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Policy pointers

UNHCR and the government of Jordan must jointly address the challenges related to documentation that refugees in Jordan face when trying to undertake everyday transactions.

Donors and humanitarian organisations must work with the government of Jordan to harness the capacities and potential of refugees.

Humanitarian organisations must engage refugees in determining their needs and designing humanitarian responses.

UNHCR, the government of Jordan, and other host country governments must coordinate to find solutions that grant refugees long-term stability.

Refugees in Jordan: a data-driven approach for change

Jordan hosts a huge number of refugees. Many have been living in Jordan for decades but still struggle to create fulfilling lives. This briefing reports on a project that supported refugee communities to generate data about the challenges they face and to agree their priorities for creating better futures. Refugees identified a complex web of restrictions relating to their legal status and requirements for personal identification as a significant obstacle to leading full lives. They called for humanitarian organisations and Jordan's government to offer more opportunities for refugees, so that then can use their skills to contribute to the country's economy. They also called for agencies and government to engage more fully with refugee communities in planning for refugees, and to provide paths towards long-term residency security that allows them to build new lives.

Jordan has a long history of welcoming and hosting refugees. Today, Jordan hosts the second-highest number of refugees per capita in the world. More than 740,000 refugees are registered with the United Nations High Commission for Refugees (UNHCR), 85% of whom have been in Jordan for 10 years or more.¹ Humanitarian programming has expanded since Syrian refugees began arriving in 2012. However, there is a disconnect between the protracted displacement situation and the continued camp-centric emergency relief approach employed by humanitarians.² Humanitarian aid is not responding adequately to the long-term needs of refugees. Humanitarian responses have been criticised for creating a hierarchy of support based on national origin rather than status or protection needs.³

Refugees are left to navigate insecure humanitarian funding day to day. This struggle

is exacerbated by documentation challenges and the stratified system of work permits, which grants differential access to the labour market, while remaining restrictive for all. This prevents refugees from realising their potential and leading full, dignified lives.

As part of the research project 'Data Justice for Refugees', IIED and partners supported researchers from refugee communities in Jordan to identify their communities' priorities and advocacy goals. Initial scoping included a literature review and interviews with refugee-led organisations. Following this, the team conducted six workshops with refugees from various countries of origin and of different ages, genders, and economic, social and disabled statuses. The project team invited participants to map the challenges they face, both as different groups and as a collective, on to pyramids. Three sides were used to map

group-specific challenges and the fourth for collective challenges. From this, the research team identified four advocacy and policy priorities, which they then took to a community feedback session.

“Humanitarian organisations must see and hear us”

More than 50 representatives from different refugee groups attended the event, during which they refined the collective priorities in a participatory manner. The result is a set of advocacy and policy priorities, identified by and

with refugee communities, that could pave the way for change that enables refugees to achieve wellbeing and self-reliance.

Priorities agreed by participants

1. UNHCR and the government of Jordan must jointly address the documentation challenges faced by refugees and asylum seekers trying to undertake everyday transactions.

Legal status, registration and personal identification are critical issues for refugees in Jordan. Recognition of refugee status is limited to the documents issued by the UNHCR, which are ratified by the government.⁴ However, these documents are not recognised as valid forms of identification in Jordan.

As a result, refugees face significant challenges in dealing with administrative systems and procedures due to personal identification requirements. Notably, ID requirements for refugees hinder banking transactions, including claiming wages, sending and receiving remittances, and opening bank accounts. The requirement for a current, valid passport from a country of origin for processing such transactions poses a protection risk to some refugees — for example, those wanted for military service or not wanting to disclose their locations to regimes they oppose. It is also a financial burden (costs per passport renewal can reach US\$350).

The lack of a unified and recognised ID for Jordan's refugees also leads to disparities in access to health services, education, legal representation and employment.

For most refugee communities in Jordan, seeking work legally requires to nullify their refugee status with UNHCR. This inability to hold a work permit and UNHCR refugee documentation at the same time makes refugees susceptible to exploitation and extortion in the labour market, and puts them at risk of detention and deportation if they are caught working without a work permit.

UNHCR and the government of Jordan must adopt a unified ID that replaces the requirement for valid passports, grants refugees equal and equitable access to services they are entitled to, and enables them to work legally.

2. Donors and humanitarian organisations must work with the Government of Jordan to harness the capacities and potential of refugees.

Refugees possess untapped potential, skills, and competencies. Effectively harnessed, these will benefit refugee livelihoods and contribute to Jordan's economy.

The refugee is not a weak, ignorant person who is a recipient of aid, but rather a person who fled persecution in his country and has skills, capabilities and energies that make him distinctive and very useful if the appropriate conditions are provided.

—30-year-old Syrian refugee

The current work permit system stops refugees from working in jobs that match their experience and qualifications. Some refugees are allowed to work in limited sectors such as agriculture, construction, services and industry. However, even in these sectors there are few pathways for refugees to address grievances (including withheld wages) or enforce labour laws. The inability of refugees with qualifications to enter the formal labour market leads to career dispersion and wasted opportunities to invest and grow skillsets.

The voluntary work scheme championed by international NGOs is part of the problem. It sidesteps work permit restrictions and allows participating organisations to benefit from refugee labour. However, for refugees, these ‘opportunities’ are akin to full-time jobs, with responsibilities but none of the privileges. Pay, which is essentially payment in lieu of transport, is less than the minimum wage and there is no transition to sustainable employment.

Training and capacity-building programmes run by humanitarian organisations must adopt a more inclusive approach. Restrictions based on age, gender, and country of origin leave many refugees out and make assumptions about who is most suited to what kind of work.

The lack of a supportive work environment is wasting refugee potential and preventing refugees from investing their skills towards achieving self-reliance. There is a need to expand the sectors available for refugees to work in, to provide other pathways to recognise their skills and competencies, to

ensure job security, and to successfully plan for the economic integration of refugees in protracted displacement.

3. Humanitarian organisations must engage with refugees in determining their needs and designing humanitarian responses. Refugees in Jordan live in protracted situations, but humanitarian programming has not shifted since the different communities' arrivals. It is becoming increasingly necessary for humanitarian organisations to reconsider the structure of their response. A new and innovative approach is needed that engages refugees in meaningful (not just tokenistic) ways.

The lack of representation and engagement with refugee communities is resulting in the repetition of programme delivery (similar skills-building workshops being provided over and over again without any further development opportunities) and giving priority to projects that may not be consistent with the actual and changing needs of refugees in protracted situations. The current approach does not meet refugees' aspirations and makes them feel marginalised and excluded, despite the significant amount of aid provided and large number of projects implemented.

Donor agencies and humanitarian organisations should consider the positive impacts of proactively engaging with refugees in co-designing programming. A real opportunity exists if refugees are approached as partners with decision-making capacity. Refugees have lived experience of the challenges and are best placed to

co-design new programming to support refugees' aspirations.

Humanitarian organisations must see us and hear us.

—28-year-old Eritrean refugee

Furthermore, refugee-led initiatives, which emerge out of the convening capacities of refugee communities, can have an important role in filling gaps in the work of international organisations.

4. UNHCR, the government of Jordan, and other host country governments must coordinate to find solutions that grant refugees long-term stability. Jordan is not a signatory to the 1951 Refugee Convention, but did sign a Memorandum of Understanding (MoU) with the UNHCR in 1998 agreeing to the definition of a refugee as per the 1951 Convention and adopting the principle of non-refoulement. However, this has not prevented the failure of protection mandates.⁵

The 1998 MoU describes the presence of refugees as a 'temporary residence'.⁶ It allows them to stay for up to six months, during which a permanent solution should be found through UNHCR, limited only to resettlement or voluntary return to their home country. In 2014, this period was extended to one year. However, in reality, refugee communities have been living in Jordan for decades, in a state of legal and protection limbo, and are still waiting for resolution of their status.

The procedures for resettlement by UNHCR are unclear. This leaves refugees in a state of



Photo: Refugees map their challenges on a four-sided pyramid. Credit: The Data Justice for Refugees project team.

uncertainty, negatively affecting their psychological and social stability. There is an urgent need for a clear and transparent resettlement process; decisions must be speeded up, and refugees must be able to receive periodic updates on their applications.

In addition, the absence of a specific law for asylum in Jordan raises many legal and practical challenges. The Jordanian constitution protects political refugees from extradition under Article 21(i). Due to the absence of a national asylum law, refugees are subject to the Residence and Foreigners Affairs Law No. 24/1973. This law does not consider the specificity of refugees and does not distinguish between refugees and non-refugees.

Instead, refugees are legally treated as 'foreigners'. This not only prevents them from establishing long-term futures in Jordan but also means they are subject to a daily tax of 1.5 Jordanian dinar (US\$2.11). Refugees in protracted situations then accumulate large debts to the government, which means they cannot leave Jordan unless via the UNHCR's resettlement schemes — even if they have secured an opportunity through marriage, family reunification or an educational scholarship.

Personally, my family's dues have reached 7,000 dinar [US\$9,860].

—43-year-old Iraqi,
a single mother who has been
in Jordan for two decades

The existing legal framework also restricts refugee mobility. Many refugees cannot travel freely within Jordan nor travel abroad. Travel documents are not currently issued for refugees resident in Jordan, despite the constitution granting this possibility under Article 10 of the Residence and Foreigners Laws.

There is an urgent need to simplify and accelerate the process for refugees to get

long-term residence status. These measures will contribute to UNHCR fulfilling its mandate towards refugees, protecting refugee rights according to the international standards ratified by Jordan, supporting refugees achieve social and economic wellbeing and encouraging their full participation in the societies in which they see themselves settling long term.

Concluding thoughts

The majority of refugee communities in Jordan live in protracted situations. Yet, humanitarian responses and government restrictions continue to mobilise emergency responses to refugee needs. As the evidence generated from this community data project reveals, these responses leave refugees in limbo and do not support them to pursue aspirations, or live full and dignified lives.

Refugee communities should be at the forefront of advocating for different humanitarian and government responses based on their self-identified needs. Humanitarian organisations and international governments should involve refugees in planning their responses to ensure they are supporting refugees where support is most needed, and where it can lead to self-reliance based on long-term aspirations and security. Community data projects are ideally placed to support more participatory and inclusive planning for protracted displacement and ensure refugee voices are front and centre in these responses.

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Notes

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