

# Competing security and humanitarian imperatives in the Berm

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**Approximately 60,000 Syrians are trapped in 'the Berm', a desolate area on the Syria-Jordan border. When security concerns are prioritised over humanitarian needs, and aid agencies turn to militant groups to deliver aid, the consequences can be deplorable.**

When the Government of Jordan severely restricted entry through its border with Syria at Rabaa' al-Sarhan in October 2014, 5,000 internally displaced Syrians were turned away. They established temporary shelters within 200 metres of Jordan, and in doing so they planted a seed in the desert that has grown into two informal tented settlements: Rukban, with 60,000 inhabitants, and Hadalat, with 1,000.

Separated from Jordan by a rocky barrier of sand – known as a 'berm' – these settlements have suffered from internal instability, insufficient access to food, water and non-food aid, pervasive health

problems, and regular attacks by both the Free Syrian Army (FSA) and Syrian Arab Armed Forces (SAAF). The vulnerability of the inhabitants of what is now known as the Berm has been perpetuated by Jordan's continuing border closure and restrictions on humanitarian access citing security concerns. Several aid agencies have cooperated with Jordan's restrictions (including on public communications in relation to the Berm) in order to secure limited access to the settlements but this has only served to prolong conditions of vulnerability and create a norm of secrecy that has in turn prevented a candid analysis

of the costs and benefits of Jordan's closed border policy. The situation is complex, and this article is not intended to be accusatory but rather to present information that will allow more balanced cost-benefit analysis of the border closure policy. Security goals and humanitarianism do not need to be in competition but without accurate information policymakers can misperceive or misrepresent these interests as mutually exclusive.

### Dodging the humanitarian imperative

While Jordan overtly attributed the border closings to security concerns about terrorists among the refugee population, an unspoken motivation was the growing sense of the country's incapacity to support the growing population of 600,000 Syrian refugees (7% of Jordan's total population) which was putting stress on Jordan's economy, services and infrastructures.

In addition to citing security concerns, Jordan, with support from its international backers, avoided international legal responsibility by stating that those people fleeing the conflict who were now sheltering in the border area 'grey zone' were in fact internally displaced persons (IDPs), situated away from Jordanian territory in 'no man's land', flexibly interpreting the Sykes-Picot boundaries established in 1916.<sup>1</sup> Domestically, Jordan had its own interpretation of certain aspects of national laws and the Arab Charter on Human Rights (Jordan has not fully ratified the 1951 UN Refugee Convention nor its Protocol) to authorise both *refoulement* of Syrians from Jordan to the Berm and to prevent the crossing of vulnerable Syrians.

These actions have directly threatened Berm inhabitants' right to life. Temporary shelters are mostly improvised tents, three metres by three metres, constructed of disintegrating materials and occupied by three to ten people. Dusty conditions with limited food, water, medical care and hygiene facilities have resulted in a high prevalence of communicable diseases, malnutrition, and child and maternal deaths.

With restricted access, aid agencies have developed creative ways to deliver relief across the border, including airdrops and

the use of cranes to drop supplies into the Berm, where children with donkey carts then distribute resources throughout Rukban. UNHCR, the UN Refugee Agency, and UNICEF, the UN Children's Fund, have also airlifted Syrian volunteers into Jordan for training in community health and refugee law, and then returned them to the Berm to conduct medical evaluations, polio vaccinations, documentation gathering and shelter repairs.

Only a small minority of Berm residents can cross into Jordan, either for emergency treatment or for settlement in the Azraq refugee camp some 300km away. On average only three Berm families per week are allowed through the Bustana or Ruwayshid Transit Centres for settlement in Jordan. And, citing security concerns, of these few allowed into Azraq, only a quarter are settled with the camp's general population; most are confined to Villages 2 and 5 where they have severely restricted access to the outside world.



UN agencies deliver relief to Syrians stranded at Syria-Jordan border, August 2016.

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### Trade-offs for access

Aid organisations have attempted to circumvent restrictions to the Berm by utilising Jordanian Armed Forces (JAF)-approved contractors such as World Vision, Jordan Health Aid Society International and the First Technical Support Company. With insufficient JAF-approved contractors, aid agencies have also employed paramilitary actors in southern Syria, including the militia (known as the Badia Army) of Rakan Khdeir, a Syrian businessman turned militant who has provided cross-border aid distribution under the auspices of Al Badia Logistics Services.<sup>2</sup> Khdeir's militia may have been instrumental to service implementation but it has also been criticised for rerouting aid to his militia and favouring individuals within his social network.

Coordination with militant actors like Khdeir prompts debate about short-term humanitarian access versus long-term stability. While paramilitary groups have allowed aid to reach the settlement,

these deals also allow misallocation of humanitarian supplies, and expose civilians to military targeting. In December 2016, Khdeir's World Vision-sponsored supply warehouse at Rukban was the target of an attack that destroyed non-food aid and killed a Badia Army soldier. In January 2017, another attack targeted a relief supply warehouse in Rukban controlled by Jeesh Ahrar al-Asha'r militia (Army of the Free Tribes, AFT), killing four in the surrounding market. In response, Jordan restricted travel to 10km from the border and further limited access by aid workers.

The story of the Berm is thus a cautionary tale of the complicated trade-offs when humanitarian agencies rely on militant actors for access to vulnerable civilian populations. At the time of writing, major humanitarian agencies have been discussing strategies for expanding aid and development provision to southern Syria as ceasefire agreements emerge; lessons from Rukban should be considered before following through with plans to utilise paramilitary groups for logistical support and security along roadways in order to access IDPs.<sup>3</sup>

### Governance within Rukban

As the settlements grew, gangs of young men proliferated, committing crimes such as theft, sometimes violently. The Berm's tribal elders have nevertheless worked towards more effective governance. In June 2016, the Tribal Council of Palmyra and the Syrian Badia (TCPSB) was founded, relying on 'soft' power – heritage, customs, a tradition for generosity, *wasta* (social capital) and the reputation of its leaders for fairness – to moderate disputes, allocate resources, manage medical services, oversee construction projects and conduct outreach. Two central aims of the Council were, first, to unify the disparate tribes in the settlement under a civilian governing authority and, second, to provide mentorship for young Berm inhabitants, promoting "the values of citizenship, human rights, and dignity" rather than allowing "youth ... to simply fuel the war".<sup>4</sup>

As the TCPSB consolidated its authority, it ousted leaders of the AFT from Rukban,



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restricted vehicle movement to reduce the risk of vehicle-borne improvised explosive devices, regulated the carrying of weapons inside the settlement, and established TCPSB police checkpoints. Judicial authority was revoked from FSA factions, ceasing arbitrary arrests and shifting legal power to a civilian Judicial Council and newly drafted internal laws. Despite these achievements, the temporary nature of the settlements means that governance remains largely informal, and the TCPSB must continuously reassert its authority over regional militant groups' coercive power.

### Security versus humanitarianism?

JAF restrictions on access to the Berm have also limited the availability of information, thereby preventing informed advocacy, needs assessments and policy development. Fundamental data like the number of families in the Berm are not accurately known. The UN's Institute for Training and Research relies largely on self-reporting and satellite data to estimate population, and claims a significant but undefined number of fraudulent registrations by families in the Berm. According to one aid agency employee, there are also disagreements between aid agencies and Jordan's Ministry of Planning and International Cooperation on how much aid has actually flowed in. Despite these problems, academics, advocates and journalists have stayed fixated on Jordan's overly researched but more easily accessed Za'atari camp while largely ignoring the more pressing concerns of the less accessible Berm.<sup>5</sup> The moral responsibility of researchers to rigorously project voices of the most vulnerable has been unfulfilled.

Data about the security risk posed by the Berm's population are also limited, resulting in security policy based on conjecture, not evidence. In September 2016 Alice Wells, the then United States Ambassador to Jordan, issued a statement downplaying the needs of those in the Berm and offering an unsubstantiated argument for keeping the border closed, claiming the settlement included "legitimate asylum seekers, those wanting to remain in Syria but seeking

a safe haven from aerial bombardment, traffickers, smugglers, armed groups, and as Jordan knows well – terrorists".<sup>6</sup> The vulnerability of those living in the Berm was perpetuated by this stance. In the same month as Wells' statement, Russian aircraft bombed the camp, killing a leader of the TCPSB. The following month, two children died in Rukban from lack of medical care. Their deaths prompted a meeting on the Jordanian border between the TCPSB, JAF and aid agencies but no resolutions on access or re-opening the border were settled.

There is an ongoing debate about transferring 45,000 of the Berm's inhabitants to Jordan's Azraq refugee camp but for now Jordan's security concerns keep these IDPs at the border, trumping the humanitarian imperative of providing durable protection. Any changes to this policy will inevitably come not from Jordan but from external pressure by international actors, particularly large foreign development donors. There is little evidence of the benefit to Jordan of continuing to hold the Berm's inhabitants in a no man's land. As strategising for expanded aid delivery to southern Syria moves forward, the Berm's lessons should also give aid organisations pause for thought when developing plans to utilise militant groups in order to access Syrian IDPs.

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1. In practice the border was fairly fluid until about 2014.
2. Williams S (2017) 'World Vision rattles aid groups with solo operation for Syrians at Jordan border', *IRIN* <http://bit.ly/IRIN-20170124-aid-groups>
3. ATHA (2015) 'Perspectives on Access: Engaging with Non-State Armed Groups', *Harvard Humanitarian Initiative* podcast <http://bit.ly/ATHA-HHI-perspectives-2015>  
See also *Forced Migration Review* issue 37 on 'Armed non-state actors and displacement' [www.fmreview.org/non-state](http://www.fmreview.org/non-state)
4. Interview with TCPSB spokesman.
5. Jacobsen K and Landau L (2003) 'The Dual Imperative in Refugee Research: Some Methodological and Ethical Considerations in Social Science Research on Forced Migration', *Disasters* <http://bit.ly/Disasters-2003-Jacobsen-Landau>
6. <http://bit.ly/Wells-20160918>