

Introduction: Syrians are Coming? Reframing the Syrian Refugee Crisis

By

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Syria's civil war is one of the worst humanitarian crisis of our time. Since 2011, more than half the country's pre-war population of 23 million people has been displaced and was forced to flee their homes. At present, in the wake of a ceasefire, horrific human rights violations and mass-scale destruction of cities continue to be widespread. According to the United Nations figures, at least 6.5 million people have become asylum seekers and refugees. An estimated 11 million Syrians have fled their homes since the outbreak of the civil war. In the sixth year of war, 13.5 million are declared as in need of humanitarian assistance within the country. Among those escaping the conflict, the majority have sought refuge in the neighbouring countries. According to the United Nations High Commissioner for Refugees (UNHCR), at least 4.8 million have fled to Turkey, Lebanon, Jordan, Egypt and Iraq, and 6.6 million are internally displaced within Syria. Meanwhile about one million have requested asylum to Europe. Germany, with more than 300,000 cumulated applications, and Sweden with 100,000, are EU's top receiving countries. Canada officially accepted 25,000 Syrian refugees while Jordan received 600,000 Syrians.

It is also estimated that well over 250,000 people have already died during the conflict, with hundreds of thousands more critically wounded and handicapped. Millions of Syrians have sought refuge in the neighbouring countries of Egypt, Iraq, Jordan, Lebanon, and Turkey. Thousands more continue to make the harrowing journey to Europe on land and sea in search of safety. In response to this ongoing state of crisis that marks the turn of the 21st century, Refugee Watch hosts this special issue on the plight of the Syrian people, with particular emphasis on those living as stateless people in neighboring countries across the Middle East. As millions of Syrians continue to be displaced due to the ongoing conflict in their home country, it is essential that a critical account of the global perception and reaction to this *en masse* refugee crisis is offered by engaged scholarship. The expert articles

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brought together in this issue discuss various aspects of the Syrian refugee crisis in an attempt to contextualize it in historical and global terms. Local and international human rights researchers, advocates, and organizations pertaining to the handling of Syrian crisis, local and international jurisprudence on the subject pertaining to the tinkering with the refugee law to keep Syrians out or to make them into cheap labor/second class citizens, deaths and disappearances in the Mediterranean sea and their banal perception, and, local, regional and international advocacy efforts and sources for support are among the subject headings covered in the following pages with a distinct emphasis on debates within the Global South. The issue provides a timely analytical intervention on the changing nature of the global refugee and immigration regime in response to the Syrian crisis.

From the way the problem has been portrayed thus far, all too often one is forced to think that all the displaced and the dispossessed of wartime Syria headed to Europe. As many European countries were beginning to emerge from the depths of the financial problems caused by the 2008 global crash, a new crisis emerged supposedly threatening to envelop the continent: the displacement of huge numbers of people fleeing humanitarian disasters in the Middle East and North Africa (MENA) and a slew of related political, financial, and security issues. It is certainly true that a large proportion of the people coming to Europe as asylum seekers during the last 10 years were originally from Syria and Iraq, but significant numbers also arrived from Afghanistan, Turkey, Eritrea, and Ukraine, among others. In most of these countries the crises that provoked the exodus are ongoing with no near future end in sight and hence the moral and material panic in Europe and the tightening of the legal refugee regime the continent developed almost as an apology to the loss of livelihood before and during the Second World War. And yet, as amply illustrated in the following pages that is a very limited and indeed misleading perspective on the Syrian refugee crisis.

No doubt mass displacement causes problems that have to be dealt with without delay for societies receiving the dispossessed in large numbers. However, why these problems are so prominently portrayed with reference to the European context as continental emergencies while the majority of 2 plus million Iraqis and more than 8 million Syrians were received elsewhere is part of the current problem concerning our understanding of the Syrian exodus. As the focus remains on Europe, the plight of the Syrians is first and foremost framed as a burden for the international refugee regime. In this special collection, we intend to reframe the issue with the emphasis being shifted to the Syrians themselves and the conditions in the MENA region and its environs.

Traditionally it has been thought that resolving issues related to mass displacement has to wait for the end of a conflict and justice is either seen as a second-order priority or one that can only be dealt with when peace comes to the war-torn society. This special issue on Syrian refugees challenges that notion as well. While it allows for a platform to reflect on what can be done after a conflict, the papers contributed also argue that waiting for peace misses opportunities that allow for critical processes to develop while conflict

continues. In this spirit, we turn our *gaze away* from the ‘crisis in Europe’ due to its reception of asylum seekers, stateless and the dispossessed from Syria to the actual life and future prospects of the Syrians on the move themselves, especially those who ‘did not make it’ to Europe.

Across the Global South, experience in conflict zones taught us that time can be used profitably without waiting for the end of a war to begin to address the causes and consequences of displacement. We remain alert for not just being concerned about the immediate humanitarian needs and problems of the people on the move or the adjustment issues concerning receiving countries alone. Refugees, asylum seekers, IDPs and the stateless are not just the dispossessed. They are the past and future citizens, denizens and agents of the societies that they inhabit. Therefore, integrating debates related to both transitional justice and citizenship to the discussions on displacement are of paramount importance. The number of displaced persons in the current crisis may be unprecedented. There is no doubt that the primary generator of the current set of crises is related to people fleeing war and political violence, especially in Syria, Iraq, and Afghanistan. Violations such as mass killings, arbitrary arrests, torture under custody, organized rape, and the threat of their targeted or random repetition, cause displacement. Violations such as the destruction of homes and property are aimed at preventing people from ever returning home. Forced displacement is often a deliberate strategy of the parties to a given conflict as exemplified by the legal definitions of war crimes and crimes against humanity. Finally, displacement often leaves people vulnerable to a range of other violations, as they go months and years without the protection habitually provided by their homes, livelihoods, communities, and citizenship status.

There are different ways in which justice can be addressed *before* a conflict ends to address multifarious violations associated with mass displacement and to contemplate voluntary repatriation, compensation, local integration, or resettlement in a third country or community and the building of a new rights regime. However, such a dedicated approach to displacement would require some extra measures rather than treating the ‘crisis at hand’ as a humanitarian emergency to be dealt with. First and foremost, looking at mass displacement and exodus, such as the Syrian one, requires that one strives to develop robust consultative processes, maximizing the use of the data gathered, and engage with internally displaced and refugee populations on the causes and impact of the conflict and their views on potential measures of redress and restoration of what has been lost. Beginning such processes while conflict is ongoing would increase the likelihood that future settlements could engage with displaced persons rather than excluding them in perpetuity. Secondly, restitution and return programs may be feasible to *contemplate* even during the unfolding conflict and may significantly contribute to the chances of return in the long run. For instance, programs such as legal empowerment and education for the young in refugee camps and resettlement areas can be a step toward increasing the capacity of refugees to make justice claims both during and after their mass displacement. Needless to say, this is an approach

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that is worlds apart from the trials and tribulations of how European countries could cope with the Syrian refugees with their overburdened administrative states.

Similarly, the wisdom of pursuing criminal prosecutions against those responsible for causing displacement and related violations depends on many complex factors but treating refugees as the new Germans, the new Dutch, or the Scandinavians in the making entirely overlooks even the possibility of such future encounters and political agency. Efforts that assist future prosecutions or at least initiation of restorative justice measures could indeed ensure effective prosecutions are carried out at a later stage, when possible, and as such envisage a different future for refugees, exiles and emigrés who may desire to return. Finally, a gendered perspective on displacement is critical in order to respond to gender-based violations, often an important factor in generating mass displacement, and the frequently marginalized concerns of displaced women and children. None of this has much to do with the capacity of Western states in absorbing the incomers in need. The outlook proposed here has the refugees themselves at the center, as political agents capable of desiring and eventually building a future different than the present that led them to become part of the armies of the globally dispossessed.

Since the beginning of the uprising in Syria in spring 2011, the violence experienced by the civilian population took the form of a full-fledged, brutal civil war. The endgame to the present conflict is still hard to predict. With the recent involvement of Russia, Iran and Turkey, the scenarios are changing daily, with one factor remaining steady—the constant outpouring of Syrians from their home country. The evidence of systematic human rights violations during the conflict continues to be documented, and egregiously violent incidences are mounting, including the regular use of chemical weapons against civilians. Furthermore, the crimes that are currently being committed follow decades of repression and state-sponsored violence that further dim the prospects of an easy or stable transition to a peaceful and more democratic state system in Syria, even in the face of a resolution to the current conflict. At some point in the future, the authorities of a new Syria and members of Syrian civil society will have to consider how to deal with the crimes of the current conflict and the decades of repression that preceded it. This will no doubt have to include the millions of Syrians who are no longer living in Syria and who became part of the mass exodus out of the country. If the example of European Jews of the pre-Second World War era is regarded as a model in any measure, return may be dismal. One could only hope that this would not be the case, and that the stories of the Holocaust or post-colonial partitions do not set the tone for the future of the Syrian society, at home and at large.

The authors of this special issue came together with these concerns in mind and to critically examine the Syrian crisis and exodus in its multiple forms and waves. Reintegration and resettlement after situations of displacement is generally a long-term, complex process. Whether we are talking about acceptance in a new society as refugees, migrants and guest workers, or return to home, post-conflict situations involve both specific

physical challenges and often difficult encounters with broader political communities. In the case of Syrians, involved states and humanitarian actors are primarily interested in providing immediate protection and assistance to displaced persons and only in some cases in facilitating durable solutions with mid-range applicability such as adequate housing for the winter months, interim schooling for the children, temporary work permits and identity cards for adults etc. However, since humanitarian assistance is by definition designed to be a short-term response to immediate, life-threatening conditions, it is not by itself enough to support the meaningful reintegration of people who became subjects of mass exodus and whose future remains in limbo. As the articles in this volume deliberate, continued marginalization of displaced persons hinder economic and social progress of entire communities and may also cause further instability in the region within which they are dispersed. Furthermore, forced migration studies literature is tragically inadequate in addressing the political side of these processes. Thus there is very little to turn to in understanding the parameters of the Syrian exodus in terms of theories of statehood, labour market restructuring, capital accumulation strategies and critical citizenship studies. Last but not the least displaced persons suffer a major breach of political trust that needs to be addressed squarely. Based on their past experiences, they remain suspicious of the state's ability to guarantee their basic security and dignity. Groups such as women and girls, as well as child soldiers and unaccompanied minors, are often at risk of double marginalization during and after mass exodus and displacement. All of these aspects of the 'Syrian problem' are at least as important as their reception by the European refugee regime or accounts of international humanitarian efforts.

To put things in perspective, there are an estimated 60 million refugees in the world. The yearly figure tripled in the past year alone due to the Syrian crisis. Half of the world's 'unwanted' are under age 18 and most of these young people and children will grow up either in a camp or while on the move. Many people died escaping their places of origin, which is not included in the total tally of able bodied displaced people. More than 3,000 refugees drowned in the Mediterranean in 2015 alone, trying to get to the shores of Europe. The bodies pulled out of the Mediterranean reached 5000 in December 2016 for the current year. The ones who died in mountain crossings, under cross fire, with cluster bombs on convoys of civilians, while being smuggled in trucks, trains and boats remain unaccounted for. This is part of the new human condition that needs to be taken seriously. Mass exodus is fast becoming the repetitive crisis of our times. Treating a tradition of granting asylum to the stateless and the displaced as outmoded is slowly emerging as the most common European populist response. But the world is not made up of Europe and its hinterlands. Nowadays, with our obsessions about the age of terror and suicide bombers and radical religiosity, we forget that exile and exodus means eviction from one's political community and the erasure of one's sense of self and location in the world as an agent. And yet, it also brings fresh encounters and new possibilities of realization. To be

unwanted is never just about being rejected.

Rising classes of the 'receiving countries' always need the labour, the votes, the socio-political devotion of the dispossessed. Back in the Europe of the war years, the real horror of the concentration and extermination camps lies in the fact that the inmates, even if they happened to remain alive, were more effectively cut off from the world of the living than if they had died, because terror always enforces oblivion about the plight of the sufferer. Furthermore, 'refugeehood' and exodus in our modern times introduced a new subject into the vernacular of politics: ending of war or statelessness does not put an end to consigning entire peoples to becoming pariahs. By 1949, the camps were filling up again, along the borders of India and Pakistan, and around the rim of the new state of Israel, and they kept filling all across the Global South the next fifty years. The mass production of the refugee, the displaced and the dispossessed has since become a routine solution for the ills of nationalism. Again in Arendt's terms, we are NOT all born equal, we are NOT all destined for liberty and the pursuit of self-fulfillment and happiness. It is only via politics, politico-legal arrangements and institutional guarantees that we may pursue that kind of equality. We enjoy or claim rights only as long as we can declare membership of political communities. There is absolutely nothing natural about rights. In this sense, the real plight of the 'pariah' is not just to be driven from home. What singles out the age of the nation-state is that no one would take in the pariah unless they could extract a hefty price for membership. There is nothing self-evident and inalienable in terms of the rights of the dispossessed, either back at home or in exile. Camps and pariahs are still with us albeit in new forms, such as urban refugees, such as temporary workers, such as people accepted via humanitarian protection quotas, such as denizens. They have never been more numerous since 1945. They are products of our world of post-colonialisms, fortress Europe, NAFTA, G20 and transnationalism. In this glitzy world of interconnectedness, the fools rush where the angels fear to tread in terms of declaring the successes of the post-WWII international refugee regime. This special issue is a testimony to the fact that our job has only just began in terms of redefining the right to have rights. Syrians are coming to our world held together with fabled certitudes, legal sanctities, political fictions and undoing it yet again. They are neither the first nor the last community in exile to do so. Perhaps that is the one lesson to be learnt from their outpour and continuous arrival at our gates, from here all the way to the proverbial China.