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ADDRESSING CHALLENGES FACED BY SYRIAN REFUGEES WORKING IN THE INFORMAL ECONOMY:

CASE STUDIES FROM LEBANON AND JORDAN

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SUMMARY

This policy brief is based on the outcomes of a 3-year research project funded by the Ford Foundation titled "Informal adaptive mechanisms among refugees in the Middle East: Understanding adaptation, resilience, and agency in securing livelihoods in the informal economy[1] among refugees from Syria in Lebanon and Jordan". The project aimed to unpack the informal livelihood strategies and adaptation experiences of Syrian refugees who secure their livelihoods in the informal economies of Lebanon and Jordan. This brief addresses various challenges identified through case studies conducted for the project. The case studies were conducted among micro-entrepreneurs, tribal communities, agricultural workers, and females who head their households. Case study findings and recommendations were further discussed during stakeholder dialogues held both in Lebanon and Jordan, as well as with an Advisory Committee for the project.

Context

When seeking livelihood opportunities, it is worth noting that, in both Lebanon and Jordan, Syrian refugees can obtain work permits within a limited number of sectors. Nevertheless, in 2016, 90% of migrants and refugees in Lebanon were informally employed[2], while in Jordan, this was closer to 99% of Syrian workers (Aita, 2016). Despite efforts to improve the working conditions of Syrian refugees in host countries through agreements such as the Lebanon and Jordan Compacts, more recent data points to a similar situation, particularly in light of the COVID-19 pandemic and deteriorating economic situation of both countries. For example, at least 95% of Syrian refugees who participated in a survey conducted in Lebanon in the spring of 2020 reported working without a valid work permit; and irregular or informal working arrangements were reported by close to 70% of Syrian refugees participating in a similar survey from Jordan (International Labour Organization [ILO] & Fafo, 2020). Furthermore, a recent study estimates that the poverty rate among Syrian refugees in Jordan has increased by 18% since the COVID-19 pandemic, and by 56% among those in Lebanon (Joint Data Center of Forced Displacement [JDC], World Bank Group [WBG], & UNHCR, 2020).

In both Lebanon and Jordan, multiple legal, social, cultural, and economic challenges continue to exist that limit Syrian refugees' access to the formal labor market. Although Syrians have always worked in the informal economies of both countries, the refugee crisis has created pressuring competition in the informal low-skill labor market where Syrians—who are now refugees—are more likely to accept less than adequate working conditions to sustain their livelihoods (Errighi & Griesse, 2016). Refugees working in the informal economies of both countries are exposed to exploitative work conditions, long working hours, low wages, lack of legal protection, and are not afforded any type of social protection, such as health insurance or paid sick leave (ILO, 2015; ILO & Fafo, 2015). This type of work also increases their vulnerability as it exposes them to risks of arrest, possible repatriation to camps (in Jordan), or deportation (Humanitarian Policy Group, 2017). Syrian refugee women experience additional challenges due to the types of jobs available, inadequate transportation, lack of childcare support, and sociocultural barriers (ILO, 2015; ILO & Fafo, 2015).

Restrictive laws and policies in Lebanon

Since the onset of the Syrian refugee crisis in 2011, the Government of Lebanon (GoL) has introduced various policies and regulations that directly impact the participation of Syrian refugees in the country's labor market. Among these, Lebanon's Compact Agreement (2016) focuses on "fostering growth and job opportunities". The agreement was expected to "provide an appropriate and safe environment for refugees and displaced persons from Syria, including their residency status, and a beneficial environment for vulnerable host communities" (European Commission, 2016a). The GoI also committed to "continue seeking, in conformity with Lebanese laws, ways to facilitate the streamlining of regulations governing [Syrian refugees'] stay, including periodical waiver of residency fees and simplifying documentary requirements such as the 'pledge not to work', with a view to easing their controlled access to the job market in sectors where they are not in direct competition with Lebanese" (European Commission, 2016b). Through the interventions proposed in the agreement, "an estimated total of 300,000 to 350,000 jobs [were] expected to be created, 60% of which could be for Syrians" (Republic of Lebanon, 2016). Nevertheless, barely any progress has been made on most of these fronts (International Rescue Committee [IRC], 2020). The overall unemployment rate among Syrian refugees increased to 39% in 2020 (UNHCR, WFP, UNICEF, 2021).

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[1] We adopt the following definition for informal economy: "…all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements" (ILO, 2014).

[2] Syrian refugees in Lebanon's informal economy are mainly employed in services, agriculture, commerce, construction, and factories (ILO, 2015). In Jordan, male Syrian refugees are predominantly employed in the agricultural, mechanics, and construction sectors, and female refugees in home-based activities (ILO & Fafo, 2015).

Currently, and in line with the regulatory framework introduced by the General Security Office in 2015 for the classification of Syrian refugees' residency permits and its later amendments, Syrians registered as refugees with the UNHCR have to pledge to abide by Lebanese laws. Refugees who choose to work formally are registered as migrants and can do so under the category of sponsorship or lease agreement. Within this category, they can only work in the environment, agriculture, and construction sectors. Renewal of the residency permit is a prerequisite for obtaining a work permit, and although in recent years the costs for its renewal have been waived in certain cases, renewal is a costly procedure; for example, a residency permit under a Lebanese sponsor costs 200 USD per year (Human Rights Watch, 2017). Syrian refugees wanting to work in sectors other than those previously listed are confronted with multiple financial and bureaucratic hurdles to obtain a permit. In addition, the sectors within which they can work formally remain limited. Furthermore, the process for renewing residency permits remains cumbersome and expensive, and in 2020, roughly 70% of registered refugees, particularly those above the age of 15, were without a legal residency permit, the lack of which hinders their access to livelihood opportunities and limits their freedom of movement (UNHCR, WFP, UNICEF, 2021).

Syrian refugee entrepreneurs (SREs) in Lebanon echo some of these challenges, expressing fear and concern regarding the status of their residency and business permits, and highlighting the risks they endure due to their informal status (Fathallah, 2020a). SREs described multiple bottlenecks to registering their businesses, including financial difficulties and/or lack of capital (in light of the minimum capital requirement of 100,000,000LL to obtain a license), the need for a local partner and to hire at least three Lebanese and insure them, as well as difficulties opening a bank account (due to missing paperwork). In addition to the aforementioned legal restrictions, refugees also have to deal with residency restrictions, since those without a residency permit have difficulties moving around. In certain cases, SREs informally partner with a Lebanese local, have a Lebanese sign their lease, or seek the protection of a legitimate Lebanese figure. Nevertheless, without a legal or formal agreement, SREs in these types of arrangements are at risk of being exploited.

Fathallah (2020a) also notes the "institutional poly-centricity of Lebanese political and legal structures", which results in different approaches being adopted by government actors' in relation to the formality and legitimacy of SRE businesses, in particular, the role that political parties and municipalities play in either facilitating or hindering SRE businesses within specific governorates and areas. For example, SREs who opened their businesses among communities having a long history of trade and cross-border movement between Lebanon and Syria had an easier time. In other villages, where Syrian refugees were not welcome, SREs were forced to open their business in hiding or to camouflage their businesses, while others were forced to evacuate the area completely.

Shaweesh-brokered work in Lebanon 's agricultural sector: A form of debt-driven labor

Syrian refugees working informally through *shaweesh*[3]-brokered work in the agricultural sector or factories in Lebanon, or even directly through a Lebanese landowner in the agricultural sector lack any form of protection, and are at greater risk of exploitation. *Shaweesh*-brokered work can be compared to bonded or debt-driven labor in that the *shaweesh* takes a part of the refugees' salary, while the rest usually goes to cover rent or pay off debts (Turkmani & Hamade, 2020; Mhaissen & Alaa Eldein, 2020). Where the *shaweesh* is also the settlement manager, the *shaweesh* can threaten to evict refugees; and as the focal point with multiple stakeholders, such as landowners, local authorities (such as the General Security Forces), or aid providers, s/he can deny refugees work, threaten to report them, or withhold much-needed aid (Turkmani & Hamade, 2020; Mhaissen & Alaa Eldein, 2020). *Shaweesh* and Lebanese landowners may also withhold salaries or not pay refugees altogether (Turkmani & Hamade, 2020). Syrian refugees working in the agricultural sector also detail numerous legal barriers and a lack of protection, noting that they have no job security, insurance, paid leaves, or sick days, and are exposed to numerous agricultural hazards (Turkmani & Hamade, 2020).

Unclear and complicated work permit and home-based business regimes in Jordan

In 2016, the Jordanian government pledged to provide 200,000 work permits for Syrian refugees and to facilitate the work permit documentation process through the Jordan Compact. Since then, Jordan's Ministry of Labor (MoL) has issued 215,668 work permits for Syrian refugees (between Jan 2016 - Dec 2020) (Jordan Ministry of Labor, 2021). In line with the agreement, the Jordanian government has passed various policies facilitating employment for Syrian refugees, including issuing flexible (independent) work permits in certain sectors, such as in agriculture and construction, and passing a policy that allows Syrian refugees to run home-based businesses (HBBs). Other commitments in the Compact include the introduction of grace periods for refugees working without a work permit, waiver of fees to obtain a work permit in selected sectors, and simplification of document requirements for employment (International Rescue Committee, 2020).

Although significant progress has been made towards fulfilling these commitments, several challenges persist. The sectors within which Syrian refugees can work formally in Jordan are still limited and are constantly changing. There is a lack of clear and concise information about work permit procedures and requirements. Furthermore, the process for obtaining a flexible work permit or an HBB license is complicated and time-consuming for refugees, and the multiple requirements for issuing a work permit often deter employers from going through the process (IRC, 2020). Few refugees manage to register their HBBs due to the need for a valid passport, which many do not have. Besides, there remain restrictions to starting a business outside the home, including the need to have a Jordanian partner (IRC, 2020).

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[3] *Shaweesh* or community-manager, who sometimes has previous connections to Lebanese authorities or landowners, and acts as a supervisor over a settlement. The *shaweesh* usually sets up the informal settlement, collects rent from the refugees who reside there, and liaises with various stakeholders, including local authorities and aid distributors. S/he is also responsible for organizing Syrian agricultural workers.

Indeed, Fathallah (2020b) identifies multiple challenges related to the work permit regime in his research on SREs in Jordan. In some cases, it was not clear to SREs what rights the flexible permits afforded them, nor what their obligations were in this regard. SREs also encountered numerous bottlenecks and hurdles when trying to formalize their business, as the requirements and regulations for obtaining a flexible work permit were not clear. In addition, permit holders noted that they do not receive any kind of social protection, although medical insurance is voluntary. Like in Lebanon, some SREs in Jordan informally partnered with a local to open their businesses, whereby the Jordanian partner would issue a work permit for the SRE. Occasionally, the Jordanian partner would not issue a work permit, placing the Syrian refugee at risk of being penalized if caught by law enforcement or officials. Some SREs in these types of arrangements described experiencing abuse, expropriation of their businesses, or disregard of agreements and commitments by their informal partners (Fathallah, 2020b).

Social tensions between host communities and refugees

In his case study among SREs in Lebanon, Fathallah (2020a) notes a rising anti-refugee rhetoric among certain host communities, which is challenging the legitimacy of SREs, thus making it difficult for them to run their businesses in certain towns and villages (Fathallah, 2020a). In the case study on agricultural workers, social tension was mentioned as an issue by key informants working at non-governmental (NGOs) and international organizations (IOs) in Lebanon, who noted difficulties in adhering to government policies related to livelihoods, and in ensuring social cohesion between refugees and host community members through their programming (Turkmani & Hamade, 2020). Although numerous projects have been implemented by NGOs and IOs in Lebanon to enhance social cohesion between refugees and host community members, the economic crisis and COVID-19 pandemic continue to cause tension (JDC, WBG, & UNHCR, 2020).

On the contrary, in Jordan, the government requires that a significant part of aid coming in for refugees be distributed to host community members as a means of reducing tension between the two communities; for example, 70% of funding coming in for home-based or small businesses must go to host community members (Huang & Gough, 2019). Nevertheless, among tribal communities in Jordan, local tribal members expressed discontent regarding aid being distributed in the Zaatari area, as they perceived themselves to be "carrying much of the burden of helping and supporting the refugees, yet receive[d] little or no aid for their task" (Miettunen and Shunnaq, 2020, p. 11). In response, and to minimize tension, aid was disbursed to these communities for infrastructure and other projects based on a decision made at the local mayoral council level.

Specific challenges experienced by women: Focus on Syrian refugee females who head their households

In Jordan, around 22% of all refugee households are headed by women (Tiltnes, Zhang, & Pederson, 2019), while in Lebanon this is 19% (UNHCR, WFP, & UNICEF, 2020). When a male head of household is absent or unable to work (for example, because of death, injury, disability, or resettlement), Syrian refugee women find themselves obliged to take on the role of primary breadwinners (or heads of households). As a result, these women are increasingly engaging in income-generating activities, for the most part in the informal economy. In other cases, and due to high livelihood costs, women also work to contribute to the household income even if they have no previous working experience in Syria (Turkmani & Hamade, 2020). Nevertheless, in 2020, only 35% of females who head their households (FHH) in Lebanon reported that a member had worked the previous week (UNHCR, WFP, UNICEF, 2021). Similarly, female refugee participation in the labor market in Jordan is low; data on participation within the informal economy is scarce, but within the formal economy, only 6% of all work permits issued to Syrian refugees in Jordan in 2020 went to women (Jordan Ministry of Labor, 2021).

Lower engagement of refugee women in the labor market can be attributed in part to persisting cultural and societal (namely gender) norms, as in certain communities women's participation in the labor market is an honor issue, and women are also expected to fulfill family duties (Mhaissen & Alaa Eldien, 2020; Miettunen & Shunnaq, 2020). In Lebanon, for instance, having a dependent at home was reported as the main reason FHHs were not working (UNHCR, WFP, UNICEF, 2021). Other studies have found that lower participation in the labor market may also be due to a lack of adequate jobs for women (International Rescue Committee, 2020).

The need to fulfill their caretaking responsibilities along with securing their basic household needs places a heavy toll on the emotional and psychological wellbeing of these women (Mhaissen & Alaa Eldien, 2020; Turkmane & Hamade, 2020). As a result, Syrian refugee women prefer to engage in home-based businesses (self-employed), as was reported by FHHs in Lebanon, and female SREs in Lebanon and Jordan (Mhaissen & Alaa Eldien, 2020; Fathallah, 2020a, 2020b). Working from home protects these women from exploitation, unfair wages and working hours, sexual harassment, and/or gender based-violence by their employer or on the way to work, and also allows them to balance between work and their family responsibilities, though it is not without any challenges. Syrian refugee women who work from home expressed difficulties in maintaining their home-based businesses (Mhaissen & Alaa Eldien, 2020).

Other refugee women work outside the home in jobs that are often poorly paid, such as in the agricultural sector or informally in the private sector, which may also subject them to sexual harassment, work violations, and lack of equal treatment in the workplace (Mhaissen & Alaa Eldien, 2020; Turkmani & Hamade, 2020). Those who work in the agricultural sector are paid lower wages than their male counterparts, and are expected to work during pregnancy and menstruation, despite this type of work being physically demanding. Like male agricultural workers, they are susceptible to work-related health issues such as infections and musculoskeletal diseases. In agricultural work which is brokered by a *shaweesh*, women fear speaking up as the *shaweesh* may be their sole source of income, and the *shaweesh* may also run the camp within which they live, as a result, not working due to sickness may result in their eviction. Many times, refugee women are barely able to make ends meet, with their income being sufficient to cover only rent and any debt they may have at a supermarket or pharmacy. Despite this, some refugee women still prefer to work in agriculture over other sectors because it provides them with a relative feeling of safety given that they are able to work with one another during the daytime; it also allows them to stay close to their settlement, where they can avoid the perceived judgment of those outside their community (Turkmane & Hamade, 2020).

Child labor

Severe economic vulnerability, societal norms, and financial difficulties to access education sometimes force Syrian refugees in Lebanon to remove their children from school and involve them in labor activities to supplement the household income (Turkmani & Hamade, 2020; Mhaissen & Alaa Eldien, 2020; Miettunen & Shunnaq, 2020). This was observed among Syrian refugees working in the agricultural sector in Lebanon, whereby *shaweesh* even preferred to employ children over adults because of the cheaper labor, easier management, and their ability to work longer hours, coupled with the minimal level of experience required to fulfill certain agricultural tasks (Turkmani & Hamade, 2020; Food and Agriculture Organization [FAO] & ILO, 2017). Indeed, a large-scale study conducted among Syrian refugee children working in Lebanon's Bekaa region found that around 75% of children worked in agriculture and other occupations that are hazardous, dangerous, and unfit for their age with only 18.3% of the working children enrolled in some form of learning (Habib, 2019).

The impact of COVID-19

The COVID-19 pandemic and resulting lockdowns have had a significant impact on economic activity in Lebanon and Jordan, and especially in the informal economy, thus exacerbating the livelihoods of Syrian refugees in both countries (JDC, WBG, & UNHCR, 2020). A rapid assessment of the impacts of the COVID-19 pandemic in Lebanon found that 60% of Syrian refugee respondents reported being laid off permanently during the COVID-19 pandemic, and 31% reported being laid off temporarily (ILO & Fafo, 2020). A similar assessment conducted in Jordan found that Syrian refugees were among those hardest hit by the full/partial lockdown measures, due to their largely informal employment situation; 35% of Syrian refugees' workers reported being permanently laid off, and 95% reported a reduction in household income as a result of the COVID-19 pandemic (ILO & Fafo, 2020). In response to the detrimental effects of the COVID-19 pandemic refugees in Lebanon and Jordan have turned to negative coping strategies, such as cutting back on food and medication and accumulating debt. For example, in Lebanon, Syrian refugees have resorted to decreasing spending on food, spending their savings, and/or relying on debt to secure their most basic needs (UNHCR, 2020).

Recommendations

Refugee host countries and policy-makers to:

- Revise the guidelines and procedures for obtaining legal residency and civil documentation in both Jordan and Lebanon, as issues with documentation continue to hinder livelihood opportunities and freedom of movement. These should be aligned with the guidelines and procedures for obtaining work permits.

- Review and amend the policies and requirements for obtaining permits (or licenses) to engage in the formal economy in specific sectors in Lebanon and Jordan.This can include clarifying the current legal structure and requirements for obtaining work permits for both refugees and employers or, in the case of informal enterprises, simplifying registration procedures. It is imperative that these policies integrate a gender mainstreaming approach to ensure equal access to livelihoods opportunities for both men and women. Mechanisms must be put in place that ensure legal recognition, fair wages, protection, and decent work conditions for workers. Ensuring decent employment also entails promoting alternative work arrangements to those organized through *shaweesh* to minimize exploitative working conditions. In addition, the *kafala* system must be abolished.

- Enhance communication between the various governmental institutions (ministries, municipalities, security forces, etc.) to ensure proper uptake and consistent implementation of residency permit and work permit procedures.

- In both Lebanon and Jordan, it is imperative to expand the sectors and occupations in which refugees can work formally. This may facilitate women's engagement in the labor market by opening up sectors within which it is culturally acceptable for them to work. It may also enable refugees with valued (vocational or other specialized) skills to contribute towards host countries' economic growth.

- In both Lebanon and Jordan, introduce and implement policies that both support and protect Syrian refugees working in the informal economy, such as by establishing a universal social protection system that covers everyone, including informal workers, owners of small and medium enterprises, and the self-employed, and by providing them with legal protection.

All relevant stakeholders (including policy-makers, institutional bodies, local and international NGOs, civil society organizations (CSOs), municipalities, academics, businesses and cooperatives) to:

- Promote dialogue which focuses on the positive impact of Syrian refugees in host countries as well as on their contributions to host countries' economies as a means of improving social cohesion. Effective dialogue can also serve to map priorities, needs, and potential areas for reform, understand the local context, and identify potential consequences of interventions, in order to inform programming and projects that meet the needs of beneficiaries (refugees and vulnerable host community members) while ensuring a 'do no harm' approach.

- Support and integrate projects and initiatives that enhance social cohesion between host community members and refugees across all sectors and programs. These can include projects to distribute aid among both communities in order to relieve some of the tension and strain resulting from the refugee crisis, and/or projects that encourage joint interactive participation of both communities.

Organizations and agencies supporting livelihoods (such as international and local NGOs, CSOs, implementing agencies, etc.) to:

- Facilitate access to support services, assistance, financing, and grants for Syrian refugees and vulnerable host community members. The latter is especially important in light of the COVID-19 pandemic and economic crises in Lebanon and Jordan and the impact these have had on refugees' and host communities, livelihoods. Temporary cash-for-work arrangements for refugees and host communities can provide short-term economic relief, while imparting (practical) skills that may help with longer-term livelihood opportunities.

- Provide specialized training programs for Syrian refugees. Specific examples include training programs tailored to older individuals who have knowledge and experience but need the vocational and financial support to implement their business ideas. In the case of skilled workers, such as those working in construction or agriculture, efforts can be made to support and train Syrian refugees on newer technologies and practices; this can also be achieved through joint training programs with vocation schools and universities.

- Ensure that women have access to livelihoods and education opportunities (such as psychosocial support and vocational training programs) through program-level interventions that integrate a gender mainstreaming approach. Programming should be made more accessible to women through providing flexible programming that accommodates their work schedules or by providing childcare. Protection for women can be enhanced by providing transportation to and from training programs.

- Monitor child labor and refer cases to relevant organizations as well as work towards reducing child labor by improving children's access to education through initiatives such as cash-for-education programs.

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Refugee Research and Policy Program

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