

*Measuring Vulnerability: Addressing the Prevention of
Trafficking and Forced Labor of Refugees in Jordan*

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Abstract

“We are facing the biggest refugee and displacement crisis of our time. Above all, this is not just a crisis of numbers; it is also a crisis of solidarity.” –Ban Ki-Moon, United Nations Secretary General

The intersection of trafficking, forced labor, and refugees is well-cited in the international human rights community yet is rarely studied academically, especially in the Middle East. Given the massive Syrian refugee crisis that began in 2011, which increased the total global population of refugees to the largest total in history, it is more important than ever to study and better understand how refugees are vulnerable to trafficking and forced labor, particularly in impacted countries. The purpose of this research is to answer the question why refugees are vulnerable and how anti-trafficking and anti-forced labor initiatives can use vulnerability indicators as a tool of prevention. This thesis incorporates research from various academic disciplines to analyze potential vulnerability to labor exploitation of refugees in Jordan, one of the most impacted countries. I find that health, mobility, work status or income, demographics including age and gender, access to community, access to aide, and legal or registered status are significant indicators of vulnerability among refugees. An analysis of Jordanian government, IGO, and civil society prevention strategies provides context on how vulnerability indicators can be better implemented in these initiatives. I argue that this indicates Jordan is a good model for applying this prevention research. Borrowing from political science and international relations, I find that prevention occurs through levels of analysis including individual, group, state, and international approaches. A key conclusion of this thesis is the suggestion to separate prevention efforts into a distinct timeframe of direct and indirect prevention initiatives through these levels of analysis to better incorporate vulnerability indicators. I find that addressing vulnerability in these ways proves viable to prevent trafficking and forced labor of Syrian refugees in Jordan. This thesis thus demonstrates the importance of incorporating vulnerability indicators in prevention initiatives to dismantle the “greenhouse of human trafficking” that currently exists in the Middle East due to the Syrian refugee crisis.

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The Syrian refugee crisis that began in 2011 created a massive campaign to study and better understand increased human trafficking and forced labor among migrants and refugees. Over the past six years, the Syrian refugee crisis has turned into the greatest mass exodus since World War II. Today, there are more refugees dispersed throughout the world than ever before in history.¹ Over five million Syrian refugees are displaced throughout the Middle East alone.² Various international organizations such as the Organization for Security and Co-operation in Europe (OSCE) and the United Nations (UN) have made statements on how *every* refugee is highly vulnerable to trafficking and forced labor.³ Refugees are a mobile group; they are often living away from the security of their home, family, and daily comforts. Human rights non-profits have also released reports and statements suggesting that the Syrian war and the resulting refugee crisis have caused a massive breeding ground for traffickers and employers of forced and exploitative labor. A report from an influential human rights organization states that “the cumulative effect of vulnerabilities creates a greenhouse for human trafficking” among refugees.⁴ Despite this statement and others from the international community, the connection between refugees and trafficking or forced labor are rarely studied academically. In the Middle East, the region most impacted by the Syrian refugee crisis, there are few explanations for why refugees are vulnerable to trafficking and forced labor. In order to prevent these crimes from

¹ “Global Trends, Forced Displacement in 2015,” UNHCR, United Nations, 2015, 2, accessed October 10, 2017, <http://www.unhcr.org/576408cd7>

² “Syrian Regional Refugee Response,” *UNHCR Data*, last modified December 4, 2016, accessed October 12, 2017, <http://data.unhcr.org/syrianrefugees/regional.php#>

³ Yury Fedotov, “Remarks at the event marking the 2016 World Day Against Trafficking in Persons,” *UNODC*, July 25, 2016, accessed September 26, 2016, <https://www.unodc.org/unodc/en/speeches/2016/remarks-marking-the-2016-world-day-against-tip.html>

“OSCE launches innovative project to combat human trafficking along migration routes,” *OSCE*, June 17, 2016, accessed September 26, 2016, <http://www.osce.org/secretariat/247311>

⁴ Rachel Buchan, “The Syrian Refugee Crisis: A Greenhouse for Human Trafficking,” *Human Rights First*, last modified August 16, 2016, accessed December 1, 2016 <http://www.humanrightsfirst.org/blog/syrian-refugee-crisis-greenhouse-human-trafficking>

being committed against refugees, the vulnerability of refugees must be studied in the context of the current crisis. If refugees are at an increased risk to trafficking and forced labor, as the international community claims, then vulnerability indicators specific to refugees and forced labor should be addressed in prevention initiatives.

The Syrian refugee crisis fits within the context of the largest global refugee crisis since World War II. In light of the ongoing global refugee crisis, the intersection of trafficking and refugee rights is a relatively recent topic in anti-trafficking and human rights circles, especially regarding the more recent Syrian refugee crisis. Despite the well-cited link between expanding global populations of migrants and refugees and the risk of trafficking, forced labor, and exploitation, little research on this exists in Western academics outside studies on sex trafficking in Asia. However, refugees globally are at an increased risk for trafficking, which is often attributed to their mobility and lack of security. Studying vulnerability indicators of trafficking and forced labor pre-crisis and post-crisis is imperative to informing prevention strategies. Researching refugees' mobility, lack of security, and other vulnerability indicators such as work status and income could help determine relative vulnerability to trafficking and forced labor. Measuring and understanding why refugees are at a heightened vulnerability status is key to future prevention strategies attempting to dismantle human trafficking and prevent future "breeding grounds" in global refugee crises.

Human trafficking is the third largest black market industry in the world and quickly expanding with an estimated annual profit of US\$150 billion.⁵ While trafficking and forced labor are not the same phenomena, they are closely related and difficult to independently isolate. Trafficking victims are often forced to work, and employers of forced labor are often traffickers

⁵ "Human Trafficking by the Numbers," *Human Rights First*, last modified January 1, 2016, accessed September 27, 2016, <http://www.humanrightsfirst.org/resource/human-trafficking-numbers>

themselves or source employees from traffickers. The rise of the human trafficking industry in the black market indicates it is an economically motivated business focused on the exploitation of labor. From a business perspective, commoditizing humans is less risky than selling guns or drugs, which are the first and second largest black market products, because people are resellable. There are also higher rewards due to the high resale value of forced labor and low conviction rates of traffickers.⁶ This risk-reward trade off can help explain the increased presence of this illegal industry. Human trafficking, which includes the lucrative sex trafficking business as well as other forms of forced labor, such as domestic servitude, is a highly profitable, growing industry. The vast existence of this black market industry has gained attention in recent decades due to an international campaign to end trafficking and modern slavery.

Current research on prevention strategies to combat trafficking and forced labor is mostly focused in Asia and Eastern Europe. The Middle East is a lesser-studied but important region. Given the Syrian refugee crisis, it is necessary to study refugee vulnerability regionally, particularly in impacted countries. These countries include Jordan, Turkey, Lebanon, and Syria for its internally displaced population. Turkey and Lebanon have taken in the most refugees from the Syrian crisis. However, Jordan also has a large number of refugees, many whom live at one of the largest refugee camps in the world, Za'atari. Research from these countries is critical to current discussions of Syrian refugee issues. According to the United Nations, 656,400 Syrian refugees are registered in Jordan alone.⁷ It is necessary to note that unregistered refugees are not included in this statistic, and the total number of refugees in Jordan is likely higher. Many groups from the OSCE, an intergovernmental organization (IGO), and Human Rights First (HRF), a

⁶ "Human Trafficking by the Numbers," *Human Rights First*, last modified January 1, 2016, accessed September 27, 2016, <http://www.humanrightsfirst.org/resource/human-trafficking-numbers>

⁷ "Syria Regional Refugee Response," *UNHCR*, last modified September 18, 2016, accessed September 27, 2016, <http://data.unhcr.org/syrianrefugees/country.php?id=107>

human rights nongovernmental organization (NGO) are citing the refugee crisis as a “greenhouse for human trafficking.”⁸ To analyze the current state of trafficking and forced labor of refugees in the Middle East, this research addresses *why* refugees are more vulnerable to trafficking and forced labor and how vulnerability indicators can be measured and incorporated into prevention strategies.

This thesis begins with an introduction to each of the issues at hand: trafficking and forced labor, prevention strategies, and refugees in the Middle East and Jordan. Chapter 1 focuses on the intersection of these topics as a critical foundation of this thesis. Following this background, Chapter 2 will reveal a framework for measuring and understanding refugee specific vulnerability indicators. The intention of this section is to explore the question at hand: why and how are refugees vulnerable? An important finding of this chapter is that health, work status, and access to community are some of the most important indicators of vulnerability to trafficking and forced labor in addition to legal and registered refugee status. The following chapter introduces the refugee crisis in Jordan within the context of the Syrian war and the global refugee crisis. In this chapter, the demographics of Syrian refugees in Jordan are discussed to gain a better understanding of Jordan’s role in the refugee crisis. In addition, vulnerability indicators such as registration and legal status are examined in the specific context of Jordan. One key finding in this chapter is that lack of access to legal work outside of the hugely flawed kafala sponsorship program and an overall lack of legal refugee rights in Jordan severely impact vulnerability of Syrian refugees residing in Jordan. Chapter 5 addresses the state of prevention in Jordan in regards to national policies and action plans, civil society programs, and IGO

⁸ Rachel Buchan, “The Syrian Refugee Crisis: A Greenhouse for Human Trafficking,” *Human Rights First*, last modified August 16, 2016, accessed December 1, 2016 <http://www.humanrightsfirst.org/blog/syrian-refugee-crisis-greenhouse-human-trafficking>

programs. The use of vulnerability indicators is discussed in relation to each of these areas of prevention. In this chapter, one contribution is an analysis of a timeline for refugee crisis prevention initiatives using the levels of analysis (i.e. individual, group, state, and international) and direct and indirect prevention in Jordan. In the final chapter, I give a review of my findings and discuss recommendations on how to better prevent trafficking and forced labor of refugees in Jordan with vulnerability indicators in mind. An important finding in this chapter is that access to work status and community are a gap in previous literature and in current and past international prevention efforts aimed at stopping trafficking and forced labor in Jordan. In addition, this final chapter further details the key contribution of addressing vulnerability in a timeline of prevention. I conclude that vulnerability to trafficking and forced labor among refugees in Jordan can be addressed in prevention initiatives with the use of a prevention timeline.

One goal of this research is to increase exposure of the issues by adding to the literature through an analytical and statistical angle. In addition, I seek to provide research on the key vulnerability indicators necessary in prevention strategies to inhibit the exploitation of current at-risk groups of refugees. The expected result is compelling evidence on the importance of defining, categorizing, and measuring risk and vulnerability to better inform preventative action. In addition, this research focuses on exposing the importance of indirect prevention strategies on an individual and group level to provide host communities, refugee camps, and local non-profits with evidence and suggestions on how they can help on small scales. Addressing these crimes *before* they occur by preventing forced labor and trafficking of potential victims is key during the Syrian refugee crisis due to the increased presence of refugees and the associated vulnerabilities, globally.

Key Terms

Within this research, terminology can be interpreted in varied ways. The complexities that follow defining key terms associated with risk and vulnerability are expansive due to the varied nature of their use in refugee research. For this reason, it is necessary to pare down the definitions of key terms to create a streamlined approach to measure risk and vulnerability. Throughout the rest of this research, the following terms will only be used in regard to the given definitions. Some of these terms are international legal definitions from the United Nations and others are tailored to this research specifically. For the purposes of this research, I define the key terms as follows.

1. **Diaspora** is a group of people who have settled away from their place of origin, most notably in a foreign state or nation.
2. **Internally Displaced Persons (IDPs)** “are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence... as a result or [to] avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural human-made disasters, and who have not crossed an internationally recognized State border.”⁹
3. **The Middle East** is a transcontinental geographic region consisting of countries in Northern Africa and Southwestern Asia on or near the eastern edge of the Mediterranean Sea including (in alphabetical order) Bahrain, Cyprus, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, and Turkey.

⁹ “Guiding Principles on Internal Displacement,” *UNHCR*, (United Nations: 2004), 1, accessed May 13, 2017, <http://www.unhcr.org/en-us/protection/idps/43ce1cff2/guiding-principles-internal-displacement.html>.

4. A **migrant** is a person living outside of their nation or state who may *choose* “to move because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return. If they choose to return home, they will continue to receive the protection of their government.”¹⁰
5. **Prevention** is defined in two categories, direct and indirect prevention, which determines when prevention occurs and for what purpose:
 - a. “**Direct Prevention** aims to eliminate risk factors and establish a legal, administrative and policy framework which seeks to prevent violations.”¹¹
 - b. **Indirect Prevention** “takes place after a violation has occurred. It aims to prevent recurrence by identifying and addressing causes of violations of all human rights, through investigation and prosecution, ensuring the right of victims and societies to know the truth about violations, and the right of victims to an effective remedy, in accordance with international law.”¹²
6. **Refoulement** is the forced removal of refugees or asylum seekers from a foreign country to the country they originally fled.
7. A **refugee** is a person fleeing a country of origin due to the existence or threat of an armed conflict, violence, persecution, or death.

¹⁰ “UNHCR viewpoint: ‘Refugee’ or ‘migrant’ – Which is right?” UNHCR, (United Nations: 2016), accessed May 13, 2017, <http://www.unhcr.org/en-us/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>

¹¹ “The Role of Prevention in the Promotion and Protection of Human Rights,” *UNHCR*, (United Nations General Assembly: 2015), 5.

¹² *Ibid.*, 6.

8. A **risk** is an external factor or situation exposing danger or threat of harm, injury, loss, or death. In the context of a refugee crisis, mobility, war, instability, corruption, and other external factors expose refugees to risks. Note that a **risk** varies from being **at risk**, which is a state of being exposed to harm or danger.
9. **Vulnerability** is a state of being exposed to existing or potential harm, injury, or loss. In the context of a refugee crisis, vulnerability is defined in the context of what it is that a group is vulnerable to and is understood through demographic and social categories such as age, wealth, or global family or friends. Being **vulnerable** will be used as a synonym of being **at risk**.

Methodology

To determine why refugees are vulnerable to trafficking and forced labor and how prevention can address these vulnerabilities, this research pulls from various academic disciplines utilizing qualitative and quantitative research methods. The academic disciplines with vast research on vulnerability to exploitation and/or refugees include: history, economics, anthropology, geography, international relations, sociology, political science, and legal studies. This thesis consults research methods from international relations, political science and legal studies. Specifically, I analyze data on Jordanian refugee demographics, analyze international and national laws and their implications, and I apply the levels of analysis from international relations to categorize prevention strategies to better understand the scope and applicability of this research. I supplement this research with various studies and reports from international organizations including the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and the International Labour Organization (ILO) to provide a broad spectrum of evidence reaching beyond the available academic sources.

The primary focus is on the Syrian refugee experience in Jordan, which I believe is the best country to conduct a case study of this research. Specifically, a large amount of qualitative research has been done in Za'atari, one of the largest refugee camps in the world, providing me with access to data specific to Syrian refugees. In addition, the Jordanian government released plans to prevent trafficking and forced labor of refugees. The lack of protections for refugees in Jordan provides some of the worst conditions for trafficking and forced labor, which makes it a vital concern to address in Jordan.

The qualitative research in this thesis focuses on assessing the human aspect of the refugee experience and how individual vulnerabilities can be exploited. Qualitative methods used

include a case study of Jordanian prevention and legal analysis. The quantitative research I used includes data collection and analysis and the development of a system of measuring vulnerability. To measure vulnerability, the levels of analysis from political science (i.e. individual, group, state, and international) are the primary basis of this research. This particular mix of qualitative and quantitative methods is vital to provide a variety of evidence on using measured vulnerability in prevention strategies, which can be applied to the current refugee crisis or any future crises.

Literature Review

There is a lack of academic literature combining three key areas: the Middle East, vulnerability to forced labor, and refugees. Plenty of research exists on forced labor of refugees in other areas of the world. There are also studies on refugees *or* forced labor in Jordan and the Middle East in general. In addition, various disciplines from economics to medicine to anthropology have extensive literature on these issues individually. Yet, the intersection of vulnerability to forced labor and trafficking of refugees in Jordan or in the Middle East is missing in the academic realm. However, non-academic research from government or international agencies is widely available on trafficking of refugees, including some specific to Jordan. Why, since the start of the Syrian refugee crisis more than six years ago, have these topics not been academically studied in Jordan, one of the largest host countries for refugees in the region?

Notable Research from Various Disciplines

Throughout the available literature on these topics, research methodologies have varied greatly depending on the field from statistical analyses to historical perspectives. The greatest themes in the research are the following: large group research as opposed to intimate ethnography (even in anthropology), an emphasis on studying host countries and diaspora communities, and a special focus on the repercussions or consequences of large influxes of migration. My research will fit within these themes but take on the newer topic of trafficking of refugees from a country specific context in Jordan with implications for the greater Middle East region.

A leading scholar on modern slavery is Siddharth Kara of Harvard University. His research on sex slavery and the business of modern slavery is key to understanding slavery as a global phenomenon.¹³ Other available literature on forced labor stems from the fields of economics, anthropology, political science, history, and medicine. It is surprising to note that economics and medicine are two of the largest fields researching the intersection of forced labor and refugees. The medical community has not focused on forced labor, but rather the health issues and lack of health services for Syrian refugees in Jordan.¹⁴ It makes sense, after discovering this information, that health is an immediate concern for refugees. This aspect of physical health and mental well-being is often not cited in other areas of research regarding these intersecting topics. In fact, combining insights from these various fields is a current gap in academic literature. An important aspect of my research is an interdisciplinary approach to research the intersection of trafficking and forced labor, refugees, and the Middle East.

In economics, the largest trend considers the economic consequences of taking in refugees on host countries. In particular, economists have asked what effect the Syrian refugee crisis will have on labor markets and the future economy in host countries, like Jordan. Fakhri and Ibrahim found that there is no proven relationship between labor markets and the influx of Syrian refugees in Jordan so far, although research continues.¹⁵ Influxes of refugees may have unforeseen consequences on labor markets and economies of host countries like Jordan in the future. This economic lens is a fascinating addition to existing literature. Economic literature provides my research with background to the impact of Jordan's labor market and economy on refugees' ability to work and the type of work allowed. Another interesting economic perspective comes

¹³ See Kara, Siddharth (2008)

¹⁴ Shannon Doocy, Emily Lyles, Laila Akhu-Zaheya, Ann Burton, and Gilbert Burnham, "Health service access and utilization among Syrian Refugees in Jordan," *International Journal for Equity in Health*, 1-15, 2016, accessed September 26, 2016, <http://dx.doi.org.colorado.idm.oclc.org/10.1186/s12939-016-0399-4>

¹⁵ See Fakhri, Ali and May Ibrahim (2016)

from a statistical study on the use of cell-phones to provide aid after the earthquake in Haiti.¹⁶ This provides an example of a technological solution to humanitarian issues. Analyzing this research to determine the viability of using technology in a prevention strategy could prove to be a viable method of prevention.

Anthropologists have asked different questions than economists. In anthropology, research on refugees has traditionally focused on understanding the social, cultural, and political implications of *being* a refugee. Colson (2003), White (2015), and Brettell (2013)¹⁷ provide background on cultural preservation in refugee diaspora communities and the shifts in thinking when someone becomes a refugee. This is key to understanding characteristics specific to refugees when discussing their vulnerabilities. For this research, understanding what being a refugee *means* or how migration can shift thoughts and perceptions is less imperative than understanding how specific characteristics of being a refugee influence their vulnerability. However, the work of Brettell, White, Colson and many other scholars in anthropology provide a starting point to build on research of a specific group of people. Other influential scholars studying themes of refugee communities or forced labor are Carol McGrannahan (CU Boulder),

¹⁶ Linus Bengtsson, Xin Lu, Anna Thorson, Richard Garfield, and Johan von Schreeb. "Improved Response to Disasters and Outbreaks by Tracking Population Movements with Mobile Phone Network Data: A Post-Earthquake Geospatial Study in Haiti." *PLoS Medicine* 8, no. 8, 08, 2011, accessed September 26, 2016, <https://colorado.idm.oclc.org/login?url=http://search.proquest.com.colorado.idm.oclc.org/docview/1288091734?accountid=14503>.

¹⁷ Elizabeth Colson, "Forced Migration and the Anthropological Response" *Journal of Refugee Studies*, 16 (1): 1-18, 2003, accessed September 27, 2016, <http://jrs.oxfordjournals.org/content/16/1/1.full.pdf+html>; Michael J. White, *International Handbook of Migration and Population Distribution*, New York, London: Springer Science + Business Media Dordrecht, 2016. Print.; and Caroline B. Brettell, "Anthropology of Migration," *Encyclopedia of Global Human Migration*, 2013. Print.

Denisse Brennan (Duke), and Jok Madut Jok (University of California). A wide array of research from these scholars is available on the lives of refugees or individuals in forced labor.

Legal studies provide information on how international and national interpretations of laws can impact the lives of refugees. “Refugee” is a very contested term in national and international laws. Some nations, including Jordan, accept the United Nations definition of “refugee.”¹⁸ There are many types of refugees from political to climate, and the umbrella term of refugee does not cover all fleeing peoples. There are also internally displaced peoples, who are not classified under this definition due to the fact that they have not left their country of origin despite being uprooted internally.¹⁹ Legal studies scholarship has classically focused on hashing out these terms to give legal help to refugees internationally. Given that this information is public knowledge, an interesting question is how can refugees be given information on these laws and their interpretations for the purpose of self-help and empowerment? One legal scholar, Jean Allain, is a clear leader in the research on slavery in the law.²⁰ Her work provides a backbone to my own research on the legal implications of slavery, forced labor, and black market industries. Peter Dwyer also provides a political science perspective on the legality of forced labor of international refugees.²¹ Building off this research, analyzing Jordanian laws and their adherence to international laws is imperative to determining how national policies influence refugee’s vulnerability to forced labor and trafficking.

¹⁸ See Chapter 3, 50, for the full United Nations definition.

¹⁹ Tyler M. Christensen, “Trafficking for sexual exploitation: victim protection in international and domestic asylum law,” *Policy Development and Evaluation Service, UNHCR*, 2011, accessed September 26, 2016, <http://www.unhcr.org/4d9c7c869.pdf>

²⁰ See Allain (2012)

²¹ See Dwyer et al. (2016)

Regional Literature

Regarding purely academic sources, little research exists on the trafficking or forced labor of refugees in the Middle East and in Jordan. Disregarding refugee research for a moment, the Middle East, as a region, is rarely the focus of studies on trafficking. Instead, current research on trafficking is focused in Southeast Asia, Sub-Saharan Africa, and Eastern Europe.²² This is likely because these areas have a higher frequency of trafficking. This is not to say that trafficking and forced labor does not occur in the Middle East. On the contrary, these crimes happen in every single country throughout the world. Given this fact, the lack of research on trafficking in the Middle East is quite surprising. In addition, in Jordan specifically, there is yet to be a study on human trafficking of refugees specific to Jordan and the Syrian refugee crisis. This is likely due to how new this topic is in the Middle East considering the freshness of the Syrian civil war and large international migration of Syrian refugees and migrant workers. While trafficking and forced labor have always existed in the Middle East and elsewhere throughout the world, the reemergence of a global anti-slavery campaign has picked up steam only within the past few decades, which may account for the thin academic literature available on anti-trafficking efforts in the Middle East.

As opposed to trafficking research, there exists copious research on refugees in this region and in Jordan specifically.²³ One document from Panayi (2011) provides an analysis on

²² Catherine Cross, Derik Gelderblom, Niel Roux, Jonathan Mafukidze, *Views on Migration in Sub Saharan Africa*, Cape Town, South Africa: HSRC Press, Ch. 2, 2006.
<http://www.hsrcpress.ac.za/product.php?productid=2158&freedownload=1>; and Andreas Schloenhardt, "Trafficking in Migrants: Illegal Migration and Organized Crime in Australia and the Asia Pacific Region," *International Journal of the Sociology of Law*, 29(4): 331-378, 2001, accessed September 26, 2016,
<http://www.sciencedirect.com/science/article/pii/S0194659501901558>

²³ Ali Fakih and May Ibrahim, "The impact of Syrian refugees on the labor market in neighboring countries: empirical evidence from Jordan," *Defense and Peace Economics*, 27(1): 64-86, 2016, accessed September 26, 2016,
<http://www.tandfonline.com/colorado.idm.oclc.org/doi/abs/10.1080/10242694.2015.1055936>;

refugees and forced migration in postcolonial Jordan, but lacks the forced labor perspective.²⁴ This document and others from Fakhri and Ibrahim (2016) and Doocy et al. (2016) are great starting points for my research on the risk factors and implications of being a refugee in Jordan. Despite the widely available resources on refugees in Jordan, the need for academic research on human trafficking of refugees is vast. To fill the gaps in academic literature, my thesis will provide a prevention perspective through an analysis of risk factors for trafficking among refugees. It is necessary to understand the causes of vulnerabilities to begin work in this field, and this thesis can hopefully provide a starting point. With refugee populations increasing globally due to the ongoing Syrian civil war and other conflicts, the risk of trafficking is at an all-time high and even more research is necessary.²⁵

Non-Academic Literature

There is very little academic literature on prevention methods for human trafficking specific to refugees. Outside of academia, there are numerous government publications and prevention training programs on the topics of trafficking and refugees. The divide is stark. I would suggest that increased global pressure to address human trafficking could account for the presence of non-academic literature. This may not, however, explain the lack of academic literature. Regarding the available non-academic literature, the United States Department of State

Shannon Doocy, Emily Lyles, Laila Akhu-Zaheya, Ann Burton, and Gilbert Burnham, "Health service access and utilization among Syrian Refugees in Jordan," *International Journal for Equity in Health*, 1-15, 2016, accessed September 26, 2016, <http://dx.doi.org.colorado.idm.oclc.org/10.1186/s12939-016-0399-4>; and

Shelly Culbertson, "Education of Syrian Refugee Children: managing the crisis in Turkey, Lebanon, and Jordan" Santa Monica, California: *RAND Corporation*, 2015, accessed September 26, 2016, http://www.rand.org/pubs/research_reports/RR859.html

²⁴ Panayi, Panikos and Pippa Virdee, *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century*, New York: Palgrave Macmillan, 2011. Print.

²⁵ Yury Fedotov, "Remarks at the event marking the 2016 World Day Against Trafficking in Persons," *UNODC*, July 25, 2016, accessed September 26, 2016, <https://www.unodc.org/unodc/en/speeches/2016/remarks-marking-the-2016-world-day-against-tip.html>

(DoS), the United Nations (in The Office of Drugs and Crime and The High Commissioner for Refugees), the International Organization for Migration (IOM), the Organization for Security and Co-Operation in Europe (OSCE), and the International Labour Organization (ILO) all have extensive research on forced labor and refugees, including research on the intersection of the topics and some research in the Middle East. Within these organizations, there is also immense statistical data on both refugees and human trafficking, which will be utilized and analyzed throughout this thesis.

In the section on Jordan of the 2016 Trafficking in Persons Report for the first time the United States Department of State explained how vulnerable Syrian refugees are to trafficking in Jordan.²⁶ This is a breakthrough for United States reports on trafficking, since refugees have often been neglected and left out of past reports. Assessing this document, the Jordanian laws against trafficking are heavily critiqued and recommended for amendment to better protect against and prevent trafficking and forced labor. Another prevention report from Shelly Culbertson of the RAND Corporation details the necessity of educating refugee children in Jordan.²⁷ While this document does not reflect on the use of education as a prevention strategy for human trafficking and forced labor, it does provide specifics on the education needs specific to Jordanian refugees and an analysis on how to implement an education plan. The specificities of this report can provide background for education as a prevention strategy. Each of these organizations that work directly in the area of refugees and trafficking (many of which are working on the ground) have filled the gaps where academic research has remained silent.

²⁶ “Trafficking in Persons Report 2016,” *Office to Monitor and Combat Trafficking in Persons*, U.S. Department of State, 2016, accessed September 26, 2016
<http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258793.htm>

²⁷ Shelly Culbertson, “Education of Syrian Refugee Children: managing the crisis in Turkey, Lebanon, and Jordan,” *RAND Corporation*, 2015, accessed September 26, 2016,
http://www.rand.org/pubs/research_reports/RR859.html

In recent years, these organizations, primarily the UN and OSCE, have provided access to their commitments and strategies for researching and identifying solutions to human trafficking and forced labor of refugees. Yury Fedotov of the United Nations Office on Drugs and Crime (UNODC) gave a speech about addressing trafficking during this refugee crisis in July of 2016.²⁸ In this speech, Fedotov announced that the UNODC would release a research report on trafficking of refugees. In addition, the OSCE is currently implementing a training program for member countries' border patrol officers, passport agencies, and police to help identify refugees who are trafficked for forced labor.²⁹ While this program is meant to find victims *already* enslaved, after reviewing their materials on trafficking of refugees, their goals are clear: prevent and stop these crimes.

After reviewing the available literature, the question that comes to mind is why academic scholars have not researched trafficking of refugees? Perhaps it is due to the limiting factors of migration, such as the difficulty of keeping track of a single mobile person. It could also be due to the seemingly small number of refugees who are actually trafficked. This is interesting since refugees are one of the most at risk groups for being trafficked and enslaved. The reason for this lack of research could also be due to the mobile aspect of migration and the safety concerns of refugees. These limiting factors impact how refugees can be studied. Combined with the secretive and taboo nature of slavery and trafficking, as black market industries, it is clear that studying trafficking has been difficult. The indication that *all* refugees are at risk is reason

²⁸ Yury Fedotov, "Remarks at the event marking the 2016 World Day Against Trafficking in Persons," *UNODC*, July 25, 2016, accessed September 26, 2016,

<https://www.unodc.org/unodc/en/speeches/2016/remarks-marking-the-2016-world-day-against-tip.html>

²⁹ "OSCE launches innovative project to combat human trafficking along migration routes," *OSCE*, June 17, 2016, accessed September 26, 2016, <http://www.osce.org/secretariat/247311>

enough for the academic community to study trafficking of refugees, even if few Syrian refugees become victims of trafficking or forced labor in the end. There are many ways to advance the academic literature on human trafficking of refugees. For example, laws and cultural phenomena can be studied to address how country-specific and demographic factors influence refugee's vulnerability to trafficking and forced labor. This research seeks to address how and why refugees are vulnerable to trafficking and forced labor. In the future, it is my hope that numerous different sources on trafficking of refugees in the Middle East will exist in the academic field. This thesis seeks to provide an initial effort in that direction. Research on the refugees' risk of being trafficked and forced into labor in the Middle East *is* feasible.

Chapter 1: Background of the Current State of Human Trafficking, Forced Labor, and Prevention in the Middle East

When considering the necessity to prevent human trafficking and forced labor, Asia and Eastern Europe are generally studied before the Middle East due to the greater visibility and extent of these crimes. The assumption that the Middle East has little trafficking and forced labor is common largely because the Middle East, as a region, has the least number of trafficking victims standing at an estimated 3%, or 600,000, of all global victims.³⁰ So perhaps the Middle East is viewed as a less vital region to study human trafficking, which could explain the lack of research in the area. However, due to the Syrian refugee crisis, there are now 5,290,498 Syrian refugees scattered throughout the Middle East alone.³¹ These individuals are at heightened risk for trafficking and forced labor. This means that over five million individuals, of which around 25% are under the age of eighteen, are vulnerable to exploitation, forced labor, sex work, and trafficking in general. It is vital to study prevention of slavery and exploitation among refugees and migrants in the Middle East today to prevent these crimes from occurring as the refugee crisis continues as well as to prevent future crimes from occurring in this region.

One of the greatest risks refugees face is being highly vulnerable to smuggling and trafficking as a result of their mobile status. Smugglers can assist mobile individuals by providing access to other countries. As assessed by the International Centre for Migration Policy Development “irregular border crossings assisted by smugglers have been reported to take place”

³⁰ “Statistics and indicators on forced labour and trafficking,” *International Labour Organization (ILO)*, last modified 2016, accessed December 1, 2016, <http://www.ilo.org/global/topics/forced-labour/policy-areas/statistics/lang--en/index.htm>

³¹ “Syrian Regional Refugee Response,” *UNHCR Data*, last modified October 2016, accessed October 12, 2017, <http://data.unhcr.org/syrianrefugees/regional.php#>

during the Syrian refugee crisis.³² Unfortunately, smuggling such as this can often lead to human trafficking. UNODC defines the difference between smuggling and trafficking through the following categories:

1. **Consent** - migrant smuggling, while often undertaken in dangerous or degrading conditions, involves consent. Trafficking victims, on the other hand, have either never consented or if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abusive action of the traffickers.
2. **Exploitation** - migrant smuggling ends with the migrants' arrival at their destination, whereas trafficking involves the ongoing exploitation of the victim.
3. **Transnationality** - smuggling is always transnational, whereas trafficking may not be. Trafficking can occur regardless of whether victims are taken to another state or moved within a state's borders.
4. **Source of profits** - in smuggling cases profits are derived from the transportation of facilitation of the illegal entry or stay of a person in another country, while in trafficking cases profits are derived from exploitation.³³

Despite the differences, it is very important to point out that being smuggled can lead to human trafficking. It is key to understand that smuggling can turn into trafficking when outrageous fees, the holding of documents, and the use of misinformation and invented promises to obtain legal documents occurs. Migrating by way of smuggling is a huge risk for refugees.

The connection between trafficking and smuggling poses a vast risk to the individuals who cross borders through this smuggling mechanism. It leaves refugees vulnerable to abuse, theft, fraud, and exploitation. The exploitation, deception, theft, and abuse of trafficking victims are cause for concern for migrants and refugees seeking to leave crises by way of smuggling. As UNODC explains,

Because these services are illegal, the criminals have tremendous power, while the migrants are left vulnerable. Many migrants are abused or die on the way to their

³² Claire Healy, et al. "Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons - A Study of Syria, Turkey, Lebanon, Jordan and Iraq," *ICMPD* (ICMPD Vienna: 2015), accessed May 13, 2017, http://freedomfund.org/wp-content/uploads/Targeting_Vulnerabilities_EN_SOFT_-1.pdf, 78.

³³ "Human trafficking FAQs," *UNODC*, (UNODC: 2017), accessed May 13, 2017, https://www.unodc.org/unodc/en/human-trafficking/faqs.html#How_is_human_trafficking_different_to_migrant_smuggling.

destination, and many are abandoned en route without resources. Refugees and asylum seekers, as well as vulnerable migrants such as unaccompanied minors and pregnant women, can be among those who pay a high price for smuggling services with no guarantee for their safety or the success of the venture.³⁴

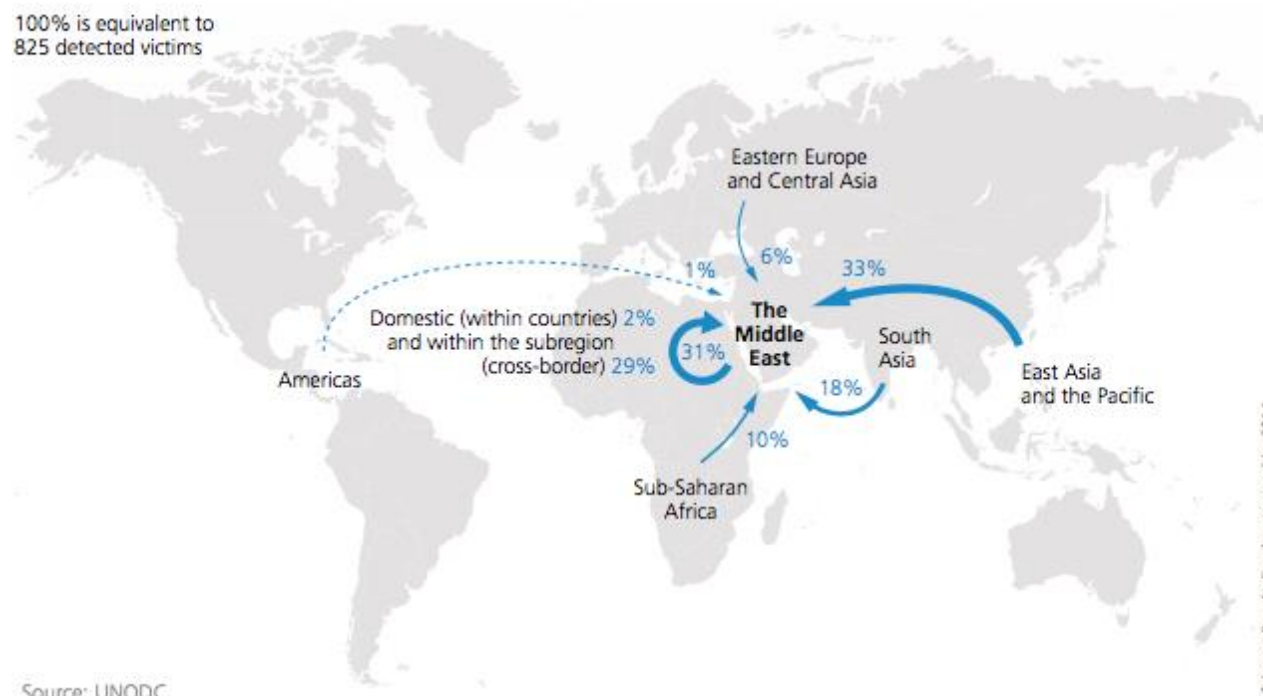
This lack of guaranteed safety and success is important to understanding why the risk is so high. Unregulated businesses on the informal market are wild cards. A refugee will never know how much danger he or she is putting him/herself into or not. A refugee will also never have the assurance of safety and security. Smuggled refugees may live in constant fear of their life, health, and security. Why do refugees use smugglers to get across borders then? This question is so important because it helps put risk and vulnerability into the context of a crisis. Refugees are fleeing (for various reasons). They are leaving their homes, lives, jobs, and often their family and friends in search of safety and security. The risk of leaving might be less than the risk of staying (excluding the unknown variables such as those encountered by smuggling) and thus many individuals make the choice to flee. A refugee is constantly in search of a means to regain the safety and security of themselves and their families. Often times, smugglers offer quick access out of the country or city of origin. In addition, various constraints may impact a refugee's ability to use other methods of leaving such as closed or restricted borders or lost passports and identification cards. The risk of being smuggled might be weighed against the reward of exiting a country due to a war or fear of prosecution. So sometimes, smuggling is the only option for a refugee. Smuggling is an available service for refugees, but the associated risks for exploitation are tremendous.

Aside from the refugee crisis, what does human trafficking and forced labor prevention look like in the Middle East in general? Like the rest of the world, the Middle East has seen a

³⁴ "Smuggling of migrants: the harsh search for a better life," UNODC, (UNODC: 2017), accessed May 13, 2017, <https://www.unodc.org/toc/en/crimes/migrant-smuggling.html>.

transnational movement to end trafficking and labor exploitation within the past few decades. This culminates in IGO's and NGO's working across borders with generalized templates focused regionally, or sometimes even more broadly, globally. Any given prevention measure in the Middle East is either tailored to the Middle East specifically or to the globalized concerns, but there is a lack of prevention from a country base level taking into account local demographics, type of work, culture, and identity. International organizations focused on prevention in the region include the ILO, the United Nations Office on Drugs and Crime (UNDOC), and the IOM. For the most part, the list ends there. That is to say that there are very few organizations, both regional and internationally that work on human trafficking prevention initiatives. However, these organizations do fund local NGO projects. Before getting further into what these organizations are working on specifically regarding prevention, understanding what trafficking and forced labor looks like in the Middle East is necessary.

Figure 1 shows the region of origin for victims that have been trafficked to the Middle East. As shown, 31% of victims are internally sourced, meaning that these victims are Middle Easterners who have been trafficked and forced into exploitative work without ever leaving their region or even their country, which itself accounts for about 2% of the victims. If trafficked, internally displaced persons would fit within that 2% statistic. On the other hand, Syrian refugees, migrants, or other refugees would fit into the 31% as Middle Easterners living somewhere in the region other than their home country. The other 61% of victims mostly come from East Asia and the Pacific, South Asia, and Sub-Saharan Africa respectively.

Figure 1: Region of Origin of Victims Trafficked to the Middle East

Among victims of trafficking in the Middle East, various types of exploitation exist and are well documented. As the IOM notes, “cases of forced labour, debt bondage, commercial sexual exploitation, forced and early marriage, forced begging and the worst forms of child labour are routinely identified” in the Middle East and North Africa.³⁵ The variety in types of forced labor is characteristic of human trafficking in general. This is one aspect that makes trafficking so hard to track. There are so many industries sourcing employees from traffickers that it can be hard to keep up in research. For this reason, research often lags behind new developments in the business of trafficking and forced labor. Some industries that popularly source trafficked labor in the Middle East are natural resources and oil procurement, agriculture,

³⁵ “The Other Migrant Crisis- Protecting Migrant Workers Against Exploitation in the Middle East and North Africa” *International Organization for Migration*, Switzerland, electronically published 2015, 11, accessed December 1, 2016 http://publications.iom.int/system/files/pdf/other_migrant_crisis.pdf

construction, and domestic service industries. Yet there are also cases that are unique to specific countries within the region. For example, in Jordan, “temporary marriages” are used to legalize prostitution and force girls and women into sexual exploitation.³⁶ In regard to prevention, cases like those in Jordan would have to be done locally with country specific factors in mind.

Despite the fairly consistent variety in types of work globally, trafficking and forced labor in the Middle East are slightly different in one aspect. As seen in Figure 1, the Middle East is a region that hosts a large portion of trafficked victims from other regions. This suggests that Middle Eastern industries are sourcing a lot of labor outside of the Middle East. The population traffickers’ recruit from, the local laws, and the risk-reward ratio always define the tools of the trafficker. This varies country to country. The reasons for this external pull-factor are not well studied. However, concerning this research paper, how can an increase in vulnerable refugee and migrant populations from the refugee crisis impact this external pull-factor? Perhaps the increased availability of internal, vulnerable individuals will see a change in the sources of forced labor to these areas. The scope of this problem has yet to be studied because current statistics are incomprehensive. In the coming years as better statistics from 2011 to present are compiled there could be a better idea of the impact the refugee crisis has on human trafficking in the Middle East.

³⁶ Rachel Buchan, “The Syrian Refugee Crisis: A Greenhouse for Human Trafficking,” *Human Rights First*, last modified August 16, 2016, accessed December 1, 2016
<http://www.humanrightsfirst.org/blog/syrian-refugee-crisis-greenhouse-human-trafficking>

Intergovernmental Prevention Initiatives in Jordan

Prevention of trafficking and forced labor is occurring in schools, IGOs, and NGOs, governments, and local communities, or in other words, everywhere and anywhere. They span everything from education to enhancing law enforcement. Analyzing specific prevention initiatives from three IGOs, the UNODC, IOM, and ILO, is necessary to understanding the major themes in prevention initiatives. These themes are educational, legal, and enforcement based prevention strategies. Creating prevention categories based on their efforts can assist in the comparison of past and present strategies in order to determine the viability of various forms of prevention. The three mentioned international organizations each have statistics and reports on their projects, which are diverse in scale and purpose, for refugees and migrants. The project outcomes can thus be reviewed and compared alongside each organizations statistics on trafficking and forced labor to better understand the relationship.

The International Labour Organization is a United Nations agency working with governments, employers, and workers to “set labour standards, develop policies and devise programmes promoting decent work for all women and men.” This organization has a stake in preventing and studying forced labor, trafficking, and migration. Their research on law, policy, enforcement, and economic indicators of recruitment are integral to the international community’s understanding of the factors of the formal and informal labor industries and their overlap. The ILO publishes various awareness campaigns about refugees and other at-risk groups as a call for prevention and action. From 2014 to 2016, the ILO ran an awareness campaign to raise awareness on child labor in Lebanon.³⁷ Lebanon and Jordan have taken a sizeable number

³⁷ “National Awareness Raising Strategy on the Worst Forms of Child Labour in Lebanon,” *Republic of Lebanon Ministry of Labor*, (International Labour Organization: 2016) accessed October 10, 2017, http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_443268.pdf

of refugees from Syria. While the final outcome of this campaign is to be determined, other campaigns result in action plans, quarterly progress reports, and statistical analyses. One such program, the Fair Recruitment Initiative, analyzes the connection between forced labor and labor migration.³⁸ This initiative created a report titled “Pilot testing a fair recruitment model from Nepal to Jordan in the apparel industry (2016),” that analyzes industry specific indicators of forced labor and unfair labor practices for migrant workers in Jordan.³⁹ This initiative created an intervention in Jordan from an initial assessment of the associated issues to final reports and collaborative efforts with employers and employee trainers. The Fair Labor Initiative is just one of many invaluable programs from the ILO on prevention and awareness regarding forced labor. This organization is a top resource for statistics and prevention campaigns regarding the intersection of forced labor and refugee issues globally.

In addition to the resources generated by the ILO, the IOM also releases key reports related to prevention. An interesting area the IOM focuses on is corruption reduction and balancing illegal migration with victim protection. Since this organization incorporates illegal and legal migration into their mission, there are various resources on prevention of forced labor of migrant workers. Refugees and migrant workers are not the same group, however. While refugees are forced to flee typically due to fear of danger or even loss of life, migrant workers voluntarily leave their homes for work. Though, ILO recognizes the overlap between these two groups. In a report titled “The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa,” the IOM focuses on the vulnerabilities of

³⁸ “Fair Recruitment Initiative Brochure” *International Labour Organization*, last modified 2016, accessed December 7, 2016, http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_320405.pdf;

³⁹ “Pilot Testing a Fair Recruitment Model from Nepal to Jordan in the Apparel Industry, ” *International Labour Organization*, 2016, accessed December 1, 2016, http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/meetingdocument/wcms_464656.pdf

migrants. Migrant workers are often *forced* to leave their homes due to economic reasons. While this is not the same as fear of danger or loss of life, the forcible nature of economic migration is still important to recognize. Migrant workers and refugees also overlap regarding human trafficking and forced labor. Leaving home leaves people vulnerable. This fact is a key facet of the IOM's research in their report, and it is also imperative to this thesis. In prevention initiatives, both migrant and refugee vulnerability abroad must be heavily stressed. The IOM does this by connecting their studies to their action plans for prevention. One such area of research is focused on understanding the role of the Kafala system in Jordanian forced labor. The Kafala system allows the Jordanian government to authorize private citizens or businesses to supervise and take responsibility of migrants and refugees.⁴⁰ The IOM recognizes the kafala system as a potential source of exploitation given that the employer has rights over the refugee or migrant limiting the availability to courses of redress or complaint. The IOM researches this as a gap in protection mechanisms for refugees and migrants in Jordan, Saudi Arabia, Lebanon, and Egypt.

Another organization with a stake in prevention of forced labor is the United Nations Office on Drugs and Crime. While the ILO and the IOM have a larger interest in the refugee and migration aspect of this topic, the UNODC has a larger interest in the crimes of trafficking and forced labor. This organization provides less studies and research and more action plans. Specifically, the UNODC creates education campaigns and raises awareness for law and policy officials on trafficking and forced labor. In addition, the UNODC annually releases a report on global trafficking in persons, which helps to assess where resources are needed globally to

⁴⁰ "The Other Migrant Crisis- Protecting Migrant Workers Against Exploitation in the Middle East and North Africa" *International Organization for Migration*, Switzerland, electronically published 2015, 13, accessed December 1, 2016 http://publications.iom.int/system/files/pdf/other_migrant_crisis.pdf

combat these crimes. Since the Southeast Asian region and countries, such as Thailand are notorious in trafficking and forced labor literature, less international attention focuses on the Middle East. However, the UNODC report spotlights regional trafficking and forced labor, which gives the international call for more research an extra push in the direction of the Middle East and the refugee crisis.⁴¹ Another area the UNODC provides prevention of forced labor and trafficking is in their emergency information campaigns. These campaigns are created at the very beginnings of conflicts and crises to quickly and effectively disseminate information to those in need of assistance. While the IOM and ILO provide specific information on refugee rights and protections globally and labor related factors, respectively, the UNODC provides excellent prevention regarding the crimes of trafficking and forced labor. The combination of these three organizations work is an exemplary source of information on how prevention works for each interlinked topic.

These organizations' initiatives are specific to issues of migration and human trafficking, some of which are focused directly in the Middle East. An important theme from the above programs is education-based work. Educational initiatives are important prevention tools because they can be implemented before, during, or even after crises. At the earliest possible time, safe labor practices can be taught in schools to children and young adults. However, a more common method of prevention occurs *during* crises, where volunteers and educators disseminate information and teach people their laws, rights and how to best protect themselves. Across the board, the most common prevention method among all three organizations is awareness campaigns, an educational resource. This entails specifically targeted educational information for

⁴¹ "Global Report on Trafficking in Persons," *UNODC*, February 2009, accessed December 1, 2016 http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf; and "Trafficking in Persons, Global Patterns," *UNODC*, April 2006, accessed December 1, 2016 <https://www.unodc.org/documents/human-trafficking/HT-globalpatterns-en.pdf>

individuals at risk. For example, “in 2006-07, UNODC provided funding for NGOs in Croatia and Bosnia and Herzegovina to run trafficking prevention campaigns among asylum-seekers, a particularly vulnerable group. Counseling was provided to young people... to make them aware of the risks and where they can seek help.”⁴² Other awareness campaigns incorporate the use of flyers or media, such as videos and radio shows, that can give people information in a quick way. When swiftly produced, ideally published in multiple languages, and circulated, these campaigns can provide vital information to at risk communities. This is an exceptionally important prevention method for refugees as leaflets and flyers could be distributed at borders and refugee camps where mass groups of at risk people are located.

Another large aspect of prevention methods is law enforcement trainings and policy development. The idea behind these programs is that expansions of legal protections and law enforcement trainings can increase the rights and protections of at risk communities. However, these methods are often only prevention for future crises and future victims through direct prevention. The current individuals at risk of being trafficked or forced into labor will likely never see the effect of policy developments or better law enforcement trainings. That being said, these are necessary improvements for the prevention of exploitation during future crises.

Prevention Methods

The compilation of IOM, ILO, and UNODC prevention projects discussed above revealed a few themes in prevention methods. Based on these organizations’ projects and reports, the categories of prevention initiatives are defined as follows:

⁴² “Prevention,” *UNODC*, last modified 2016, accessed December 7, 2016, <https://www.unodc.org/unodc/en/humantrafficking/prevention.html?ref=menuaside>

1. **Educational** including awareness campaigns or early education in schools with the use of media, leaflets, and counselors
2. **Legal** including law development, mediation, increasing victim rights and protections, legal trainings, border policy reform, and informing people of their rights and protections under the law
3. **Enforcement** including law enforcement trainings, increased access to enforcement both in courts and at borders, and better prosecution

The combination of these efforts will hopefully see the decline in numbers of trafficked victims in the Middle East over time. However, for the refugee crisis today, it is educational methods that can provide those at risk with the best information on their rights and how to protect themselves from forced labor. Law and law enforcement efforts entail large scale, long-term processes that seek to better address trafficking and forced labor in the future. The current refugee crisis is occurring today. Refugees and migrants are at risk today. Prevention efforts during these types of crises must be focused on these individuals, their safety, and security.

However, educational, legal, and enforcement initiatives all have overlaps, but they exist at various scales of interaction. By this, I mean that they occur on individual, group, state, and international scales. As an example, the IGOs discussed above work in various ways: they send volunteers to work with individuals, they fund local NGO projects for community intervention, and they help develop laws and policies on state, and international levels. Unfortunately, the sheer variety in types of prevention impacts how resources are distributed. In the immediate aftermath of a crisis, health and security may take precedent over anti-exploitation initiatives. I, however, would suggest the variety of types of prevention is a benefit to refugees because a large scale of assistance is available depending on need. Considering how prevention initiatives are

employed and who benefits is then necessary to gain an understanding of the gaps in prevention initiatives. To better understand how prevention works and to categorize methods based on who benefits, I have borrowed the levels of analysis from international relations. This analysis provides a roadmap of the timeframe and recipients of preventative assistance. In the case of trafficking and forced labor of refugees these scales can be defined as follows:

1. **Individual:** This largely consists of sending individual case managers and volunteers to talk with people one on one. Initiatives that incorporate this method largely happen during or after refugee crises.
2. **Group:** Group targeted prevention initiatives focus on disseminating information and enhancing awareness of trafficking and forced labor in local communities and refugee camps. These initiatives are characteristic of prevention that happens before and during crises.
3. **State:** State level prevention largely consists of policy development and training. This can include education, law, and law enforcement. These are often long-term projects that can occur at anytime, but are often stepped up during and after crises due to increased pressures.
4. **International:** Large-scale policy development and statistic compilations are characteristic of prevention at an international level. These developments point out global and regional themes. This consists of long-term efforts for future prevention.

Separating prevention strategies (e.g. providing healthcare or work status) into these four scales of analysis is key to developing present day, near future, and future prevention strategies. These categories can tell the greater community the timeframe that each prevention strategy can be completed in. However, most prevention initiatives benefit future populations. Long-term efforts, such as policy development, will likely not impact current at risk populations in the Middle East.

However, on an individual and group level, providing safe employment, health facilities, and education will benefit refugee's well-being today and in the near future.

The scales of analysis also inform how prevention works and who will benefit from various types of prevention. When looking at the indicators of vulnerability discussed earlier, including mobility, health, access to community, work, and assistance, the scales of analysis can and should be used in conjunction with these indicators to determine who will benefit from various prevention strategies and at what time programs should be implemented. For example, by recognizing that health assistance occurs on an individual level early and throughout a crisis, prevention initiatives can incorporate a continuous strategy of health assistance to keep refugees safe and healthy. In contrast, adapting or creating laws largely occurs on a national or international level after a crisis occurs. These efforts are separate types of prevention that occur at different times in a crisis. Actively applying this analysis to current prevention initiatives helps establish an overview of exactly on what level prevention initiatives work, whom they target, and when they are appropriate. By measuring prevention in this way, I find that a clear timeline of needs in prevention emerges.

Prevention efforts largely focus on stopping future cases of exploitation or helping victims who have already been exploited. Three main organizations work on prevention initiatives throughout the Middle East (i.e. the IOM, ILO, and UNHCR). By the means of preventing cases of exploitation during a crisis, there is little research on the best methods. However, there are plenty of prevention initiatives that can inform this current research. Categorizing types of programs (i.e. educational, legal, or enforcement) and the scale of programs (i.e. individual, group, state, or international) will help determine the impact that an initiative can have in comparison to other initiatives. Educational initiatives that are group as

well as individual focused provide the most compelling evidence for quick, short-term distribution of vital information for at risk individuals. This is the type of program that I will be exploring in later chapters, while also comparing state and international programs and their relative efficiency. The question now becomes what specific programs can work in refugee crises like the one in the Middle East today? The answer to this question must not only consider factors specific to refugees and trafficking, but also specific to the region and host countries.

Chapter 2: A Framework for Measuring Refugee Specific Vulnerabilities

For prevention efforts focused on assessing and then addressing vulnerability of refugees to succeed, there must be a base framework to organize these issues. Refugees are one of the most vulnerable groups globally for exploitation, trafficking, and forced labor, yet there is very little empirical research geared towards understanding their “at risk” status and the cause of vulnerability. Yet nearly all refugee related prevention research studies mention risk and vulnerability. How is risk and vulnerability defined? How is risk and vulnerability measured? What are the indicators that determine who is more or less vulnerable than another person? These are the questions that need to be answered. Defining and then framing these concepts in the context of modern refugee crises is imperative to determining the most effective prevention strategies.

Many problems accompany the type of research that can be both substantive and informative when researching risk and vulnerability of refugees. It is incredibly difficult to find accurate data across the board. The key topics that are researched in this paper are as follows: refugees, human rights, exploitation, forced labor, human trafficking, labor rights, and smuggling. Addressing vulnerability among a refugee population is sensitive in nature. Women, men, and children are indiscriminately exposed to danger as refugees. People flee for their *lives*. The human emotion in this topic is not forgotten, but it does complicate how data can be compiled and researched. The difficulty in empirically researching these topics is associated with the vulnerable status of refugees and the illegal business of smuggling, human trafficking, and forced labor. Refugees who have not been trafficked may provide the best, most reliable source of information on vulnerability, specifically, data compiled by the UNHCR from registered refugees. Regarding already trafficked and previously enslaved individuals, very little data is

available, and when it is accessible, it is incomprehensive. Trafficking victims are sometimes even viewed as criminals, creating a difficult dichotomy between the need to protect these individuals safety and speak to them about their experiences. Working around these complex issues restricts how vulnerability can be measured.

Despite the difficult nature of collecting and reporting information on these topics, there are various organizations that publish accurate information. The most consistent organizations tracking the numbers include the International Labor Organization (ILO), the International Organization for Migration (IOM), and the United Nations (UN). Data sourced from these organizations plays a large role in understanding how prevention can impact these issues. This qualitative research is very important to identifying risk and vulnerability indicators for prevention efforts. The available demographic data as well as the consistently tracked and reported violations (e.g. human rights or international law violations) data are imperative to the creation of comprehensive vulnerability indicators.

This thesis relies on this statistical information sourced from the ILO, IOM, and the UN to describe and evaluate key indicators for future prevention efforts. However, much of these data points are sourced from polls and interviews with registered refugees. This means that unregistered refugees are often missing from these studies. The lack of data on this important group within the refugee population leaves much of the research on prevention without knowledge of how the efforts will impact unregistered refugees. This plays a large role in understanding the prevention efforts explored later in this thesis. In addition to the international statistical research used in this thesis, much of the non-academic qualitative research on refugees and vulnerability also comes from the ILO, IOM, and UN. Each organization has a peer-reviewed journal where scholars and internal and external researchers can submit papers. These

resources can help supplement the organizations' statistics where they lack. Unlike statistics on refugees, reliable statistics on trafficking are hard to come by; I would even argue they are nonexistent. Yet, literature focusing on non-statistic methods including ethnography and case study could fill those statistical gaps. This combination of analyzing available statistics and qualitative research is imperative to the study of risk and vulnerability because gaps exist in both methods of research.

Refugees are one of the most vulnerable groups to trafficking, forced labor, exploitation, and human rights violations, which is largely due to the issues associated with high mobility and insecurity. The vulnerability of refugees is dependent on various factors related to mobility and security. Table 1 depicts the variables that may predict vulnerability on various levels.

Demographics, health status, income and work status, community availability, and government or organization assistance are categories that encompass the variability of refugee related vulnerability. In comparison with the vulnerability indicators in Table 1, UNHCR has created a measurement system for calculating how vulnerable individual households are to various issues, such as exploitation. This exciting new program titled Vulnerability Assessment Framework (VAF) (currently being implemented in Jordan and Lebanon) has defined vulnerability of refugees according to the following criteria:

1. Head of household gender/disability/under 18/over 60/divorced/widowed/ separated
2. Dependency ratio
3. Involuntary household relocation
4. Expenditure/income gap/external assistance received
5. Coping strategy index/social safety net strength

Table 1: Vulnerability Indicators by Category

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- 6. Water availability
- 7. Excreta disposal system reliability/ratio of household members to functional latrines/latrine accessibility
- 8. Crowding index
- 9. Syrian identity document availability
- 10. Birth registration
- 11. Registration status
- 12. Food consumption score/dietary sources/food sources/breast feeding/infant nutrition
- 13. School attendance
- 14. Youth literacy and numeracy
- 15. Access to health services by target populations⁴³

Category	Vulnerability Indicator
Demographics	Age, gender, income, marital status, education, occupation, language spoken, nationality, religion, etc.
Health	Disease susceptibility, mental health, access to health care, food security, nutrition of meals, etc.
Income and Work Status	Availability of documents, household income, family status, occupation, requirement of work permits/sponsorship, etc.
Community	Similarity of religion, language, or culture to host community; friends or family nearby; neighbors from origin country/region; social programming availability
Assistance	The availability of cultural, educational, social, financial, health related (including mental, psychological, and physiological health), disability, or housing related assistance programming in host country.
Other	Legal status and registration status

These categories are used to numerically identify the most at risk individuals and groups. Each household is given a 1 or 0 for the above categories to determine how vulnerable they are to the individual points within the criteria. Then, each household is given a number on a vulnerability scale. By assigning a number to each household, UNHCR can help identify where to deploy resources on an individual and group basis to assist the most at risk refugees for exploitation, health issues, etc. In theory, this framework tells UN aid workers where to spend the most resources for the best reward while also locating groups who are most at risk for further research. However, this system has only been in place for a few years and exists on a very localized basis. More research is necessary to understand the efficiency of this framework for identifying and

⁴³ Paolo Verme, et al. "The Welfare of Syrian Refugees: Evidence From Jordan and Lebanon," *UNHCR*, (United Nations: 2016), accessed May 13, 2017, <http://elibrary.worldbank.org/colorado.idm.oclc.org/doi/pdf/10.1596/978-1-4648-0770-1>, 23-34.

then countering vulnerability. It is nonetheless an exciting development in the international community. Using vulnerability indicators, the VAF is able to identify specific at-risk individuals and groups. These indicators are crucial to any understanding of refugee vulnerability factors. When comparing Table 1 with the VAF list, it is important to note that both are more or less focused on the same five categories of vulnerability: Demographics, Health, Work Status, Community, and Assistance. Lack of access community is an interesting vulnerability indicator because it indicates isolation as a risk to trafficking and forced labor. One refugee's, chilling words reflect this isolation from community so often felt by refugees. "Are there other women like me?" asks Hannah, 42.⁴⁴ It hasn't even occurred to Hannah that she is not alone. There are millions of Syrian refugees, and surely there are hundreds of thousands of refugees like Hannah. While my contribution in Table 1 includes more vulnerability indicators, especially related to community, to account for the wide variety within the refugee population, the VAF list streamlines the issues for a succinct assessment of vulnerability. Conducting vulnerability assessments when registering refugees could be a valuable addition to the work of the UNHCR. Upon completion of a vulnerability assessment, the UNHCR can allocate resources to the most vulnerable while also possessing a list of those individuals at risk to check in with more frequently. Applying this framework to various groups of refugees and even future crises would be a step in the direction of prevention initiatives focusing efforts more directly on the most vulnerable individuals or groups.

Among the vulnerability indicators mentioned, the two most dire needs for prevention of trafficking and forced labor are overall health and work ability. Health may not be the first indicator that comes to mind when considering questions on exploitation and forced labor.

⁴⁴ "Woman Alone: The fight for survival by Syria's refugee women," UNHCR, 2014, 44, accessed October 31, 2017, <http://www.unhcr.org/ar/53bb8d006.pdf>

However, having a lessened health status due to mobility, lack of food, lack of money, etc. is associated with an increased vulnerability to those violations. In addition, individuals struggling with mental health are particularly vulnerable. Health is often the first indicator of vulnerable status for a refugee. Assessing the state of refugee health and the medical assistance programs provided to refugees is key to understanding the role of health in vulnerability. Among many health concerns of refugees, researching food security, susceptibility to disease, and mental health can help determine how vulnerable an individual may be to various human rights concerns.

Proper food consumption and food security are often a result of having adequate income. For refugees, gaining a steady income can be hard due to language barriers and the given skills of an individual. Yet, without having economic means, refugees can be left impoverished, food insecure, and malnourished. In a report on food insecurity, it was noted that in the communities studied (Syrians in various governorates of Jordan), their respective Food Consumption Score (FCS)

positively correlates with the meat, fish and egg consumption and/or dairy consumption of the given communities... In other words, food consumption status of these communities was mostly affected by level of their animal protein consumption. As such, they must be educated on the importance of adding animal proteins to their diets.⁴⁵

This finding illustrates the relationship between types of food consumed and the nutritional value of the average meals was directly correlated. These results emphasize the connection between food consumption and nutritional value. This study focuses on the recommendation that increasing education about nutritional value is especially important for refugees vulnerable to

⁴⁵ "Food Security Situation and Livelihood Intervention Opportunities for Syrians, Refugees, and Host Communities in North Jordan," *AMEU* and *ACTED*, (AMEU, ACTED: 2017) accessed May 13, 2017, <http://www.acted.org/en/food-security-situation-and-livelihood-intervention-opportunities-syrians-refugees-and-host-communit>, 14.

food insecurity due to low income per capita or lack of assistance programs. However, how might education on the importance of diets incorporating animal based protein balance with the actual access to animal protein? Perhaps this is an area of health vulnerability camps and host communities can address. Providing access to nutrition education and a variety of protein sources could both be incorporated and balanced in health prevention moving forward.

In addition to food insecurity, refugees are also susceptible to various diseases at higher rates than other populations. Another health risk facing refugees is diseases such as HIV. The conditions people live in when they are mobile might increase risks of various health problems.⁴⁶ In a research project on the impact of migration on health by Mary Haour-Knipe, et al. the executive summary perfectly explains the implications of increased health risks for mobile individuals such as migrants and refugees. It explains:

mobility can raise a number of risks to health, including accidents, health problems due to unsatisfactory working and living conditions, and mental health problems. Mobility can also increase the risk of acquiring the human immunodeficiency virus (HIV). Such risks have long been attributed to the social disruption that characterizes certain types of migration.⁴⁷

An important finding in this research is that it is not mobility that can increase health risks, but the living conditions associated with mobility (e.g., living in refugee camps, traveling on foot v. by vehicle, lack of social services in host country, inability to work in host country) that impact a refugee's health.

In addition to food security and disease susceptibility, mental health, access to healthcare, and health related assistance programs are vital to thwart vulnerability due to health. A

⁴⁶ Mary Haour-Knipe, et al. "HIV and 'People on the Move': Six Strategies to Reduce Risk and Vulnerability during the Migration Process," *International Migration* (March 2013), <http://onlinelibrary.wiley.com.colorado.idm.oclc.org/doi/10.1111/imig.12063/full>

⁴⁷ *Ibid.*, 1

vulnerable refugee may be willing to enter the informal job market to better their circumstances and improve their health. In addition, without mental health services, adjustment could be difficult for a refugee that is away from their home, feels insecure about their status within a host country, or is alone or without support. One of the largest aspects that make a medically vulnerable refugee susceptible to trafficking, forced labor, and exploitation is the lack of available resources and assistance from non-profits and intergovernmental organizations. As unrelated as health may appear to all forms of exploitation, it is heavily related to the vulnerability indicators from Table 1. This connection between work and health indicators is important to understand why prevention must address vulnerability on an individual basis since the health, financial, social, and other needs will vary from household to household and person to person.

Refugees are also vulnerable depending on their available means and their class status within a given society. Many monetary or social welfare values, such as financial restraint of cash versus virtual money, education status, basic needs being met such as shelter and security, and access to community can be used to determine how vulnerable a person is to exploitation or health deprivation.⁴⁸ In a report on Syrian refugee social welfare, UNHCR used two datasets called Profile Global Registration System (ProGres) and the Home Visits (JD-HV) questionnaire to map out the key characteristics of the refugee population that could help determine indicators of vulnerability and welfare. There is no public access to the data points, but an analysis of the information provided by this UNHCR report hashes out some key indicators to look out for refugees. The key indicators that can determine vulnerability for refugees monetarily are

⁴⁸ Paolo Verme, et al. "The Welfare of Syrian Refugees: Evidence From Jordan and Lebanon," *UNHCR*, (United Nations: 2016), accessed May 13, 2017, <http://elibrary.worldbank.org/colorado.idm.oclc.org/doi/pdf/10.1596/978-1-4648-0770-1>, 21.

household income, household expenditure, ability to work, and outside assistance (from family, governments, or organizations). Another interesting way to determine vulnerability is to look at social welfare and poverty rates through indicators and datasets such as the Gini Inequality Index. An interesting UNHCR finding regarding refugees and the Syrian refugee crisis is that “the group [of refugees] that entered Jordan before the Syrian crisis and the latest group of entrants have the lowest poverty rates, while the peak of poverty is associated with those who entered in 2012.”⁴⁹ This finding may suggest that the time of flight plays a role in vulnerability. Perhaps at the beginning of crises, the mass exodus of people is coupled with a scramble to organize resources and action plans. If this finding is consistent, then it is possible that refugees are most vulnerable monetarily at the beginning of crises. This could then suggest that the beginning of crises is the most critical time for prevention, but more research in this area of monetary vulnerability and timing of fleeing would be necessary to expand on this idea. By considering these factors of income and financial access, it is possible to determine how monetarily vulnerable a household is on an individual basis, which is one task UNHCR’s newly implemented Vulnerability Assessment Framework (VAF) program seeks to accomplish.

In addition to economic and social welfare, vulnerability can be determined by assessing occupation and wages as it relates to work status and work availability. Since refugees are often unable to obtain work permits, many are left only with the option to enter the informal market with low skill jobs paying low wages or they are left without income other than miniscule government and organization assistance. This is especially the case with Jordan since refugees are rarely issued work permits because work is only a right of citizens of Jordan. Instead, refugees and migrant domestic workers can be “sponsored” by individual employers or companies who vouch for them, leaving the refugee vulnerable to the guarantees of the sponsor

⁴⁹ Ibid., 68.

alone. Although this is a legal channel of work, the issues associated with sponsorship more closely align with the informal market and the risk of exploitation.⁵⁰ The availability of work and the type of work are thus potential indicators of vulnerability. However, even though the kafala sponsorship program provides access to work (even if it is highly vulnerable work), the vast majority of refugees in Jordan are still unable to obtain work through this program. One refugee's story, told through a series of interviews of refugee women by the UNHCR captures the severe vulnerability associated with lack of work status and available work. Shurouq, 34, begins her story on the night that her children cried themselves to sleep from hunger in Jordan:

I left the house and told myself I want to work doing anything, I don't care, so long as I can get money for my children." She got in a taxi and the driver said he would help her. I'm going to take you to a place where everyone will give you money," he said, handing her a veil to cover her face. It was dark when they arrived at a street full of men. Shurouq panicked. "I was so afraid. The taxi driver left me there. It was very far away. I was walking and crying. As I walked, I fell twice." Two men grabbed her, and she screamed. Another came to help. He drove her home and gave her money to feed her children. The stranger warned her not to go out at night again. He told her she had been in "a dirty place and nobody goes there."⁵¹

As Shurouq explains, she desperately needed to provide for her family and was willing to seek out any type of work, despite the risks. Shurouq was lucky that a stranger intervened and cared for her safety. There is no way to know what those men would have done to Shurouq that night. Shurouq's story explains how a refugee's lack of access to legal work leaves them willing to seek work through unconventional means leaving them open to severe exploitation. Refugees are individuals with legal status, who are granted various rights (depending on the country's laws and international agreements); the variability within these rights and guarantees (e.g., the right to

⁵⁰ "Cooperating out of Isolation: the Case of Migrant Domestic Workers in Kuwait, Lebanon, and Jordan," *ILO*, 2015, accessed October 31, 2017, http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_325243.pdf

⁵¹ "Woman Alone: The fight for survival by Syria's refugee women," UNHCR, 2014, 38-39, accessed October 31, 2017, <http://www.unhcr.org/ar/53bb8d006.pdf>

work, government assistance, social programs, education) should be analyzed on a country-to-country basis to determine how various factors, such as finances and work availability, impact vulnerability.

Measuring risk and vulnerability is a daunting task given the variability in the terms as well as the variability in how they are used in relation to refugee studies. The indicators explored in this section of Chapter 2 are clearly intertwined. From health risks to monetary vulnerability to work status no single factor is entirely isolated from another. Refugees are first and foremost at risk due to their mobility, which impacts their health risks and leaves them susceptible to being left in the hands of smugglers and traffickers as a way to cross transnational borders. Household income, options for work, and available assistance are also important indicators for susceptibility to exploitation. However, as discussed throughout this chapter, it is clear that vulnerability is not only measurable, but it can be researched and applied to prevention strategies. Addressing refugee specific vulnerability indicators and assessing how prevention can incorporate each indicator is key to applying this research to the current Syrian refugee crisis and future crises.

Chapter 3: Jordan and the Syrian Refugee Crisis

Jordan is generally held up as one of the better states in the Middle East regarding treatment of human rights and refugees. This is largely because of Jordan's open border policy and their relatively transparent policies and programs for refugees. The open border policy has recently come under fire due to the closing of the Syrian border in 2016. Due to the closing of this border, there exists an unofficial no-mans land camp between the border where Syrian refugees and migrants are stagnant and essentially trapped with limited options. Choosing Jordan for this case study on prevention strategies in the Middle East for exploitation of refugees was dependent on these facts alongside five categories I was personally interested in researching. Identifying the following categories led to the conclusion that Jordan is the best country to look into regarding the intersection of migration and exploitation in the Middle East:

1. Refugees per 1,000 inhabitants
2. Transparency of the government
3. Government human rights record
4. The number of border crossings
5. Type of borders (land or sea, official, unofficial, etc.)

Jordan has the second most number of Syrian refugees per 1,000 inhabitants coming in at 89.55 or .0895 percent of the population. Lebanon is actually the leading country in number of refugees per 1000 inhabitants coming in at 208.9 people or 2.089 percent of the population in 2015.⁵² The current refugee crisis has drastically spiked these numbers in both countries. Lebanon leads in this category, but Jordan succeeds in others. In addition, although Lebanon

⁵² "UNHCR Data Portal," *UNHCR* (United Nations: 2017), accessed May 13, 2017, <http://data2.unhcr.org/en/situations>.

houses the most refugees per inhabitants, Jordan is home to the largest refugee camp in the Middle East, Za'atari, where 80,000 refugees live. Another aspect of Jordan's refugee populations is the large Palestinian population. The Palestinian refugee population in Jordan makes up over half of the population. However, according to the national citizenship law, Palestinians were granted Jordanian citizenship if they entered Jordan prior to 1954. This means that a large portion of Palestinian refugees is considered Jordanian citizens, giving them access to the Jordanian labor market. In subsequent conflicts, fleeing Palestinians in Jordan were not granted the same citizenship and instead only have access to refugee and migrant worker status in Jordan. The exact makeup of Palestinian's residing in Jordan is unknown, including the unknown proportion of Palestinian citizens to non-citizens. However, over two million Palestinians are registered refugees in Jordan, of which the vast majority have Jordanian citizenship.⁵³

During the current Syrian refugee crisis, Palestinian refugees from Syria are a sub-group of the Syrian refugee population. Many live without legal status and none are awarded the Jordanian citizenship that previous groups of Palestinian refugees have received. The long history of refugee issues in Jordan is an important consideration when seeking to understand modern refugee issues. Historical acceptance of Palestinian refugees as citizens in Jordan, however, does not seem to have transferred over to this Syrian refugee crisis. Currently, no research exists linking modern refugee crisis issues in Jordan to previous refugee crises in Jordan. More research is necessary to determine a link between current refugee issues and cultural, social, and political influences of previous Palestinian refugee crises. Jordan provides an

⁵³ "Where We Work," *UNRWA*, December 2016, accessed October 31, 2017, <https://www.unrwa.org/where-we-work/jordan>

interesting case study due to the large number of refugees from the current Syrian refugee crisis and past crises.

In addition to considering refugee populations in Jordan, the type of borders I am interested in researching are landlocked borders. This is largely for the purpose of standardization among the statistics since migration by sea has various factors separate from migration by land (e.g. greater variability in final destination). In addition, the only point of exit by water in Jordan other than the Dead Sea to Israel and the West Bank is through the Gulf of Aqaba, which empties into the Red Sea. In opposition, the Mediterranean Sea borders the entire West side of Lebanon. Migration by land more closely relates to Syrians fleeing to Jordan whereas migration by water relates to foreign migration, such as migration throughout Europe. A study from the International Centre for Migration Policy Development on vulnerability to trafficking due to the Syrian refugee crisis looked at the borders of the five most impacted countries from this conflict including Jordan, Lebanon, Iraq, Turkey, and Syria.⁵⁴ An interesting finding was that Jordan has the least official border crossings with Syria, but the highest number of known unofficial border crossing with Syria.⁵⁵ Comparing Jordan's border crossings with these other countries might help determine the difference between unofficial and official border crossings regarding their impact on the welfare of refugees and the vulnerabilities related to crossing borders.

In addition to the sheer numbers and geography of the region, the government's role in refugee issues is also a necessary component to consider. Jordan is generally praised for its governments' transparency and willingness to work with the international community. This is

⁵⁴ Claire Healy, et al. "Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons - A Study of Syria, Turkey, Lebanon, Jordan and Iraq," *ICMPD* (ICMPD Vienna: 2015), accessed May 13, 2017, http://freedomfund.org/wp-content/uploads/Targeting_Vulnerabilities_EN__SOFT_-1.pdf.

⁵⁵ *Ibid.*, 78

not to say that the information provided by the Jordanian government is an accurate representation of the government's actions or the given statistics, but it also does not exclude the option that the information is inaccurate. Accuracy claims aside, just providing the international community with access to statistics while creating an organized response to the refugee crisis makes Jordan an outlier of the region of the Middle East.

After considering the above factors, Jordan was a logical choice concerning the five categories of refugees per 1,000 inhabitants, transparency of the government, government human rights record and available programs, number of border crossings, and the types of borders with Syria. This case study is focused on the relationship between Syrian refugee migration as it relates to prevention policy for human rights violations such as exploitation, forced labor, and trafficking. Prevention can occur at various levels including international, transnational, state, group (or community), and individual levels. This chapter seeks to understand Jordan's role in the refugee crisis and to analyze prevention policies and programs (according to the above five levels of prevention) in Jordan that determine how current or future refugee crises are handled. This case study can help identify the relationship between addressing vulnerability and prevention as it relates to the refugee crisis in Jordan and the greater the Middle East.

Refugees in Jordan are subject to Jordanian law and international law. This provides them with various protections in international law. However, in Jordanian law, refugees are rarely even mentioned. Who is a refugee in the eyes of the Jordanian government? Although Jordan is home to over 659,246 registered refugees, the country has no domestic laws specific to refugee issues. Without laws tailored to refugees, this population is protected under various foreign affairs laws and international law. The legal international definition of a **refugee**, as defined by

the UN 1951 Convention and Protocol Relating to the Status of Refugees⁵⁶, which Jordan never signed, is a person who

as a result of... owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.⁵⁷

A refugee living in Jordan is defined differently because Jordan is not a signatory to the 1951 Convention defining refugees. However, there is a memorandum of understanding (MoU) between UNHCR and Jordan “to allow the UNHCR... to provide international protection to persons falling within its mandate.” This agreement thus puts Jordan under the UNHCR mandate requiring the country to follow certain UNHCR policies on refugee rights and protections. The following description from the Library of Congress explains how the MoU helps refugees in Jordan:

The MoU provides that Jordan accepts the definition of “refugee” contained in the 1951 Convention. Jordan also agrees to respect the principle of nonrefoulement... Jordan also agrees that asylum seekers and refugees should receive treatment according to internationally accepted standards. Under the MoU, a refugee is granted legal status and the UNHCR will endeavor to find the refugee a durable solution, be it voluntary repatriation to the country of origin or resettlement in a third country.⁵⁸

This MoU can help refugees gain protections they would not have otherwise according to Jordanian law. In addition to the UNHCR Memorandum of Understanding, Jordan has signed and ratified various other international laws relating to human rights. These ratified laws include the International Covenant on Civil and Political Rights (ICCPR), International Covenant on

⁵⁶ The countries in the Middle East that signed this 1951 Convention or the adjacent 1967 Protocol are as follows: Cyprus, Egypt, Iran, Israel, and Turkey meaning that Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, and Syria do not recognize the Convention’s definition, status, or guaranteed rights and protections of refugees.

⁵⁷ “Convention and Protocol Relating to the Status of Refugees,” *UNHCR* (United Nations: 1967), accessed May 13, 2017, <http://www.unhcr.org/en-us/3b66c2aa10>.

⁵⁸ “Refugee Law and Policy: Jordan,” *The Law Library of Congress*, (Library of Congress: 2016), accessed May 13, 2017, <https://www.loc.gov/law/help/refugee-law/jordan.php>.

Economic, Social, and Cultural Rights (ICESCR), Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), Convention on the Rights of Persons with Disabilities (CRPD)⁵⁹, and the Convention on the Elimination of All Forms of Racial Discrimination (CERD).⁶⁰ Each of these Conventions (except for a few exceptions on optional protocols) has been ratified and made part of Jordanian national policy. However, Jordan has declared reservations for some of these international treaties. Jordan declared a reservation for CEDAW to become exempt from the dissolution of marriage rights. For the CRC, Jordan made the following reservation:

The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah.⁶¹

Outside of these two reservations, Jordan has chosen to sign and ratify the other human rights conventions in full. However, Jordan has only signed three of nine optional protocols to these conventions. Jordan has signed and ratified both optional protocols of CRC, which are the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2002) and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2002). These signed and ratified provisions may provide more protections for refugee children susceptible to exploitation and child labor. In addition, Jordan has signed but not ratified the 2008 Optional Protocol to the Convention on the Rights of Persons with Disabilities. Now, the relationship of these laws to

⁵⁹ Jordan signed the 2008 optional protocol but has yet to ratify it.

⁶⁰ "UN Treaty Collection," *UNHCR* (United Nations: 2017), accessed May 13, 2017, <https://treaties.un.org/>.

⁶¹ "UN Treaty Collection," *UNHCR* (United Nations: 2017), accessed May 13, 2017, <https://treaties.un.org/>.

refugees is dependent on how the laws are enforced on individual circumstances. So the impact of signing and ratifying these laws is left to the issue of enforcement.

Despite Jordan's record of signing and ratifying international human rights law, there are a few extremely important conventions that Jordan has opted not to sign or ratify. Of the most important is the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. This Convention seeks to provide protections and rights for migrants globally. Although migrants and refugees are very different, signing and ratifying this convention would be a step towards protecting the rights of refugees to work in Jordan. The other important treaties Jordan has not signed all directly impact the legal status of refugees living in Jordan. Jordan has failed to sign the 1946 Constitution of the International Refugee Organization, the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the Protocol relating to the Status of Refugees. Failing to sign each of these conventions and protocols relates to how many protections and rights refugees are awarded in Jordan. Signing these international treaties could help the refugee in Jordan gain protections and rights that would help them avoid vulnerable environments, which are bred from the inability to work and live without fear for life or liberty.

Outside of international law, the legal rights of refugees are subject to the domestic laws and policies of Jordan. One article in the Jordanian constitution does give one specific protection to political refugees regarding extradition. Article 21(1) of the Jordanian Constitution mentions that "[p]olitical refugees shall not be extradited on account of their political beliefs or for their defense of liberty."⁶² The 1954 Constitution only provides the right to work for its citizens.

⁶² "Refugee Law and Policy: Jordan," *The Law Library of Congress*, (Library of Congress: 2016), accessed May 13, 2017, <https://www.loc.gov/law/help/refugee-law/jordan.php>.

Another 1954 law, the Jordanian law on citizenship, grants Palestinian refugees residing in Jordan after 1948 but prior to 1954 citizenship.⁶³ Outside of this guarantee to Palestinian refugees and the brief mention of extradition, refugees are guaranteed no special status in Jordan and are instead subject to Law No. 24 of 1973 regarding the status of foreigners. This leaves any migrant or refugee without the guaranteed right to work. In addition, “the 1973 Residence and Foreign Affairs law instructs Jordanian nationals and companies not to employ foreigners without a valid residence permit... Article 29 also allows the Minister to exempt persons connected with humanitarian concerns or those seeking political asylum.”⁶⁴ The requirement of refugees to need residence and work permits is extremely restrictive. In labor laws, refugees are also left unmentioned and unprotected. In general, the refugee in Jordan has little legal protections.

Demographics and legal protections can play a large role in identifying vulnerable individuals. Understanding the issues facing Syrian refugees in Jordan first depends on the demographics of this population. Who are the refugees? Where are they coming from? When did they arrive? Answering these questions will help to hash out who the refugee is in Jordan. By identifying the makeup of this population, it is possible to identify how key indicators relate to demographics. The results can help determine where and when prevention strategies will best be implemented and for whom should be the focus of these strategies.

The statistics in this section are indicative of only registered Syrians because this group is researched demographically by UNHCR without the inclusion of unregistered refugees, who don't report their personal information such as age and gender to the UN. The gender breakdown

⁶³ “Where We Work,” *UNRWA*, December 2016, accessed October 31, 2017, <https://www.unrwa.org/where-we-work/jordan>

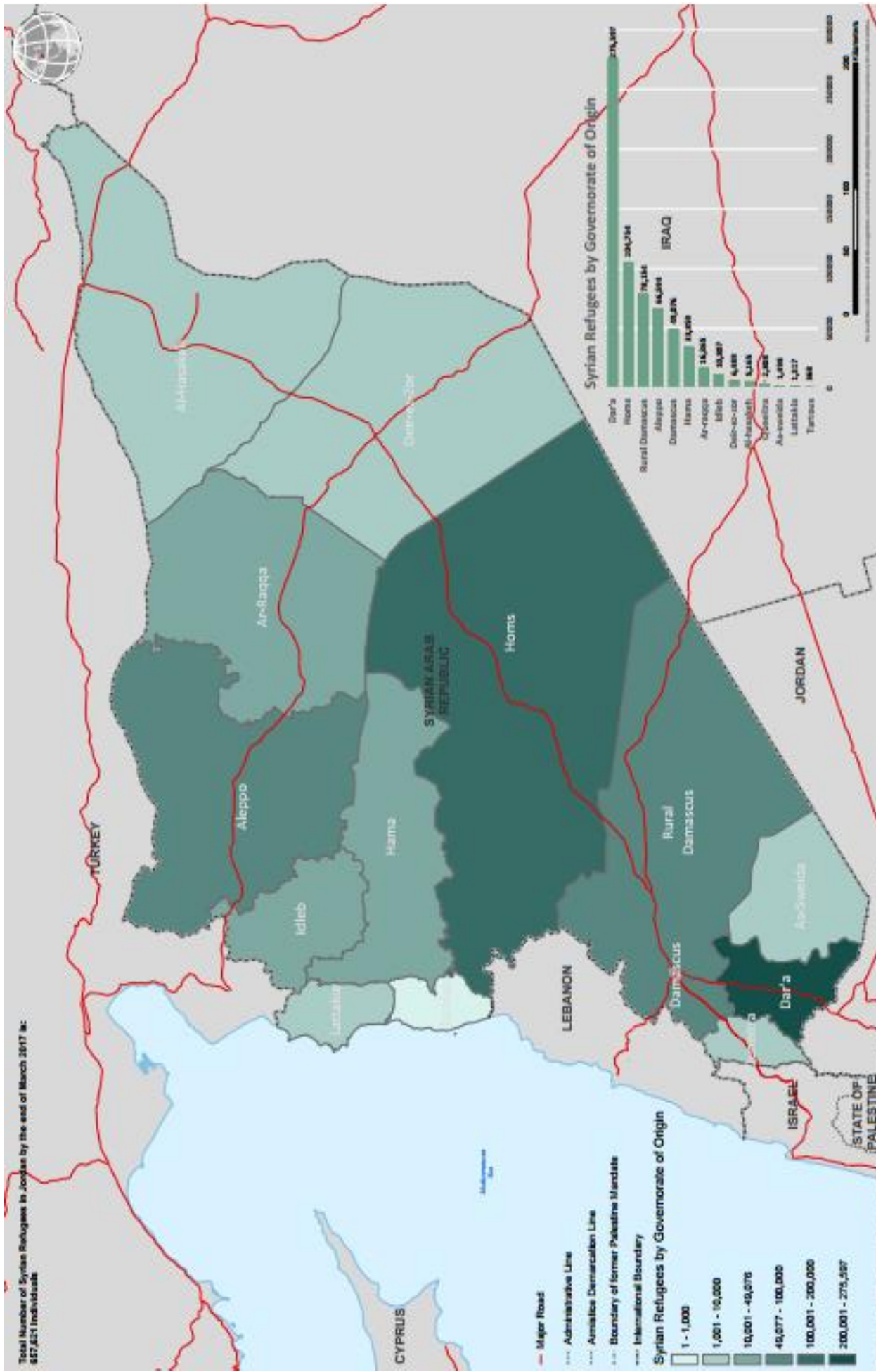
⁶⁴ “Refugees Right to Work in Jordan: A view of the Syrian refugee crisis through labour law and policy,” *ILO*, accessed May 13, 2017, [file:///Users/Amoney/Downloads/RighttoworkinJordan%20\(2\).pdf](file:///Users/Amoney/Downloads/RighttoworkinJordan%20(2).pdf).

of refugees is as follows: 50.6% Female, 49.4% Male. This closely mirrors world gender breakdowns and the gender breakdown of Syrians. The age breakdown of Syrians in Jordan is as follows: ages 0-4 (15.5%), ages 5-11 (22%), ages 12-17 (13.5%), ages 18-35 (29.1%), ages 36-59 (16.1%), and ages 60+ (3.8%). In order of highest proportion of the refugee population, the age dispersion is as follows: ages 18-35, ages 5-11, ages 36-59, ages 0-4, ages 12-17, ages 60+. ⁶⁵ This age breakdown shows that the age group of 18-59 includes the highest proportion of refugees. It is interesting to note that this group is the working age group. Those most vulnerable to labor exploitation and forced labor include this population but also youth regarding child labor.

Other than these demographic statistics, it is also interesting to note where refugees came from and when they arrived. Over 90% of Syrian refugees in Jordan come from six governorates including Dar'a, Homs, Damascus, rural Damascus, Aleppo, and Hama. In addition, an astounding 41.9% of Syrian refugees come from Dar'a. The breakdown of governorate of origin can be seen in Figure 2 below. A high proportion of refugees in Jordan come from Dar'a, Homs, Damascus (including rural Damascus), and Aleppo in order of number of refugees. This map also shows that the southernmost border of Syria and Jordan is associated with the highest proportion of refugees in Jordan by Syrian governorates. It is important to point out that 78.4% of registered Syrian refugees in Jordan are from any one of the bordering governorates. The implementation of direct prevention strategies can and should take location to border, border policies, and other associated issues into consideration as exemplified by Figure 2 on the following page.

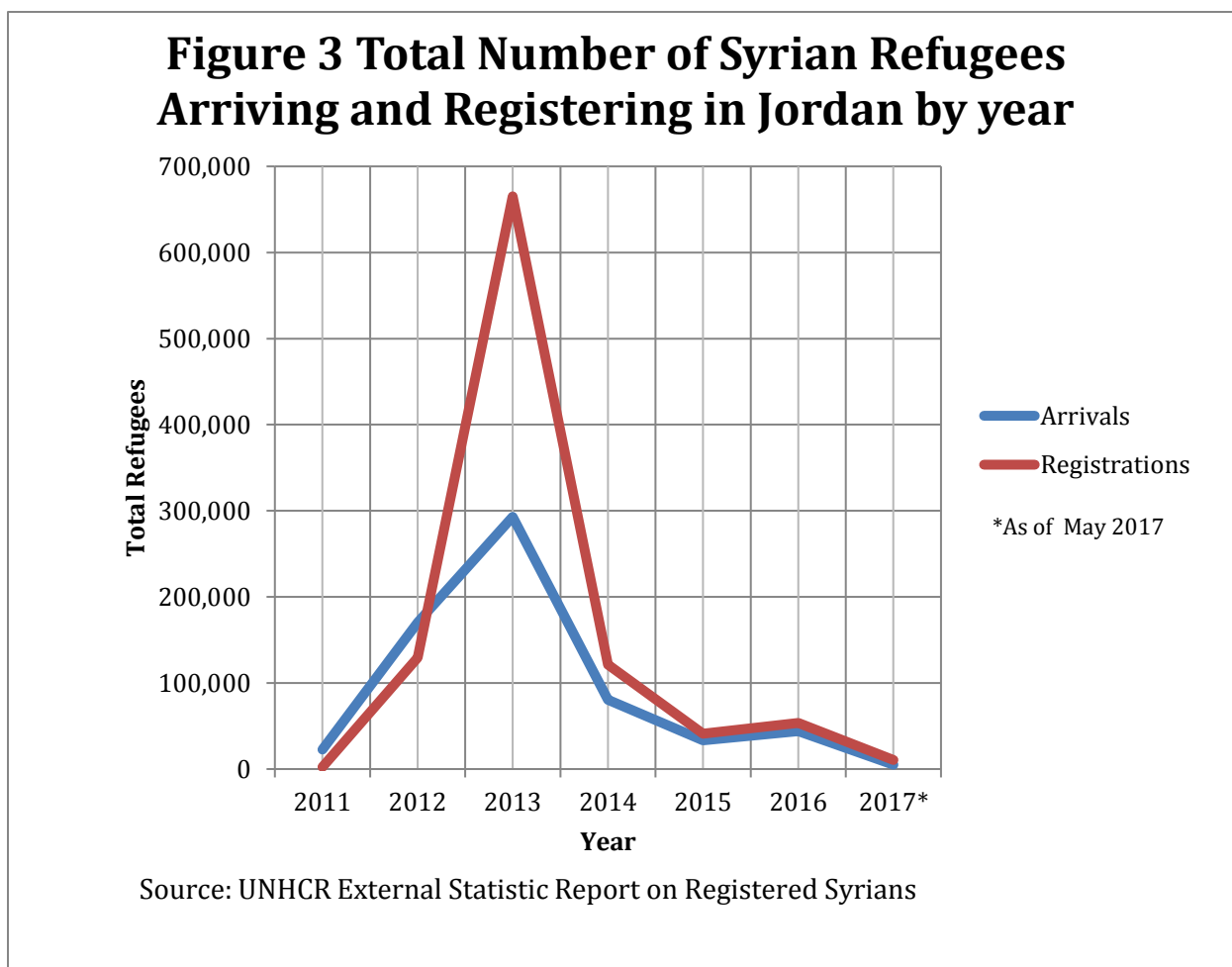
⁶⁵ "Registered Syrians in Jordan," *UNHCR*, (United Nations: April 2017), accessed May 13, 2017, <file:///Users/Amoney/Downloads/ExternalStatisticalReportonUNHCRRegisteredSyriansasof30April2017.pdf>.

Figure 2: Total Number of Syrian Refugees in Jordan by Governorate of Origin



Source: UNHCR External Statistic Report on Registered Syrians

The general trend of registering and renewing refugee status should also be taken into consideration when looking to understand potential factors influencing vulnerability among refugees in Jordan. As mentioned before, the statistics in this section seek to understand the demographic and migration trends of registered Syrian refugees in Jordan. Registering refugees occurs through the UNHCR. There has been a downward trend of registration since the height of the conflict in 2013.⁶⁶ This downward trend is likely indicative of how arrivals have lessened since 2013. An interesting relationship to note throughout the conflict between 2011 and May



⁶⁶ Registered Syrians in Jordan,” *UNHCR*, (United Nations: April 2017), accessed May 13, 2017, <file:///Users/Amoney/Downloads/ExternalStatisticalReportonUNHCRRegisteredSyriansasof30April2017.pdf>.

2017 is the trend of refugees arriving compared to registration data. Figure 3 depicts a positive relationship between arrival and registration. In addition, the sharp increase in arrivals from 2012 to 2013 is associated with an even greater rise in number of registrations. The cause of the spike in registration is unknown. However, one potential explanation for the spike in registration that divulges in 2013 is that refugees were arriving in greater quantities by smugglers and traffickers. This may account for potential missing data on these refugee's arrivals. However, it is important to note the refugees UNHCR counted as arriving may not be the same people they are registering. Refugees can register at various times and don't need to register immediately upon arrival. Various explanations could account for this spike in refugees. It could be as simple as a large backlog of Syrians waiting to be registered due to the extreme size of this crisis. Even so, it would be exciting to research this particular gap in arrivals and registrations further as it could lead to further analysis on the importance or lack of importance of registration to vulnerability. It is important to note that prior to 2011, 33,133 Syrian refugees arrived in Jordan. Refugees do not necessarily need to register with UNHCR as noted by the 2013 spike in Figure 3. Noting that there is a relationship between arrivals and registration of refugees, however, is important because the vast majority of data on Syrian refugees comes from registration as opposed to arrivals. Registered refugees provide access to a large amount of data regarding the demographics of Syrians over time in Jordan, but a clear fault exists: this data will never account for unknown data variety stemming from the population of unregistered refugees.

The purpose of registration is not simply to have a running list of refugees in various countries, but rather to gather and update information on refugees in any given country to plan for assistance needs. Registration helps give refugees assistance by means of shelter, cash programs, and social programs while also providing various protections such as detriment of

refoulement and unjustified arrest or detention.⁶⁷ This is key to understanding what refugees need immediately but also in the future. The process of registration helps UNHCR with both indirect and direct prevention through the analysis of collected data. This registration data is used in UN prevention initiatives, but it can also apply to national and other international prevention initiatives from various organizations. Registration data and other statistics on Syrian refugees are widely available to the public. Assessing and applying this data in non-UN prevention initiatives could create a well-rounded approach to addressing vulnerability indicators resulting from this data analysis.

⁶⁷ “Registration,” *UNHCR*, (United Nations: 2017), accessed May 13, 2017, <http://www.unhcr.org/en-us/registration.html>.

Chapter 4: Refugee Prevention Programs in Jordan Addressing Vulnerability

Prevention strategies in Jordan come from various places. There are government strategies, Intergovernmental Organization strategies, and national and local civil society strategies. In addition, most of the time, these organizations are working together to provide a coordinated approach to prevention. For the current refugee crisis, there are various indirect prevention strategies aimed at helping to identify or stopping exploitation. There is also the continued existence of long-term direct prevention strategies geared towards law enforcement training and advances in the law. Exploring how these two types of prevention are used in Jordan can help determine if Jordan is a model for prevention.

Jordanian Government Programs

The Jordanian Ministry of Planning and International Cooperation has implemented a platform, the Jordanian Response Platform for the Syria Crisis (JRPSC), to coordinate partnerships between the UN, donors, and Jordan for the purpose of prevention and humanitarian aid. In addition to the Jordanian Response Platform, this department of the Jordanian government also released a National Resilience Plan (NRP) in 2014 to address issues leading up to 2016. The JRPSC created the role of JRPSC Secretariat to head the process of coordinating international refugee humanitarian assistance. The secretariat and the JRPSC in general are working with other organizations to help reduce the negative impacts of the refugee crisis and to organize strategic plans for the crisis on a national level. Jordan is unique in this approach, as the neighboring countries most impacted by this crisis have no similar national guidance plans. The coordination that this platform can provide is integral to Jordan's role in the refugee crisis. This program is a clear example of direct prevention as it seeks to prevent violations of civil and

human rights through policy consultation, investigating potential concerns for refugees, and reporting on their findings. This is a valiant effort from a government entity to curb the vulnerability of refugees by addressing the issues and their causes prior to their occurrence.

Yet the only information publically available through the JRPSC website regards one specific aspect of indirect prevention. The organization has published numerous documents identifying vulnerability indicators for refugees and how they should be addressed. This is the first step in indirect prevention strategies. Based on the available information, it appears that the JRPSC either does not have or has not released information on a specific program for implementing these plans. Without any indication of an effort to follow through with these plans, I can only conclude that the JRPSC prevention initiative is inadequate in its current state. Despite having no future plans for implementation, the JRPSC does provide an interesting perspective on vulnerability, from the government's view. In the most recent Vulnerability Assessment (2015), the JRPSC identified specific refugee vulnerabilities indicating awareness to the issues by the government.⁶⁸ The mentioned vulnerabilities are very similar to those identified by the VAF and to those listed in Table 1 of Chapter 1. In addition to identifying the vulnerabilities, JRPSC noted their plans for addressing the needs of refugees. The JRPSC found that in order to implement their plans,

it is necessary to go beyond 'host community' as a target group and focus on those who are directly vulnerable in a specific area and context. It is thus necessary to perform comprehensive and continually updated needs assessments of Syria crisis-related vulnerabilities and priorities, aiming for a more nuanced understanding of manifest hazards and risks, as well as potential capacities for addressing them.

⁶⁸“Comprehensive [Vulnerability Assessment](https://static1.squarespace.com/static/522c2552e4b0d3c39ccd1e00/t/57f9fad620099e80cd05550e/1476000481960/2015+CVA.pdf).” [Jordan Response Platform](https://static1.squarespace.com/static/522c2552e4b0d3c39ccd1e00/t/57f9fad620099e80cd05550e/1476000481960/2015+CVA.pdf) (Jordanian Ministry of Planning and International Cooperation: 2015). accessed May 13, 2017. <https://static1.squarespace.com/static/522c2552e4b0d3c39ccd1e00/t/57f9fad620099e80cd05550e/1476000481960/2015+CVA.pdf>, 22.

The idea of identifying and addressing specifically vulnerable group, such as school-aged children and young females, within the refugee population reflects the objective of the VAF, to identify vulnerabilities on a small-scale basis to then implement prevention strategies on an individual or household basis. An important way this JRPSC report identified the variability in vulnerability was to distinguish between those living in refugee camp and host communities. Identifying these vulnerabilities is a great first step to implementing vulnerability in direct prevention strategies. Unfortunately, this report made no attempt to address how impactful these JRPSC programs have been. Rather, this report (along with all other published reports from JRPSC) is focused only on assessing the needs of refugees as opposed to assessing the state's refugee response to these needs. Further assessing the impact of Jordanian policies and refugee programs would be a way for the state to incorporate indirect prevention into the Jordanian Response Platform.

As great as this report is, it is important to point out that since this is a government run program, its findings must be critiqued with the states potential bias in mind. In particular, the Jordanian government does not provide refugees with work permits or protections in their law. Along with a bleak JRPSC action plan, this could be viewed as one piece of a larger puzzle suggesting that Jordan is unwilling to participate in the global effort of ensuring the well-being of refugees. Or perhaps the Jordanian government is simply working to protect the rights of Jordanian nationals as the refugee population continues to increase. I include these potential biases not to claim to be an expert on the Jordanian governments motives, but rather to point out how the inconsistent actions of the Jordanian government impact how the country is viewed in the international community working on prevention. Another interesting note concerning this organization is that the JRPSC website and public reports are only available in English. Given

that this program is an international coordination effort and English is an international language (while Arabic is not), perhaps this choice makes sense. However, the Jordanians and Syrians who don't speak or read English are unable to access this information that may impact their lives. This program's reports should be available in the countries primary language, Arabic, for the purpose of greater transparency and access to information throughout the country.

As imperative as this program's research and reports are to understanding Jordan's prevention policies, it lacks mention of one of the largest indicators of vulnerability for refugees, work related vulnerability, which hugely flaws this research's viability and accuracy. This is likely due to the lack of legal protections Jordan gives to refugees regarding the right to the areas of "housing, employment, public education, freedom of movement, and public relief and assistance."⁶⁹ However, in the 2015 Vulnerability Assessment, the JRPSC addresses every one of those issues other than employment. Work status's lack of mention is alarming. The work status of refugees must be explored to understand how unemployment or work in the informal sector impacts refugee vulnerability. The problem is that it is incredibly difficult for Syrians to find legal employment due to the restrictive nature of Jordanian labor laws. As mentioned earlier, the only group of refugees awarded citizenship and legal work status are Palestinian refugees residing in Jordan after 1948 and before 1954. All other refugees, including Palestinian refugees from Syria are not rewarded any type of legal work status in Jordan. Instead, the Kafala sponsorship system provides limited access to legal work status without the government's involvement. The work sponsorship system, although a legal practice, creates vast potential for trafficking and labor exploitation. The system is set up so that the employer makes all the terms

⁶⁹ Dubbaneh, Daniel, "Jordan and the Refugee Crisis: Missteps and Missed Opportunities," *International Policy Digest* (March 2016), accessed May 13, 2017, <https://intpolicydigest.org/2016/03/29/jordan-and-the-refugee-crisis-missteps-and-missed-opportunities/>

of employment and because this is one of the only ways a refugee can find legal work, the employer has the upper hand. This can mean low wages, long hours, and likely no benefits for the employee. In addition, this system is also a way for refugees to be recruited for trafficking and forced labor. In fact, illegal trafficking often starts through legal processes, such as hiring an individual for legal work. The lack of regulations for specific hiring processes leaves a breeding ground for traffickers and for other risks of labor exploitation.

An important indicator the report did include was “Livelihoods and Food Security.” This focused on how vulnerability to food insecurity is largely due to a lack of access to economic means to buy food. The report mentioned the following alarming statistic on the economic situation for Syrian refugees: “of the Syrian refugees aged over 15 years old, 28 percent are economically active. Of those currently working, 99 percent are working informally.”⁷⁰ Despite mentioning that nearly every working Syrian in Jordan is in the informal sector, this was never again brought up or explored further. Instead, this section focused on food insecurity stemming from unemployment or low wages as opposed to looking into the root cause.

The Jordanian government has focused prevention strategies on both direct and indirect methods. The government, however, has not released a plan to address prevention to the public. Rather, the public reports from the Jordanian Ministry of Planning and International Cooperation are informative explanations on the government’s position on assessing and addressing refugee vulnerability. The lack of available programs and plans to implement any of their recommended prevention strategy is alarming. Without such programs, the reports on vulnerability hold no real value in prevention. With no follow through in creating prevention initiatives and no translations into languages other than English, I must conclude that the JRPSRC reports and recommendations

⁷⁰ “Comprehensive Vulnerability Assessment,” Jordan Response Platform (Jordanian Ministry of Planning and International Cooperation: 2015), 42.

are for show. These reports do, however, offer insight into what the Jordanian government thinks of prevention, which is still valuable. The JRPSC recommendations must be coordinated in a plan for the vulnerability assessments to be applied practically. Without an action plan or prevention program, the reports of the JRPSC do not indicate that the Jordanian government is or will be an active participant in prevention.

National Organizations and IGOs

Outside of the Jordanian government's program for prevention coordination, various civil society organizations based in Jordan are active in the Jordanian refugee crisis response. Very few are solely refugee organizations, however. Rather, they are human rights, development, medical, or humanitarian based organizations. In any case, each organization is devoted to helping Jordanian citizens and refugees during the current refugee crisis.

Most relevant civil society organizations in Jordan work on direct prevention or prevention that occurs prior to a violation or crisis. This type of prevention is useful during current preventions, with the caveat that the effects will likely be long term rather than immediate. The Amman Center for Human Rights Studies (ACHRS) researches and publishes information and policy recommendations regarding refugees. In addition, they provide training to students, journalists, lawyers, judges, other organizations, etc. to educate on international law, human rights, refugees and other related topics. Their aim is to create a community of civil and human rights organizations in Jordan and the Arab world. This organization works with the UNHCR to provide updates on Jordan's compliance with labor standards and human rights violations. Various reports and activism programs revolve around the human rights abuses occurring in Jordan due to inconsistent labor standards for workers. Unfortunately, refugees are

not the only group impacted by the lack of rights and benefits in labor. The ACHRS is relevant to the discussion of trafficking and forced labor due to their prevention efforts of organizing educational programs and workshops on various human rights concerns. In addition, they release reports and compile data on human rights abuses in Jordan. According to their website, their training courses have reached 5,700 people in 17 different Arab countries.⁷¹ This organization provides direct prevention by focusing on the education and awareness of lawyers, civil society organizations, governments, and various others, who each have a stake in protecting the human rights of Jordanian's and refugees.

However, The Jordanian Women's Union (JWU) focuses more directly on trafficking and foreign workers than the Amman Center for Human Rights Studies. This organization directs their efforts mainly towards women, as its name suggests. It focuses on positively impacting Jordanian policies and laws on domestic workers, foreign workers, trafficking of women, and the general rights of women in Jordan. In addition, the JWU provides vocational training to women recognizing the need to supplement income from international aid. Although the organization does not directly seek to impact refugees, their efforts will help gain national protections for women in Jordan, which could trickle down to refugee women in the long run. Its legal awareness program in particular is extremely relevant to the prevention of forced labor and trafficking. Through in-person lectures, the JWU can provide women with information on their rights, applicable laws, and available social services. It would be beneficial to their mission to expand these courses into refugee camps and host communities. Given that their mission is to help women and marginalized groups, these resources could help provide refugees with valuable information on how to safely seek and maintain work. Along with the Amman Center for Human

⁷¹ "The Center," Amman Center for Human Rights Studies, (*ACHRS.org*), 2017, accessed October 11, 2017, <http://www.achrs.org/english/index.php/about-us-mainmenu-26/the-center-mainmenu-27.html>

Rights Studies, the JWU can help advocate and fight for refugee rights regarding the prevention of forced labor and trafficking. Both organizations do work in conjunction with the UNHCR providing reports and updated information on human rights violations. Refugee rights are closely related to the missions of the ACHRS and the JWU. However, during the present refugee crisis, these organizations could provide more help with their direct prevention practices by providing access to their resources in refugee camps and host communities.

The Amman Center for Human Rights Studies and the Jordanian Women's Union's direct prevention programs will hopefully help the refugee crisis in the long-run, but the indirect prevention programs of other civil society organizations are more relevant to the present day issues facing refugees day-to-day. One particular organization is providing legal aid to refugees and migrants in Jordan. The Arab Renaissance for Democracy and Development (ARDD) not only provides legal aid, but they also encourage other Jordanian law firms and lawyers to help refugees and migrants. Jordanian national laws protecting refugee rights are sparse outside of a few international treaties and the UNHCR Memorandum of Understanding. In order to help protect refugees from labor exploitation, the ARDD can provide legal advice and expertise to refugees seeking assistance. However, the organization provides little information on their outreach strategies for reaching refugees in need. For example, how do refugees at the Za'atari refugee camp get in contact with the ARDD? This organization does work with the UNHCR, so perhaps the UNHCR contacts them if a complaint arises. Despite the lack of information on how the Arab Renaissance for Democracy and Development reaches their refugee clients, it is important to note that this organization also raises awareness for various human rights issues in Jordan other than the work rights of refugees. In this way, the ARDD has the capacity to provide refugees with indirect prevention programs while also impacting the greater refugee crisis

through direct prevention. Another important organization in Jordan is the Noor Al Hussein Foundation- Institute for Family Help (NAHF-IFH): This organization provides medical services (including reproductive and psychological), social and legal counsel, disability services, and education initiatives on human rights and gender-based violence to Iraqi and Syrian refugees and internally displaced persons. The sheer variety of refugee issues the NAHF-IFH handles puts them in a position to tackle the intersection of trafficking, forced labor, and refugee issues. Both the ARDD and the NAHF-IFH bridge the gap between direct and indirect prevention of exploitation.

While these two organizations work on both direct and indirect prevention, the Jordan Health Aid Society (JHAS) focuses on indirect prevention almost entirely. This organization has multiple mobile medical units to help displaced Syrian refugees (primarily near borders) in Jordan. These medical units are necessary to provide immediate need to refugees with medical conditions, whether they are short term or chronic. In addition, in partnership with UNHCR, they collect data from displaced refugees and inform UNHCR of the direst cases. By analyzing the health needs on the ground, the JHAS can provide information to the UNHCR on what medical assistance is needed and in what order cases should be seen. This impacts the efficiency of not only the JHAS but also the UNHCR by organizing the medical response in various locations. In addition to the mobile medical units, this organization also runs a trauma hospital for Syrian refugees. It is necessary to emphasize that these programs are free of charge and focus on helping unregistered Syrian refugees in Jordan, who would otherwise have little access to medical assistance. As described in Chapter 2, medical needs are not always seen as directly necessary to the prevention of trafficking and forced labor. However, a lack of medical care can lead to seeking out help by means of work. The unregistered refugees that JHAS helps are less

likely to need to find work due to medical reasons if they are being provided with the care they need.

Finally, the Jordanian Hashemite Fund for Human Development has a program in Amman aimed at bringing refugees and their host community member together called the Sahab Community Development Centre: the goal is to ease tension between refugees and the local community. They also provide assistance to refugees. This organization's program can be used as a model for other community development programs in Jordan outside of Amman.

Community accessibility is vital to a decrease of at risk factors for refugees regarding forced labor. As one refugee, Hannah, 42, said, "Are there other women like me?"⁷² The isolation that refugees can feel is shockingly common. Another refugee, Yusra, said that refugees "are imprisoned by finances and not knowing anyone."⁷³ Yusra is right that access to finances and community are limiting factors. Unfortunately, the Jordanian Hashemite Fund for Human Development will not reach Hannah and Yusra because they are Syrian refugees living elsewhere from Jordan. Hopefully, similar programs exist in their given host communities. Yet, most Syrians in Jordan do not have access to these types of community programs. There is a tremendous need to address the isolation that refugees feel as it relates to their vulnerability to trafficking and forced labor.

Of these civil society organizations, only one, NAHF-IFH is associated with the government officially. Queen Noor of Jordan started this organization alongside her late husband, King Hussein. She is still associated with this organization. The other five civil society organizations are independent of the Jordanian government. Many of these organizations work directly with UNHCR while others cooperate in various ways, such as data sharing. The

⁷² "Woman Alone: The fight for survival by Syria's refugee women," UNHCR, 2014, 44, accessed October 31, 2017, <http://www.unhcr.org/ar/53bb8d006.pdf>

⁷³ Ibid., 56

coordination between civil society organizations and international organizations is paramount to the success of community-based prevention initiatives. These organizations are all locally based (but some have international or regional branches as well). There is local knowledge and a community connection that comes with being a national organization. Partnering with smaller organizations is a key tool of international coordination of refugee crises such as the Syrian one in Jordan. International organizations can utilize the small-scale efforts of local organizations to coordinate individual and group level prevention. Many of these national organizations, particularly the JHAS and the ARDD are already making an impact for current Syrian refugees providing more evidence on why small-scale individual and group level prevention is an important aspect of prevention early in and throughout a refugee crisis.

Coordinating international and national organizations is vital to the success of a transnational refugee crisis. Not only can these organizations coordinate responses between states and local civil society organizations, but they can also provide assistance in adapting laws and policies that can shape the outcome of a refugee crisis. In addition, many IGOs have enormous datasets that can help with research of a particular situation. There are various IGOs operating in Jordan for the purpose of addressing the refugee crisis and refugee vulnerability. A few examples of those organizations include the International Rescue Committee (IRC), CARE, UNHCR, Danish Refugee Council (DRC), World Food Program (WFP), International Organization for Migration (IOM), International Labor Organization (ILO), and the World Health Organization (WHO). An interesting finding when researching each of these organizations is that they are often involved in both direct and indirect prevention in Jordan. Whether regarding health, infrastructure development, refugee camp issues, human trafficking prevention, or other related issues, IGOs are imperative to the implementation of country-

specific direct and indirect prevention. Yet, as mentioned above, for community-based, small-scale prevention, they rely heavily on the input from local organizations. The combination of early prevention on an individual and group level provided by IGOs in coordination with local organizations and the later prevention on a state and international level by IGOs is critical to a big picture prevention strategy encompassing the entirety of a refugee crisis.

Chapter 5: Assessment of Findings and Recommendations

The previous four chapters of this thesis have detailed how refugees are vulnerable to forced labor and human trafficking. Vulnerability indicators specific to refugees have been explored to implement in future methods of indirect and direct prevention of exploitation. Hashing out these vulnerability indicators is a necessary step in recognizing the validity of international claims of increased vulnerability to human trafficking and forced labor. The indirect prevention that occurs immediately following a refugee crisis is primarily focused on medical and basic needs. This fact is largely due to limited funds, but it will likely stay this way. Organizations such as the Jordan Health Aide Society are providing the immediate access to medical attention for unregistered refugees living at the border. This organization helps the UNHCR by pointing them in the direction of the most vulnerable individuals, mostly focused on mental health. However, there are various areas of vulnerability that are not addressed due to this immediate health focus. Access to community, individual demographics, registration status, and income or work status are not immediate concerns in contrast to medical attention and basic living needs. This is not to say that medical attention and basic needs should stop being the primary focus. Rather, there simply needs to be a greater emphasis on the connectivity of vulnerability indicators in order to address them as they relate to trafficking and forced labor.

A single, 20 year-old Syrian woman living as an unregistered refugee on the border of Jordan and Syria is likely far more vulnerable to trafficking and forced labor than a 50 year-old Syrian woman living with her family in Amman. However, Shurouq's story from Chapter 2 shows the severe vulnerability of women unable to access legal work even if they have access to community and family. Shurouq is a single mother in Jordan while her husband continues to work and live in Syria. Despite her registered status and aid assistance, Shurouq cannot provide

enough food to her children to keep them fed. Seeking out non-traditional, informal work was an act of desperation indicating her lack of access to legal work. Unlike Shurouq, younger women and men that have little connections abroad as refugees are the primary targets of traffickers of refugees. Unaccompanied minors, for example, may leave their families to flee alone at the hands of smugglers and traffickers. In 2015, the OSCE released a report noting that 10,000 economic migrant and refugee children were missing in Europe.⁷⁴ The fear is that missing men, women, and children are coerced, forced, or exploited into forced labor and trafficking in persons. Total statistical estimates on trafficking and forced labor victims vary and are difficult to substantiate given the illicit nature of the black and gray markets involved in the trade. Despite the lack of consistency in data, trafficking and forced labor are documented in every country of the world. Recognizing the demographical variation in vulnerability that favors young women and men travelling alone, as unregistered refugees, and with little access to a community or legal work is necessary to implementing prevention strategies that aim to help the most vulnerable individuals despite the lack of hard numbers on the number of impacted individuals.

In Jordan in particular, the lack of legal working status for refugees leaves individuals enormously vulnerable to forced labor, especially within the context of the kafala or sponsorship program. Since refugees are not allowed to work without the sponsorship of employers, employers of refugees are accountable for the oversight and management of refugees. Withholding passports or other valuables are common practices of abusers of forced labor of refugees. It is necessary to note here that the sponsorship program does not necessarily apply to refugees working within the Za'atari refugee camp. It is more likely that refugees working outside of camps, throughout the rest of Jordan, are more impacted by the potential shortcomings

⁷⁴ "Combating Human Trafficking Along Migration Routes," *OSCE* (OSCE: 2016), accessed October 11, 2017, <http://www.osce.org/migration2016>

of the sponsorship program. Access to legal work that includes rights and an access to legal remedy are necessary precautions to preventing forced labor in Jordan. The Arab Renaissance for Democracy and Development is one organization that provides legal assistance to refugees. However, without rights within the laws, there is little that can be done regarding the report of abuse or exploitation of refugees at work. The benefit of having full rights as a legal worker is rights, benefits, protection, and access to legal remedy. Unfortunately, Syrian refugees in Jordan will be unable to access these protections without changes to the laws, or greater prevention efforts focused on work status from international organizations like the UNHCR.

Prevention of trafficking and forced labor can occur on various levels. It is important to recognize that various vulnerability indicators are accessible at an individual, group, state, and international level. Medical needs, work status, and demographics must all be assessed at the individual level. Assistance (such as ability to register with the UNHCR) and community access can be assessed at the group level. In addition, at the state and international level, a combination of vulnerability indicators can be addressed, but they will likely involve direct rather than indirect prevention. The types of prevention that evolve from an analysis at these levels suggest that a timeline of prevention may exist. Depending on the whereabouts of a refugee (i.e. if they are located at the border, in a camp, or in a host community), prevention can be addressed first as indirect prevention involving medical assistance, demographic assessments, and the dissemination of information regarding ability to work at an individual level. This means boots on the ground, so to speak. UNHCR volunteers and employees already conduct demographic assessments when registering refugees. Extra information and resources, such as pamphlets on refugee rights, should be given to the most vulnerable groups at the time of evaluation. Refugees who stay unregistered by choice or due to the inability to access registration (e.g., on the Syrian

side of the border) are still unable to be tracked or given extra resources and protections. This is where the JHAS helps the UNHCR out. Unregistered refugees are a special case of vulnerability.

Once a refugee is settled in a camp or host community, it becomes vital to address group-level vulnerability. Access to community and UNHCR assistance can be grouped depending on where refugees are located. Those at the border have the least access to full UNHCR assistance, but may have access to assistance from other aid organizations. Refugees at UNHCR camps have full access to their programs and assistance, providing the most protections. Refugees living in host communities have the largest variety of assistance and community-based needs. For example, an unwelcoming host community may leave refugees isolated and more vulnerable to trafficking and forced labor. The UNHCR and host communities can and should provide community engagement activities to refugees to keep refugees connected. Access to a variety of relationships provides substantial protections to refugees because a refugee with a community may consult one or two community members before accepting a work offer. Community engagement could be as simple as singing Syrian songs together or discussions about politics or movies. Community programs do not have to be expensive, time-consuming projects. Rather, they are a quick and easy way to build a refugees network, which in turn will provide various new avenues refugees can access if they find themselves in exploitative work. Facilitating the growth of a refugee community is vital to indirect prevention at a group level. Greater access to community helps combat isolation and gives refugees a network of individuals they can hopefully turn to if needed. In addition, anti-trafficking and anti-forced labor media, such as pamphlets, movies, or even discussions could also be incorporated at community events. While building a network and community is the first priority of such events, disseminating information

could be a second priority. In this way, community events could provide a multi-faceted approach to prevention.

Direct prevention occurs mostly at the state and international level. This mostly revolves around Jordanian national policies towards refugees and work status along with the international agreements Jordan is a member of. It is evident that there are hundreds of organizations working together to help prevent the exploitation of refugee's vulnerabilities in Jordan. However, it is also clear that Jordan lacks various legal protections for refugees that leave them vulnerable to trafficking, forced labor, and exploitation.

To prevent and combat future trafficking and forced labor of refugees, Jordan should create a labor law specifically outlining the rights and protections that registered refugees are awarded. This should be aimed at helping refugees avoid the informal sector by outlining their right to work under Jordanian law. The issue with Jordan's current system is that no law specifically guarantees rights and protections to working refugees. Without legal protections, there can never be a means for legal remedy in the Jordanian judicial system. An alternative solution may be to revise existing law to include the language of refugee, migrant, and foreign worker. In either case, changing the law is a necessary prevention initiative that Jordan could employ to prevent trafficking and forced labor of future generations.

In addition to a national law, Jordan could consider signing and ratifying various international conventions and treaties. In particular, the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the 1946 Constitution of the International Refugee Organization, the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the Protocol relating to the Status of

Refugees. While signatures on international conventions do not alone make countries comply, they do create a large statement to the international community. These statements are important because they pave the way for collaboration with civil society and the international community.

Jordan should also replace the informal sponsorship system with a work permit that is available to all refugees provided they meet the criteria of employment expected of Jordanian nationals and other foreign workers. The Kafala system is not unique to Jordan, but it is a major cause for concern regarding the welfare of Syrian refugee workers. Rather than having employers sponsor Syrian refugees to work, the Jordanian government should treat Syrian workers more like their citizens regarding work rights. This would allow for Syrians and other refugees, specifically the large Palestinian population, to work and gain incomes, while contributing to the Jordanian society and local communities as a whole. In a way, this could be a two-fold prevention initiative focused on work status and community involvement.

Jordan has also created the JRPSC to respond to the Syrian refugee crisis. The JRPSC has coordinated the efforts of many national and international organizations, an effort which should not be forgotten but rather continued throughout the Syrian refugee crisis. The JRPSC is unique in its acceptance of the issues at hand regarding refugee vulnerability. Yet this commission has done little besides report on recommendations for prevention research and other initiatives. These recommendations do provide insight on what the Jordanian government finds important to prevention. Lacking any mention of work status or employment, these recommendations leave out one of the largest indicators of vulnerability for refugees. The JRPSC should create a program for implementing their recommendations for prevention and research on vulnerability. As it stands today, these recommendations have not been implemented in any prevention program or action plan.

Each of the above recommendations is geared towards improving upon Jordan's prevention initiatives, which are already in place. There is room for improvement where Jordan has faltered, such as through labor protections and failing to sign certain international treaties. However, Jordan is still one of the better countries regarding their treatment of refugees and of human rights in the region. Jordan has also successfully coordinated community and country based prevention initiatives including direct and indirect across the country for Syrian refugees. The success of these programs is indicative of a willingness of the government to work with local non-profits and IGOs. Other countries can learn from Jordan, especially regarding the coordination efforts of the JRPSC. Having a government organization focused on organizing prevention efforts is a good plan for any country focused on prevention of current and future exploitations. There are various aspects of Jordan's prevention initiatives that could be implemented in prevention programs on an individual, community, and country level. However, the Jordanian government has yet to provide any form of actionable prevention to human trafficking and forced labor among refugees.

“We are imprisoned by finances and not knowing anyone.”
–Yusra, a Syrian refugee living in Cairo

Conclusion

The Syrian war created a massive refugee crisis, the greatest mass exodus since World War II. In fact, in 2015, the UNHCR reported that the total number of global refugees surpassed that of World War II.⁷⁵ The growing global population of displaced persons was further amplified when the Syrian refugee crisis began in 2011 leading the international community to believe that these refugees are left increasingly vulnerable to human trafficking and forced labor. Refugees are more at risk due to their mobility and associated issues such as lack access to income, health, and assistance or aid. Trafficking in persons is a growing fear of the international community as the global refugee population continues to break records.

Recognizing the vulnerable status of refugees and migrants alike is necessary to preventing forced labor and exploitation. Various vulnerability indicators can be used to determine when, where, and to whom prevention efforts are focused on and in what order. Demographics matter in this determination. In addition, registration status as a refugee can also help determine vulnerability. Besides those indicators, there are others relating to health, work status, and access to assistance. In order to create prevention strategies that take these indicators into account, an order of operations must first be developed. Indirect prevention will occur after and during a crisis, such as the Syrian refugee crisis today. This is the first priority for prevention initiatives. Further down the road, direct prevention can be addressed through policy

⁷⁵ “Global Trends, Forced Displacement in 2015,” UNHCR, United Nations, 2015, 2, accessed October 10, 2017, <http://www.unhcr.org/576408cd7>

development and advocacy by coordinating the efforts of intergovernmental organizations, non-governmental organizations, and governmental organizations.

Unfortunately, given the lack of access to reliable data, there are statistical gaps in the research on the necessity of creating prevention strategies for forced labor among refugees. Further research could be used to analyze the viability of using vulnerability indicators in prevention strategies. This would likely consist of an ethnography and field research project similar to the United Nations Vulnerability Assessment Framework. In addition, there is still a lack of data concerning the coordination efforts between the Jordanian government, international, and national organizations. More information is needed to determine how vulnerability based prevention strategies will be implemented. In addition, this thesis focuses on determining what the vulnerability indicators are, rather than focusing on how they will be used in prevention. The next step in this research would be to parse out specific programs and initiatives regarding prevention.

The idea that refugees are a vulnerable group is largely uncontested. Yet, there is little substantial statistical evidence to prove the link between refugees, trafficking, and forced labor. This is likely due to the illegal nature of the informal labor industry. In fact, statistics from all aspects of the informal labor market are hard to come by. Regardless of statistical evidence connecting these topics, the fact that refugees are *vulnerable* to trafficking and forced labor is well proven. The vulnerabilities to exploitation of labor among refugees discussed in this thesis could also be applied to other areas of refugee vulnerability, such as mental and physical health. More research is needed to determine the viability of prevention of any such refugee vulnerability. Refugees are a vulnerable group needing the attention and help of the international community. In today's refugee crisis, Syrian refugees have left their homes, their families, and

everything they know. No matter the reason for fleeing, these people are at risk of being taken advantage of. No matter the person, they are at risk of exploitation. It is my hope that this thesis can add much needed evidence to the dire call for action among refugee advocates that are coming to the aid of refugees at risk of forced labor, human trafficking, and exploitation.

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