon would no longer be able to bear the burden of hosting the high number of Syrians, if the international community would not invest more in Lebanon. Hariri stated in this call for help that investment in Lebanon is an investment that keeps Syrians in Lebanon until they are able to return to their country. With this statement, Hariri highlighted firstly that Syrians will move from Lebanon, either to Syria or another country, and secondly that the efforts made by Lebanon for hosting Syrians should not be taken for granted (Dakroub, 2017).

6.3 Access to civil documentation

6.3.1 Legal Residency

After the Syrian crisis erupted, Syrians could initially relatively easily obtain legal residence in Lebanon. As had been the case prior to the crisis, Syrian passport holders received six-month

visa stamps, which after six months and after a year could be renewed freely in Lebanon. Moreover, Syrians were able to move freely across the Lebanese-Syrian border, before regulations became tighter in 2014 (Hägerdal, 2018, p. 3). As of January 2015, a multi-visa system was installed for Syrians attempting to enter Lebanon, dividing applicants' reason for travelling to Lebanon into ten categories. Although a visa for being displaced could be granted under exceptional circumstances, it is unclear how Syrian refugees are being assessed under this category. This tightening of border regulations was enforced by increasing the documentation requirements for obtaining a residence permit. Also, the procedure to renew residence permits became more complex (Uzelac & Meester, 2018, p. 20). If registered with UNHCR, Syrian refugees are required to hand in a housing commitment signed by the landlord and certified by the local *Muhktar*, head of the neighborhood. This certification costs between \$6,5 and \$13. In addition, valid proof of registration with UNHCR, a copy of the ID of the landlord and the person applying, three photocopies, and a pledge that the person will not work have to be submitted. On top of these requirements, \$200 has to be paid for the residence permit. For refugees without UNHCR registration, residency can be renewed or granted by having a Lebanese sponsor, often in exchange for money or cheap labor, at the price of \$200 per year. Again, the housing commitment, copies of ID cards, a lease agreement, three photocopies, and a personal pledge of responsibility signed by the Lebanese sponsor are required (Refugees-Lebanon.org, 2016). In May 2015, the Lebanese government ordered UNHCR to shut down refugee registration, resulting in a high number of Syrian refugees that are not registered. Moreover, it is estimated that over 50 per cent of the refugees have entered Lebanon without identity documents, hindering them to apply for legal registration in the first place (Syrian Civic Platform, 2017). The deliberately increasing complexity and costs for obtaining residence permits have had a tremendous impact on the legal status of Syrians. Survey research revealed that as of mid-2018, 76 per cent of the Syrian refugees above the age of fifteen do not have legal residency in Lebanon (Uzelac & Meester, 2018, p. 20). As a result, these refugees are not allowed to work, and their freedom of movement is limited as they face the threat of being detained, deported, and harassed. Moreover, access to (legal) services, such as healthcare and education, and civil registration systems is restricted. In early 2017, the government decided to waive the high fees for residence permits for refugees registered with UNHCR. However, this excludes an estimated half million Syrians not registered with UNHCR and the ones that have had a Lebanese sponsor (Atallah & Mahdi, 2017, p. 25).

6.3.2 Marriage Registration

While in Syria religious marriages are easy to register, in Lebanon they are not. As in Jordan, marriage registration follows complex and costly procedures. The first step Syrian couples have to take, is to be married by an authorized religious authority at the fee of \$100. Only couples that have legal residency, proof of faith, and a medical report, which costs an additional \$100 and needs to prove that the person does not have any genetic diseases, are officially allowed to marry. After receiving a marriage contract, the *Mokhtar* should issue a marriage certificate within a month after the marriage. The certification fees vary, as some *Mukhtars* do not charge for this service, while others have asked amounts up to \$20. In order to finalize the marriage registration procedure, the marriage certificate has to be registered at the Foreigners' Registry, first by transferring the certificate to the *Kalam Nofous*, the local civil registry office, and then at the Personal Status Department (PSD) of the governorate where the bride officially resides. Besides requiring the marriage contract and certificate, a valid residence permit and proof of identity have to be provided at the PSD. In addition, the couple has to pay around \$10 for stamps (Refugees-Lebanon.org, 2018). Yet, most Syrians are not able to complete the process, the majority of times because registration requires valid legal residency. Moreover, many Syrians entered Lebanon without documentation papers or have lost them, while these are required to successfully register. Also, the unfamiliarity with Lebanese laws and procedures contributes to the lack of marriage registration, while this is so important for future generations. With 76 per cent of the refugee households in Lebanon living below the poverty line, of which 58 per cent lives in extreme poverty, the costs attached to marriage registration is significant (VASyR, 2017, p. 60). For couples married in Syria, but who did not register the marriage before fleeing to Lebanon, difficulties arise as the Lebanese law does not oblige couples to register such marriages, as there is no official procedure provided by law for these types of registration. Yet, without proof of marriage, couples face challenges accessing birth registration procedures and other civil documentation, such as family booklets. For these cases, it is reported that couples could enter the procedures as Shari'a courts have issued documents stating that the couple was already married. This practice, however, is not applied to women unofficially married in Syria that have come to Lebanon without husbands (NRC, 2014, p. 11)

6.3.3 Birth Registration

The legal and administrative barriers put in place by the Lebanese government results in the inability of 83 per cent of the Syrian families in Lebanon to complete the birth registration procedures (VASyR, 2017, p. 14). The procedure follows four steps, of which the first three

steps need to be finalized within the first year after birth, in order to avoid a costly judicial process to acquire necessary documentation for the registration. During the first two steps, the parent should obtain a birth notification from an authorized birth attendant, which has to be handed in at the *Mukhtar* from the area of the child's birth. The *Mukhtar* provides the parents with a birth certificate. A marriage certificate and identity documents are required: either ID cards, valid passports, or family booklets, and a fee of up to \$20 has to be paid, depending on the *Mukhtar's* demands. Step three consists of registration at the *Kalam Nofous*, which will fill in the date of registration on the birth certificate. Over one-third of the parents were able to complete this step. The fourth step is completed after registration at the Foreigners' Register at the PSD. During this step, the parents need to present the marriage certificate again and a valid residence permit. As the vast majority of Syrians are not in the possession of this permit, the majority of children born to Syrian parents have been unable to be registered (NRC, 2015, p. 13). As of September 2017, this requirement has been eased as proof of legal residency is only required from one parent, instead of both. In total, the birth registration process costs between \$15 and \$35 (VASyR, 2017, p. 14).

Parents are still facing many challenges, particularly the major problem of the lack of civil documentation and the lack of a valid residency visa has hindered the process. Not only does the lack of a permit prevent parents from finishing the third step, it also makes parents afraid of travelling and approaching the authorities during earlier steps in the process. However, as identified by NRC, the most impacting barrier is the lack of information on the procedure and likewise the required documentation during each step. Inconsistency by the authorities regarding the requirement of documentation enhances the confusion refugee parents experience. To cope with these challenges, families have taken drastic measures. Some families reported having returned to Syria to give birth, while others made sure their baby would be registered in Syria by smuggling the baby across the border into Syria. Families have also resorted to buying fake documents to obtain the documents unlawfully from Syria via a third person, or to use civil documentation from people close to them (NRC, 2015, pp. 19-26). Without birth registration, a child born in Lebanon will be at increased risk of remaining stateless and will be hindered in enrolling in education, accessing healthcare, including immunization, and enjoying the freedom of movement (Cherri, 2018). As there is an increasing focus on return to Syria by the government, it seems that the government slowly but surely is realizing that proper documentation is necessary to facilitate return. Without proof of parentage over a child, Syrian refugees are not able to leave Lebanese territory with their child and are

thereby unable to return to Syria. Although the exact number is unclear, Gebran Bassil, Minister of Foreign Affairs, stated during an interview in 2017 that “there are approximately 111,000 unregistered childbirths that are at risk of being rejected entry into Syria in the future due to lack of documentation” (Atallah & Mahdi, 2017, p. 38). Besides having eased regulations regarding the residence permit and the requirement of the permit during birth registration, mid-2018 the government also waived the one-year timeframe for registration of birth for Syrian children born in Lebanon between January 2011 and February 2018 (Cherri, 2018).

6.4 Access to services

As Lebanon is not a member state of any of the refugee treaties, nor has any form of refugee protection in the national legislation, Lebanon resorts to the 2003 Memorandum of Understanding with UNHCR that underlines that Lebanon does not consider itself as an asylum country, but permits UNHCR “to register asylum seekers and conduct refugee status determination” (Janmyr, 2016, pp. 6, 10). Although the UN was initially mainly responsible for the refugee crisis management, since 2014 the government gradually became more involved. Contrary to the purpose of refugee response, governmental actions were not aimed at providing conflict-sensitive refugee protection as it increasingly placed restrictions on (I)NGO interventions to deter permanent settlement in Lebanon. However, as certain government ministers started to realize what challenges the enormous influx of refugees placed on their sectors and the potential offered by aid money from donors, the interest in response increased, resulting in a somewhat stiff cooperation between aid agencies and the government (Uzelac & Meester, 2018, p. 48). In 2016, after funds were provided by the international community to pay for the education of refugees as well as Lebanese children, the Ministry of Education opened up access to education for Syrian children, whom previously had been rejected. By expanding the number of two-shift schools, the enrollment of refugee children aged between six and fourteen increased to 70 per cent in 2017, compared to 52 per cent in 2016. However, not all of them are necessarily in school all the time, quality education is lacking as schools are overburdened, and discrimination is a common problem. While a memorandum signed in 2012 states that all Syrian children can enroll in education regardless of their legal status, in practice, students without residence permits have often been denied access. Moreover, enrollment in higher education is low (VASyR, 2017, p. 32).

Both registered and unregistered refugees can access primary healthcare facilities, offered by a partnership of the Ministry of Social Affairs with UNHCR and other (I)NGOs. UNHCR provide subsidized rates for medical consultations for which Syrians pay one-third of the price Lebanese communities pay. In addition, acute medication, ultrasounds for pregnant women, and vaccines are free of charge, and medication for chronic illnesses are provided for a small price. Referrals to secondary and tertiary healthcare facilities are covered by UNHCR as they pay between 75 and 90 per cent of the hospital fees, depending on the socio-economic vulnerability of the refugee. The same regulation applies for child delivery and life-threatening emergencies. Yet, UNHCR stops with its assistance when the conditions are no longer life threatening, while it remains unclear what 'life-threatening' exactly means. Many refugees have been unable to pay the remaining hospital fee, resulting in dire conditions in which refugees have been reportedly forced to hand in civil documents as a guarantee for payment, returning back to Syria for free treatment, or leaving the healthcare facility without notice, which especially in the case of giving birth has severe consequences (Lebanon Support, 2016, pp. 8-10, 20-21).

Ever since the sixties, when economic prosperity demanded more labour, Syrian labourers have worked in low skilled sectors in Lebanon, such as construction and agriculture. At its height in 1972, 90 per cent of the construction workers in Lebanon were Syrian. Bilateral agreements outlined the conditions regarding labour flows between the two countries, stating freedom of movement and the right to work in both countries upon receiving a work permit. The International Labour Organization estimated that around 300.000 Syrians worked in Lebanon prior to the Syrian crisis. However, as a large number of Syrians entered the country as a result of the conflict and settled mainly down in the poorest areas of Lebanon, the government altered its labour policies. As a result, Syrians are allowed to only work in construction, agriculture, and environment, employers are only allowed to hire Syrians if unable to find Lebanese workers, and the ratio Lebanese to foreign workers should be 10:1. Moreover, Syrians with work permits, which could only be obtained with a valid residence permit, lose their UNHCR status and the subsequent access to humanitarian assistance (Bou Khater, 2017, p. 4). In 2015, Syrians were allowed to work without a work permit when having a Lebanese sponsor. Yet, this increases their vulnerability, as these Syrians do not have provision of labor rights (Atallah & Mahdi, 2017, p. 25). As mentioned earlier, the vast majority of Syrians are living in poverty. The average monthly income for working men in 2017 was \$206 and for women \$158 (VASyR, 2017, p. 71).

7 Conclusion

7.1 Answer on research questions

This thesis has investigated civil registration systems in Jordan, Turkey, and Lebanon by providing an answer to the questions: What explains the different implementation of civil registration systems for Syrian refugees in the host countries Jordan, Turkey, and Lebanon? In order to answer these questions, an assessment has been made through the analysis of the three host governments, Jordan, Turkey, and Lebanon.

In Jordan, 80 per cent of the Syrians live outside of the refugee camps. The majority of them have settled in the north of Jordan, the same area that hosts the most vulnerable Jordanian communities. As a result, the Jordanian host communities increasingly expressed their frustrations, forcing the government to decrease their welcoming approach towards the refugees. As of 2014, the government adopted a more restrictive policy, including tighter border restrictions, the cancellation of free healthcare, and more complex requirements for a MoI card, which consequently impacted the ability to acquire additional civil documentation. Yet, as Jordan has a long-standing history of taking in refugees, the government is experienced in capitalizing on international support by using its role as host as leverage during negotiations with the international community. As a result of the balancing act between pleasing the Jordanian citizens and taking advantage of foreign aid, which due to the country's economic hardships is necessary to survive, the Jordanian government has developed the 'most sophisticated' regional response, combining refugee and developmental responses in one plan. Consequently, after the initial implementation of complex civil registration procedures, the government also eased the regulations for civil documentation. Confiscated civil documents have been returned, requirements for obtaining a MoI card, marriage certificates and birth certificates have been eased, and UNHCR has again been allowed to issue ASCs. Yet, the protracted refugee situation is taking its toll: as international support is decreasing, the governmental call for return is increasing.

In Turkey, the government has actively taken the responsibility to provide effective protection by adopting the temporary protection regime. Under this regime, all Syrian refugees have been able to acquire civil documentation due to the implementation of inclusive civil registrations systems. The relatively humane refugee response has enhanced Turkey's international and national prestige, likewise, the majority of Syrian refugees are supportive of Erdoğan's AKP

party. However, due to the arrival of a large number of Syrians, public opinion was increasingly more critical, resulting in the government ending the open-door policy in 2015, discouraging legal work opportunities for Syrians through complex requirements, and adopting a moderate approach concerning the naturalization plan. Moreover, through the EU-Turkey deal, which has been a direct consequence of Turkey's geographical proximity to Europe, the government negotiated for concessions beneficial for Turkish citizens, such as visa-free travelling to the EU. After the coup in mid-2016, Erdoğan's crackdown on society included targeting specific (I)NGOs. Many Syrians were relieved that the coup failed, as they feared that political change could have meant the end to Turkey's protection regime. Although some (I)NGOs have been forced to shut down operation, the government's refugee policy, however, remained unchanged. Yet, societal backlash against Syrians increased post-coup, as grievances toward the government were increasingly channeled toward Syrian refugees. As the government increasingly realized at what social and political costs it is supporting Syrian refugees, the discussion on return to Syria intensified. The first (properly documented) Syrians have returned to secured areas in Syria, which have, in line with Turkey's refugee response, been repaired with infrastructure and facilities.

In Lebanon, its complex history has left a mark on the country. After the Lebanese civil war ended in 1990, the power-sharing system along sectarian lines was reinstalled in the political arena. Consequently, decision making in times of crisis has been complex and has often resulted in political deadlock, as was the case during the first years of the Syrian influx. Despite this situation, Lebanon clearly articulated its will not to make similar mistakes as it had done with the Palestinian refugees in the past, whom now permanently reside in Lebanon. Although Lebanon announced its neutral position toward the Syrian conflict, spillover of the Syrian crisis which included heightened conflict along sectarian lines, has threatened Lebanon's national security. This enhanced the fear of a shift in the demographic balance as Syrians are predominantly Sunni Muslims. After the formation of a new government in 2014, the dominant Lebanese view that portrays Syrian refugees as a burden, translated into policy aimed at restricting further influx and deterring Syrians from settling permanently. Consequently, the Lebanese government deliberately implemented complex and costly civil registration systems, with the result that over three-quarters of the Syrians do not have legal residency, while this is crucial to accessing other civil registration procedures. Despite this governmental approach, some ministries decided to improve their sectors with international support, in return for including Syrians. Yet, as the international support to Lebanon is decreasing, the call for return

of Syrians becomes louder. As the realisation that proper documentation is needed for return slowly increases, the government has taken limited steps to improve the situation, particularly concerning birth registration. However, the government are a long way from recovering the lack of documentation of Syrians in Lebanon.

Now that an overview has been given on the three different countries, a clear answer on the research question could be formulated. The difference in implemented civil registration systems is determined by each host country's social, political, and economic situation before and during the Syrian refugee influx and the extent to which the Syrian refugee crisis has impacted the country, positively and negatively. The barriers Syrian refugees experience while attempting to obtain civil documentation mainly depend on the implemented civil registration systems of the host country, which thereby also influence refugees' access to services. In Turkey, the government has adopted the temporary protection regime, which includes refugee-sensitive civil registration systems. To obtain the temporary protection status, Syrian refugees are not expected to have their civil documents and are allowed to orally provide information on their identity. Moreover, the *kimlik* counts as replacement for absent identity documents, enabling all Syrian refugees to access additional civil registration systems. In Jordan, the civil registration systems have continuously been adapted, as there is a relatively good relationship with the international community. Yet, despite the easing of procedures, particularly the procedures for a MoI card, a whole group of Syrian refugees is still left aside. Therefore, among other reasons, a large group of Syrian refugees in Jordan still struggle to obtain civil documentation. In Lebanon, however, Syrian refugees are facing the biggest obstacles while trying to obtain civil documentation. By implementing complex procedures for residence visas, the government deliberately prevents Syrian refugees from acquiring additional civil documentation.

Over the course of eight years, different factors continuously have influenced the host governments' refugee response. These refugee responses are the product of a continuous effort by the government to determine what decisions are most beneficial for the country, or in some cases for the government. A variety of factors influence this decision making process, as this research has pointed out. In Turkey, the pre-conditions have been more favorable: economic strength, an extensive social welfare system, and the geographical proximity to Europe that provided Turkey with a good position to negotiate beneficial agreements. In addition, the government has seemed determined to use the refugee presence to improve its political

position. Moreover, the continued strengthening of the governmental power, particularly post-coup, has largely silenced critical voices in Turkey. In Jordan, the relatively positive experience with previous refugee influxes has made the government knowledgeable on the opportunities for the country. Therefore, although the country is dealing with economic hardships and structural challenges, it has been able to combine refugee and host community assistance in one national plan, which largely prevented national protests. Yet, the government needed the time to develop this plan, which explains its alteration of the refugee response and specifically the civil registration system. In Lebanon, the political and ethnical weak stability of the country are the main factors that have influenced the adoption of the deliberately complex civil registration systems, which also is the reason for the political immobility. Moreover, the bad experience with the Palestinian refugees has created the fear for the permanent settlement of Syrian refugees, hence the will to not document Syrian refugees properly.

The Syrian refugee crisis revealed the unwillingness of many countries to host refugees. The ‘sacrifice’ Syria’s neighboring countries have made, provided them with a lot of opportunities, as donors have highly funded the reception of refugees in the region. The international community has repeatedly praised these three host countries for taking in Syrian, when no other countries have been willing to. The host countries have utilized this leverage for beneficial agreements and monetary aid, which also have benefited the host communities, strengthened developmental efforts, and enhanced capacity building of the (local) government(s). In return, host governments have provided better assistance to Syrian refugees, including easing civil registration procedures. Moreover, this context provided the opportunity to improve the country’s and/or the government’s image and subsequently support, nationally and internationally. However, despite these advantages, this situation has ‘forced’ Jordan, Turkey, and Lebanon to host the large number of refugees within their borders. The magnitude of the influx, as well as the unexpected long-term refugee presence, has placed a heavy burden on all host countries, which particularly have been felt by the weak economic countries Jordan and Lebanon. The internal political situations and maintaining political and social stability have played a major role in the refugee response. Host governments have continuously been forced to balance their refugee response, including the civil registration procedures, in order to prevent societal backlash. Moreover, the host governments and/or the host communities have increasingly been fearing permanent settlement of the refugees, often fueled by tensions within the host communities and in the case of Lebanon, fueled by previous experiences with refugee populations.

Although providing a safe place for Syrian refugees has presented the host countries with positive opportunities, the heavy toll on the countries has been considerably more impactful. The gap between international recognition in the form of monetary aid and other advantages, and the actual social, political, and economic costs the host countries have paid for hosting Syrian refugees, has resulted in a different refugee response in each host country. Particularly now that international aid is decreasing, the discussion on the future of Syrian refugees has been initiated, as host countries have reached their limits. Regardless of whether refugees remain in the host countries or return back to Syria after the war, adequate civil documentation is of crucial importance. By adopting inclusive and effective civil registration systems that include refugee-sensitive measures, host countries can facilitate successful integration of Syrian in their societies, benefiting from refugees at their full potential. Moreover, adopting such systems could facilitate a better and safer return to Syria. This research has demonstrated that host countries are yet to realize these systems, however, host governments have taken initial steps to improve their civil registration systems. Nevertheless, a lot of change is still required to ensure that Syrian will be able to return to their homes in a safe manner. Although Turkey has implemented civil registration systems that relatively successfully provide Syrian refugees with civil documentation, the current civil registration systems in Jordan and Lebanon in particular continues to enhance the problem of lacking civil documentation. This does not only increase the risks of statelessness for Syrian refugees, particularly the children born to Syrian parents in exile but also endangers their link to Syria and the Syrian nationality.

7.2 Limitations

This thesis successfully described the civil registration systems and their consequences thus, limitations are bound to the extent of data-collection and registration procedures which have been highlighted due to the scope of the research. Firstly, refugee populations within the three host countries from other origins than Syria have not been taken into consideration. Secondly, this research only focused on three neighboring host countries, while there are other large host countries, such as Egypt, Iraq, or Germany. Lastly, as mentioned earlier, Syrian refugees are not a homogenous entity and include Syrians Arabs, Palestine refugees from Syria, unregistered stateless persons from Syria called *Maktoum*, and stateless Kurds registered as ‘foreigners’. In short, this Master’s thesis research and its findings should be expanded and elaborated on in further research, which includes the above-mentioned limitations.

Bibliography

- İçduygu, A. (2015). *Syrian Refugees in Turkey: The Long Road Ahead*. Washington DC: Migration Policy Institute.
- AFAD. (2014). *Population Influx from Syria to Turkey*. Ankara: Disaster and Emergency Management Authority.
- Albarazi, Z., & van Waas, L. (2016). *Understanding statelessness in the Syria refugee context*. Institute on Statelessness and Inclusion, and Norwegian Refugee Council.
- Albarazi, Z., & van Waas, L. (2015). *Statelessness and Displacement*. Norwegian Refugee Council and Tilburg University.
- al-Jablawi, H. (2018, June 25). *Naturalized Syrians a Flashpoint for Turkish Parties*. Retrieved from Atlantic Council:
<http://www.atlanticcouncil.org/blogs/menasource/naturalized-syrians-a-flashpoint-for-turkish-parties>
- Arij. (2016). *Syrians unable to document marriages in Turkey*. Arab Reporters for Investigative Journalism.
- Article 3(B). (1969, November 24). Retrieved September 12, 2018, from Legislative Decree 276 (Syria's Nationality Law): <http://www.refworld.org/pdfid/4d81e7b12.pdf>
- Atallah, S., & Mahdi, D. (2017). *Law and Politics of "Safe Zones" and Forced Return to Syria: Refugee Politics in Lebanon*. Beirut: The Lebanese Center for Policy Studies.
- Baban, F., Ilcan, S., & Rygiel, K. (2017). Playing Border Politics with Urban Syrian Refugees: Legal Ambiguities, Insecurities, and Humanitarian Assistance in Turkey. *Movements*, 3(2).
- Boncence, A., Erba, G., John, A., & Khan, S. (2018). *My Needs, Our Future: Baseline Study Report for Hajati Cash Transfer*. Amman: UNICEF Jordan.
- Bou Khater, L. (2017, August 16). Labour Policy and Practise. *The Peace Building in Lebanon*(0).
- Bryman, A. (2012). *Social Research Methods*. Oxford: Oxford University Press.
- Cagaptay, S., & Yalkin, M. (2018, August 22). *Syrian Refugees in Turkey*. Retrieved October 18, 2018, from The Washington Institute:
<https://www.washingtoninstitute.org/policy-analysis/view/syrian-refugees-in-turkey>
- Chen, S. (2018). *Syrian refugees and Turkey's refugee policies*. Retrieved from Politurco.com: <http://www.politurco.com/wp-content/uploads/2018/04/Sage-Chen-Report-Syrian-Refugee.pdf>
- Cherri, R. (2018, August 16). *Lebanon eases birth registration rules for Syrian refugees*. Retrieved October 13, 2018, from UNHCR:
<http://www.unhcr.org/news/stories/2018/8/5b742f9a4/lebanon-eases-birth-registration-rules-syrian-refugees.html>
- Clutterbuck, M., Cunial, L., Barsanti, P., & Gewis, T. (2018). Establishing Legal Identity for Displaced Syrians. *Forced Migration Review*, 57, 59-61.
- Connor, P. (2018, January 29). *Most displaced Syrians are in the Middle East, and about a million in Europe*. Retrieved September 4, 2018, from Pew Research Center:

- <http://www.pewresearch.org/fact-tank/2018/01/29/where-displaced-syrians-have-resettled/>
- Dakroub, H. (2017, April 03). *Hariri hardens refugee stance before Brussels conference*. Retrieved November 3, 2018, from The Daily Star Lebanon: <http://www.dailystar.com.lb/News/Lebanon-News/2017/Apr-03/400319-hariri-hardens-refugee-stance-before-brussels-conference.ashx>
- Dionigi, F. (2016). *The Syrian Refugee Crisis in Lebanon: State Fragility and Social Resilience*. Middle East Centre.
- Export-Enterprises.com. (2018, November). *Lebanon: Economic and Political Overview*. Retrieved November 14, 2018, from Nordea Trade: <https://www.nordeatrade.com/no/explore-new-market/lebanon/economical-context>
- Fakhoury, T. (2017). Governance Strategies and Refugee Response: Lebanon in the face of Syrian displacement. *International Journal for Middle East Studies*, 49, 681-700.
- Francis, A. (2015, September 21). *Jordan's Refugee Crisis*. Retrieved September 14, 2018, from Carnegie Endowment for International Peace: <http://carnegieendowment.org/2015/09/21/jordan-s-refugee-crisis-pub-61338>
- Ganczer, M. (2015). The Right to a Nationality as a Human Right? In *Hungarian Yearbook of International Law and European Law 2014* (pp. 15-33). The Hague: Eleven International Publishing.
- Gardner, S. (2016). Why the Open Doors? How Turkey Many Benefit from Accepting Syrian Refugees. *The Yale Review of International Studies*.
- Goldenziel, J. I. (2016). The Curse, of the Nation-State: Refugees, Migration, and Security in International Law. *Arizona State Law Journal*, 48(0579), 579-636.
- Hägerdal, N. (2018, March). Lebanon's Hostility to Syrian Refugees. *Middle East Brief*, 116.
- Hathaway, J. C., & Foster, M. (2014). *The Law of Refugee Status* (Second Edition ed.). Cambridge: Cambridge University Press.
- Hintz, L., & Feehan, C. (2017, January 10). *Burden or Boon? Turkey's Tactical Treatment of the Syrian Refugee Crisis*. Retrieved October 17, 2018, from Middle East Institute: <http://www.mei.edu/content/map/burden-or-boon-turkey-s-tactical-treatment-syrian-refugee-crisis>
- Horoz, S. (2018, September 13). Chairman of Student Association Companions of Refugee Children. *Turkification of Arab Names*. (R. Osman, Interviewer)
- HRW. (2016). *"We're Afraid for Their Future": Barriers to Education for Syrian Refugee Children in Jordan*. Human Rights Watch.
- HRW. (2018A, February 3). *Human Rights Watch*. Retrieved from Turkey/Syria: Border Guards Shoot, Block Fleeing Syrians: <https://www.hrw.org/news/2018/02/03/turkey/syria-border-guards-shoot-block-fleeing-syrians>
- HRW. (2018B). *"Our Homes Are Not for Strangers": Mass Evictions of Syrian Refugees by Lebanese Municipalities*. Human Rights Watch.
- Human Rights Watch. (2018, March 25). *Jordan: Step Forward, Step Back for Urban Refugees*. Retrieved September 17, 2018, from <https://www.hrw.org/news/2018/03/25/jordan-step-forward-step-back-urban-refugees>

- IHRC & NRC. (2015). *Registering Rights: Syrian refugees and the documentation of births, marriages, and deaths in Jordan*. International Human Rights Clinic (Harvard) and the Norwegian Refugee Council.
- IHRC & NRC. (2016). *Securing Status: Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan*. International Human Rights Clinic and the Norwegian Refugee Council. Amman: International Human Rights Clinic (Harvard) and the Norwegian Refugee Council.
- Ineli-Ciger, M. (2017). Protecting Syrians in Turkey: A Legal Analysis. *International Journal of Refugee Law*, 29(4), 555-579.
- International Crisis Group. (2018). *Turkey's Syrian Refugees: Defusing Metropolitan Tensions*. Brussels: International Crisis Group.
- Jacobsen, K. (2002). Can refugees benefit the state? Refugee resources and African statebuilding. *Journal of Modern African Studies*, 4, 557-596.
- Janmyr, M. (2016). *The Legal Status of Syrian Refugees in Lebanon*. Beirut: Issam Fares Institute for Public Policy and International Affairs.
- JIF. (2018). *Syrian refugees in Jordan, a protection overview*. Jordan INGO Forum .
- Joint NGO Regional Report. (2018). *Promise to Practise: Following through on commitments to support the future of Syria and the region*.
- Jones, D. (2018, March 08). *Turkey Eyes Refugees Returning to Afrin, Syria*. Retrieved October 22, 2018, from VOA - Middle East : <https://www.voanews.com/a/turkey-eyes-refugees-returning-to-afrin-syria/4285851.html>
- Law Library of Congress. (2016, June 21). *Refugee Law and Policy: Turkey*. Retrieved October 18, 2018, from Law Library of Congress: <https://www.loc.gov/law/help/refugee-law/turkey.php>
- Lebanon Support. (2016). *Access to Healthcare for Syrian Refugees: The Impact of Fragmented Service Provision on Syrians' Daily Lives*.
- Leghtas, I., & Hollingsworth, A. (2017). *Legal Employment Still Inaccessible for Refugees in Turkey*. Refugees International .
- Manby, B. (2016). *Identification in the Context of Forced Displacement: Identification for Development* . World Bank Group . International Bank for Reconstruction and Development / The World Bank.
- Marks, J. (2018, March 01). *Pushing Syrian Refugees to Return* . Retrieved October 22, 2018, from Carnegie Endowment for International Peace: <http://carnegieendowment.org/sada/75684>
- Mercy Corps. (2018). *The world's 5 biggest refugee crises*. Retrieved August 27, 2018, from <https://www.mercycorps.org/articles/worlds-5-biggest-refugee-crises>
- Ministry of Labour . (2018). *Syrian Refugee Unit Work Permit Progress Report January 2018*. Syrian Refugee Unit. Ministry of Labour Syrian Refugee Unit.
- Norman, K. P. (2016). Access to Legal Residency for Refugees in the Middle East: Bureaucracy, Deterrence, and Prolonged Impermanence. *Middle East Institute*.
- Norwegian Refugee Council. (2017, January). *Syrian refugees' right to legal identity: implications for return*. Retrieved August 2018, from <https://www.nrc.no/globalassets/pdf/briefing-notes/icla/final-syrian-refugees-civil-documentation-briefing-note-21-12-2016.pdf>

- NRC. (2014). *Update on Marriage Registration for Refugees from Syria*. NRC Lebanon.
- NRC. (2015). *Birth Registration Update: The Challenges of Birth Registration in Lebanon for Refugees From Syria*. NRC Lebanon.
- NRC. (2017, January). *Syrian refugees' right to legal identity: implications for return*. (N. R. Council, Producer) Retrieved August 2018, from <https://www.nrc.no/globalassets/pdf/briefing-notes/icla/final-syrian-refugees-civil-documentation-briefing-note-21-12-2016.pdf>
- O'Driscoll, D. (n.d.). *Donor Response to Refugee Tensions in Lebanon*. K4D & DFID. Refugees-Lebanon.org. (2016, January 8). *Refugees-Lebanon.org*. Retrieved October 12, 2018, from New Entry&Renewal Procedures for Syrians in Lebanon: <https://www.refugees-lebanon.org/en/news/35/qa-on-new-entry--renewal-procedures-for-syrians-in-lebanon>
- Refugees-Lebanon.org. (2018, August 28). *Q&A On Marriage Registration For Syrian Refugees Who Marry in Lebanon*. Retrieved October 12, 2018, from Refugees-Lebanon.org: <https://www.refugees-lebanon.org/en/news/129/questions-and-answers-on-marriage-registration-for-syrian-refugees-who-marry-in-lebanon>
- Revel, B. (2018). *3RP Livelihoods and Employment Data Analysis*. UNHCR.
- Reynolds, S., & Grisgraber, D. (2015). *Birth Registration in Turkey: protecting the future for Syrian Children*. Refugees International.
- Sarioğlu, B. (2018, March 9). *Hurriyet Daily News*. Retrieved October 18, 2018, from More than 300,000 'stateless' Syrian babies born in Turkey: Refugee subcommittee: <http://www.hurriyetdailynews.com/more-than-300-000-stateless-syrian-babies-born-in-turkey-refugee-subcommittee-128494>
- Statista. (2018). *Jordan: National debt from 2012 to 2022* in relation to gross domestic product (GDP)*. Retrieved November 14, 2018, from Statista.com: <https://www.statista.com/statistics/385716/national-debt-of-jordan-in-relation-to-gross-domestic-product-gdp/>
- Swan, G. (2017). *Undocumented, Unseen, and at Risk: The Situation of Syrian Refugees Lacking Civil and Legal Documentation in Jordan*. International Catholic Migration Commission.
- Syrian Civic Platform. (2017, September 29). *Syrian Refugees in Lebanon*. Retrieved October 12, 2018, from <http://www.scplatform.net/en/syrian-refugees-in-lebanon/>
- Townzen, R. (2016, September 14). *An Identity Crisis in Jordan*. Retrieved September 15, 2018, from Pulitzer Center : <https://pulitzercenter.org/reporting/identity-crisis-jordan>
- UNHCR. (n.d.). Retrieved October 18, 2018, from Marriage and Divorce: Turkey : <http://help.unhcr.org/turkey/social-economic-and-civil-matters/marriage-and-divorce/>
- UNHCR. (1999). *Information and Accession Package: The 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness*. UNHCR.
- UNHCR. (2016). *In Search of Solutions: Addressing Statelessness in the Middle East and North Africa*. UNHCR Middle East and North Africa Bureau.
- UNHCR. (2017, January). *Syrian Refugees in Turkey: Frequently Asked Questions*. Retrieved October 18, 2018, from http://www.aratr.org/wp-content/uploads/2017/12/2017_UNHCR_Syrian-Refugees-FAQ_EN.pdf

- UNHCR. (2018A, July 31). *Refugee Situation: Lebanon*. Retrieved September 20, 2018, from UNHCR Data Portal: <https://data2.unhcr.org/en/situations/syria/location/71>
- UNHCR. (2018B, October 4). *Refugee Situation: Turkey*. Retrieved October 16, 2018, from UNHCR Data Portal: <https://data2.unhcr.org/en/situations/syria/location/113>
- UNHCR. (2018C, September 4). *Refugee Situations: Jordan*. Retrieved September 14, 2018, from UNHCR Data Portal: <https://data2.unhcr.org/en/situations/syria/location/36>
- UNHCR. (n.d.). *What is Statelessness?* UN.
- UNICEF. (2005). *The "rights" Start to Life: A Statistical Analysis of Birth Registration* .
- UNICEF. (2017). *Syria Crisis: 2017 Humanitarian Results*. UNICEF.
- UNICEF Jordan. (2017, January). *Education*. Retrieved from UNICEF: [https://www.unicef.org/jordan/2_Education_-_2017\(1\).pdf](https://www.unicef.org/jordan/2_Education_-_2017(1).pdf)
- United Nations. (1954). *Convention relating to the Status of Stateless Persons*. UN General Assembly.
- United Nations. (1989). *Convention on the Rights of the Child*. UN General Assembly.
- Universalia. (2016). *Evaluation of UNHCR's Emergency Response to the influx of Syrian Refugees into Turkey*. Geneva: UNHCR.
- UNRWA. (2016, December 1). *Where we work: Jordan* . Retrieved September 14, 2018, from UNRWA: <https://www.unrwa.org/where-we-work/jordan>
- Uzelac, A., & Meester, J. (2018). *Is there protection in the region? Leveraging funds and political capital in Lebanon's refugee crisis*. The Clingendael Institute.
- Veerman, P. E. (1992). *The Rights of the Child and the Changing Image of Childhood*. Dordrecht: Martinus Nijhoff Publishers.
- (2017). *Vulnerability Assessment of Syrian Refugees in Lebanon*. UNHCR, UNICEF, WFP.
- Weissbrodt, D., & Collins, C. (2006). The Human Rights of Stateless Persons . *Human Rights Quarterly*, 28, 245-276.
- Wurts, K. (2016, March 3). *Agamben's Homo Sacer, Refugees, and the Crisis of European Values*. Retrieved September 19, 2018, from Journal for Cultural and Religious Theory: <http://jcrt.org/religioustheory/2016/03/03/notations-agambens-homo-sacer-refugees-and-the-crisis-of-european-values/>
- Yıldız, A., & Uzgören, E. (2016, March 28). Limits to temporary protection: non-camp Syrian refugees in İzmir, Turkey. *Southeast European and Black Sea Studies* , 1-17.
- Zoetewij-Turhan, M. H. (2018, February). Turkey: between hospitality and hostility . *Forced Migration Review*(57), 54-56.