

REALIZING THE RIGHTS OF ASYLUM
SEEKERS AND REFUGEES IN JORDAN
FROM COUNTRIES OTHER THAN SYRIA
WITH A FOCUS ON YEMENIS AND SUDANESE



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Realizing the rights of asylum seekers and refugees in Jordan from countries other than Syria with a focus on Yemenis and Sudanese

This independent report was commissioned by NRC in order to increase understanding of the needs of refugee groups in Jordan other than Syrians. The views, analysis, conclusions and recommendations contained in the report are those of the authors and do not necessarily reflect NRC views and should not be interpreted or quoted as such.

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Executive Summary

As a first step towards implementing its “one refugee policy,” Norwegian Refugee Council (NRC) Jordan commissioned this study to determine the relevance and feasibility of working to realize the rights of asylum seekers and refugees from countries other than Syria, with primarily data collected from Sudanese and Yemenis.

Of the 751,275 persons of concern (PoC) registered with UNHCR in Jordan, 86,632 (11%) are from countries other than Syria: 66,823 (78.6%) Iraqi, 11,477 (13.5%) Yemeni, 4,211 (5.0%) Sudanese, 819 (1.0%) Somalis, and 1651 (1.9%) from other countries. Most have settled in Amman, where they make up 27 percent of the population of PoC. While the Syrian, Iraqi, and Somali populations are balanced by gender, a much higher proportion of Sudanese, and especially Yemenis, are men of working age. Earlier studies of those PoC who are most vulnerable concluded that those from countries other than Syria may be the most impoverished.

Currently all Iraqis, Sudanese, and Somalis, as well as Yemeni males aged 18-49, require preapproved visas to enter Jordan. Most of them cannot secure annual residency and start accruing overstay fees as soon as their entry visa expires. If they do not pay these overstay fees before leaving Jordan, they are barred from re-entering for 5 years.

Almost all funding for refugee response in Jordan has been directed to Syrians and vulnerable Jordanians through the Jordan Response Plan. Those from countries other than Syria have less access to services and often fewer legal rights. In spite of the limited funding available, UNHCR has continued to provide assistance to non-Syrian refugees, as they are mandated to do. The channels for getting government approval for projects targeting asylum seekers and refugees from countries other than Syria are different than they are for projects targeting Syrian refugees, with approvals going through the Ministry of Social Development or Ministry of Trade and Industry, the relevant line ministry, and then finally the cabinet.

Key findings

Sudanese and Yemeni participants in this study depend on income from both informal work and cash assistance. They work informally doing service delivery, lower-skilled, and manual work. Sudanese and Yemenis do not benefit from the

advocacy and incentives laid out in the Jordan Compact that give Syrians access to work permits. Yemeni asylum seekers and refugees are applying for work permits. However, there are indications that the government does not favour granting work permits to asylum seekers and refugees. Participants in this study believe work permits increase employment opportunities and protect against arrest and deportation. Even though Jordanian law protects most of the work rights of foreigners working informally in Jordan, study participants reported exploitation and difficult conditions at work.

Sudanese participants face difficulties finding housing and, along with Yemenis, move frequently, often because they are unable to pay their rent. A safe neighbourhood and good neighbours are priorities, while housing conditions and overcrowding are challenges. In the worst cases young men of both nationalities are living in dormitory-like arrangements, and Sudanese family members are forced to live separately. Rental agreements are uncommon, evictions are carried out without any formal process, and participants often move when they have a dispute with a property owner.

While government policy requires foreigners to have annual residency to register for school, Sudanese, and to a lesser extent Yemenis, in this study have been able to register with a UNHCR Asylum Seeker Certificate (ASC) instead. According to the participants, the registration process is complex, unclear, changing and leads some children to drop out. While they do not have to pay school fees, participants struggle to cover other education related expenses such as books. Students of both nationalities face bullying, including physical violence that results in injuries, and the bullying is often racialized. Though boys are seen to be most at risk, bullying also happens at girls' schools. Parental involvement may facilitate improvements. In addition, participants seek opportunities for tertiary and nonformal education for children and adults.

Health care is a high priority concern for participants in the study. They complained of limited options for free medical care and difficulties accessing subsidies. The quality of and awareness about the free health care available is poor and inconsistent. Other research indicates that Sudanese and Yemenis spend a higher percentage of their household expenditure on health care compared to Syrians.

Foreigners need residency for most Jordanian civil registration procedures. Sudanese can easily have marriage certificates issued in Sudan. For Yemenis who apply for these through the Yemeni embassy in Jordan, the process is more complicated and expensive. Couples of different foreign nationalities that lack Jordanian residency may not be able to register their marriage at all. Both

Sudanese and Yemenis have been able to obtain birth certificates with an ASC. Requesting documents from their respective embassies can be challenging, especially for Sudanese.

Arrest, detention, and fear of deportation – primarily for men working without a work permit – is a priority concern for participants from both communities, in light of the deportation of 500-800 Sudanese in 2015. Since then, however, registered Sudanese and Yemeni appear to have been protected from deportation. Participants report being victims of crime, violence, and harassment due to generalized neighbourhood violence and hate crimes. Sexual and gender-based violence among community members, but also at work, was raised as a concern. Though participants are willing to call the police and UNHCR for help, they have been dissatisfied with the response. Sudanese and Yemenis speak of the importance of community-based mechanisms for dispute resolution.

According to participants, the particular needs of single males are not viewed as a priority by refugee-serving organizations, leading to frustration. Young females, especially Yemenis, may not be allowed to participate in youth programming until organizations have built trust with their families. Youth seek education and training that will also serve them if they are resettled. Women have unique training and livelihood needs and appear willing to build relations with women of other nationalities.

Participants described how community networks and interpersonal relations within the Sudanese and Yemeni communities provide members with protection and access to resources. As humanitarian aid to refugees in Jordan decreases, this support could become even more important. The Yemeni community seems less close-knit and organized than the Sudanese. However, both communities suffer from tensions and division. Relationships with Jordanians facilitate access to employment, education, services, and a place to live, and are essential for integration. Participants called for more opportunities to interact with Jordanians, raise awareness amongst Jordanians about their countries and situations, and address race relations between Jordanians and their communities.

Finally, participants discussed challenges in relation to accountability to affected populations (AAP). These included disrespectful, even racist, treatment by organizational staff; poor quality of services; lengthy wait times; and unequal access to services. The priorities of participants included:

- Assistance with community organizing;
- Development of respectful relationships with organizations;
- Access to education beyond schooling;

- Access to livelihoods; and
- Improved protection programming.

Yemenis also seek to resolve the problem of overstay fees so they can visit Jordan after returning or being resettled.

Key recommendations

Refugee-serving agencies should expand their services in Amman to include PoC from countries other than Syria. Actions must take into account the declining funding for refugee response in Jordan, the sustainability of programming, the principle of Do No Harm, and AAP. Programming should be tailored to the needs of PoC of different nationalities, strengthen communities' capacity to self-organize, include partnerships with Jordanian NGOs, and prioritize staff welfare and respectful relations with affected populations.

Recommendations include:

- Shelter programming that improves housing quality and secures tenancy, including emergency cash assistance and mediation for renters and property owners.
- Education programming that:
 - Assists with school registration;
 - Ensures eligibility of refugees of all nationalities for subsidies and cash support for education; and
 - Partners with PoC from countries other than Syria to deliver violence prevention programming and mobilize parent-teacher associations.
- Protection programming that assists PoC regardless of nationality, ensuring their rights to international protection and civil documentation.
- Livelihoods and youth programming, targeting young men in particular, that works with employers of non-Jordanians to address labour rights violations and provides Demand Driven Skills Development opportunities linked to pathways to employment.
- Health programming that serves PoC regardless of nationality, closes gaps in health outcomes, and meets the particular mental health and needs of those from countries other than Syria.
- Food security programming that serves PoC regardless of nationality.
- Community development and social inclusion programming that forefronts the contributions of asylum seekers and refugees, builds leadership skills, and connects those within and between communities.
- A one-refugee framework that is nationally sustainable and provides asylum seekers and refugees with a legal status that provides equitable access to rights and services.

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1. Introduction

Since 2012 NRC has worked in Jordan to support Syrian refugees, as well as vulnerable Jordanians, in refugee camps and host communities. In its 2018-2020 strategy, NRC Jordan committed to serving refugees irrespective of their nationality. Of the 751,275 persons of concern (PoC) in Jordan,¹ 86,632 (11%) are from countries other than Syria: 66,823 (78.6%) from Iraq, 11,477 (13.5%) from Yemen, 4,211 (5.0%) from Sudan, 819 (1.0%) from Somalia, and 1651 (1.9%) from other countries.²



Photo credit: Sawiyan

¹ A person of concern is any person whom the United Nations High Commissioner on Refugees (UNHCR), the UN Refugee Agency, considers a refugee, internally displaced person (IDP), asylum-seeker, or stateless person, with some additional persons not fitting these criteria.

² UNHCR, "Statistical Report on Registered Iraqis Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Others (excluding SYR/IRQ/YEM/SOM/SUD) Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Somalis Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Sudanese Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Syrians Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Yemenis Currently Residing in Jordan" (UNHCR, May 31, 2018).

Most of these asylum seekers and refugees from countries other than Syria have resided in Jordan for several years,³ but little is known of their needs and vulnerabilities. A handful of recent studies and advocacy papers highlight the situation of Iraqis and the ‘other’ refugees, including their limited access to services.⁴ There are, to our knowledge, no comprehensive assessments about asylum seekers and refugees of all nationalities residing in Jordan. The few recent assessments that do include refugees of all nationalities often do not disaggregate data by nationality, obfuscating potential differences between these groups.⁵ The situation of Iraqi refugees in Jordan prior to 2014 is well documented,⁶ but UNHCR’s statistics indicate that at least half of the current registered Iraqi population arrived after these assessments were conducted.⁷

³ Somali arrivals peaked in 2012-13; Sudanese in 2013-14; Yemeni from 2013, peaking in 2015; and the ‘new’ Iraqis in 2014.

⁴ Rochelle Davis and Abbie Taylor, *Urban Refugees in Amman, Jordan*, Washington: Institute for the Study of International Migration, 2012, https://isim.georgetown.edu/sites/isim/files/files/upload/Amman_27NOV_pages.pdf; Rochelle Davis, Abbie Taylor, Will Todman and Emma Murphy, “Sudanese and Somali Refugees in Jordan: Hierarchies of Aid in Protracted Displacement Crises,” *Middle East Report*, 286, Summer (2016), <http://www.merip.org/mer/mer279/sudanese-somali-refugees-jordan>; ARDD-Legal Aid, “Putting Needs over Nationality. Meeting the Needs of Somali and Sudanese Refugees During the Syrian Crisis” (Briefing paper, ARDD-Legal Aid, 2015), https://ardd-jo.org/sites/default/files/resource-files/ardd-la_-_putting_needs_over_nationality.pdf; ARDD, “Hidden Guests: Yemeni Exiles in Jordan” (ARDD, 2016), 3, https://ardd-jo.org/sites/default/files/resource-files/hidden_guests_yemeni_exiles_in_jordan.pdf; Mixed Migration Platform (MMP), “Displaced Minorities Part I: Migration and displacement trends of Somali, Sudanese and Yemeni refugees and other migrants in Jordan,” *MMP Feature Article*, April (2017), <https://reliefweb.int/report/jordan/displaced-minorities-part-i-migration-and-displacement-trends-somali-sudanese-and-yemeni-refugees-and-other-migrants-in-jordan>; MMP, “Displaced Minorities Part II: Experiences and needs of Somali, Sudanese and Yemeni refugees and other migrants in Jordan,” *MMP Feature Article*, April (2017), <https://reliefweb.int/report/jordan/displaced-minorities-part-ii-experiences-and-needs-somali-sudanese-and-yemeni-refugees-and-other-migrants-in-jordan>; Mennonite Central Committee (MCC), *On the Basis of Nationality: Access to Assistance for Iraqi and Other Asylum-seekers and Refugees in Jordan* (MCC, 2017), <https://reliefweb.int/sites/reliefweb.int/files/resources/On%20the%20Basis%20of%20Nationality.pdf>.

⁵ CARE International, *7 Years in Exile: How Urban Syrian Refugees, Vulnerable Jordanians and Other Refugees in Jordan Are Being Impacted by the Syria Crisis*, (Care International, 2017), <https://reliefweb.int/sites/reliefweb.int/files/resources/2017%20CARE%20Jordan%20Syrian%20refugees%20Summary%20final%20web%20%28revised%29%2016062017.pdf>; Alexis Boncenne, Gabriele Erba, Anna John and Suhaib Khan, *My needs, our future* (UNICEF, 2018), https://www.unicef.org/jordan/UNICEF_Hajati_Baseline_Report_Final_3.2018.pdf. Further, as this report was being finalized, WFP is getting ready to release an assessment of refugees in Jordan from countries other than Syria that disaggregates data by nationality.

⁶ CARE International, *Vulnerability Assessment of Iraqi Refugees in Jordan: 10 Years in Limbo*, (CARE International, 2013); Geraldine Chatelard, Oroub El-Abed, and Kate Washington, *Protection, Mobility and Livelihood Challenges of Displaced Iraqis in Urban Settings in Jordan* (Geneva: ICMC, 2009), https://reliefweb.int/sites/reliefweb.int/files/resources/751268C72BA0BCD0492575EE0018E0D8-Full_Report.pdf; Geraldine Chatelard, “Iraqi Forced Migrants in Jordan: Conditions, Religious Networks and the Smuggling Process,” *WIDER Working Paper* 34 (2003), <https://www.wider.unu.edu/publication/iraqi-forced-migrants-jordan>; Geraldine Chatelard and Kamel Dorai, “Iraqis in Syria and Jordan: Entry and Reception Regimes and Their Effects on Migratory Patterns,” (Paper presented at “Future of Iraq: Social, Economic and Political Issues in Question,” Japan Center for Middle Eastern Studies, Beirut, 2010).

⁷ UNHCR, “Statistical Report on Registered Iraqis.”

The current humanitarian framework in Jordan has been developed to respond almost exclusively to the Syrian refugee crisis. Donors and the government alike have worked to ensure that the basic needs of this large and vulnerable population are met. However, current initiatives have largely overlooked those fleeing other countries, and UNHCR's annual appeal for Iraqis and those of other nationalities is chronically underfunded. Whilst the Jordanian government has sought to rectify inequities by requiring that support is also provided to comparably vulnerable Jordanians, there is no powerful advocate for non-Syrians who have sought sanctuary in Jordan.

As a first step towards implementing its "one refugee policy," NRC commissioned this study to determine the relevance and feasibility of realizing the rights of asylum seekers and refugees in Jordan from countries other than Syria. This study collected primary data on Yemenis and Sudanese only.⁸ However, this report does include secondary data on Iraqis and Somalis, as well as the results of consultations with organizations serving these nationalities.

The specific objectives for this study are:

- To improve understanding of how asylum seekers and refugees in Amman⁹ from Yemen and Sudan are realizing their rights;
- To map key policies, services, and actors (governmental and non-governmental) addressing the rights of asylum seekers and refugees from countries other than Syria;
- To determine the scope to address the rights of asylum seekers and refugees; and
- To determine the potential added value in engaging with these communities and to suggest priorities, strategies, and entry points.

This report begins by describing the design of the study and its context. It then discusses the legal and policy framework for realizing the rights of asylum seekers and refugees from countries other than Syria. Next it describes the study's findings by sector, including access to:

- Legal and decent employment;
- Adequate housing;

⁸ This was due to: budgetary constraints; the expectation that many of the study's questions about Iraqis have been answered by existing research; Yemenis and Sudanese comprising the largest populations of PoC in Jordan after Syrians and Iraqis; and there being almost no systematic research on the situation of Yemenis, and little on Sudanese. While it was hoped that many questions about the largest of these populations, the Iraqis, would be answered by existing research, the bulk of what is available concerns the 'old' Iraqis, many whom are no longer in Jordan, rather than the 'new' Iraqis who now make up the bulk of the population. If resources become available, it is recommended that this study expand to include Iraqis.

⁹ The geographical focus of the study has been limited to Amman to reflect the concentration of asylum seekers and refugees from countries other than Syria in Amman.

- Education;
- Health;
- Civil documentation; and
- Protection.

This is followed by a discussion of diversity and dynamics within these communities, their inclusion in Jordanian society, and findings relevant to accountability to affected populations (AAP). The report concludes with recommendations for programming by Jordanian NGOs, International NGOs, UNHCR, and WFP.

A. Design of study

The methodology of this study is informed by Appreciative Inquiry (AI), an approach that moves beyond traditional problem-centred methods to a solution-centred approach. AI obliges users to focus on increasing the supply of things they desire rather than confronting errors via conventional problem solving. This means assessing the existing strengths of these communities, as well as the past achievements of government and non-government agencies in realizing the rights of refugee communities in Jordan. By utilizing an appreciative approach, the ways in which organizations could effectively engage with Yemeni and Sudanese refugee communities – and their added value – become clear.

The study began with a desk review of research and policies and preliminary consultations with NRC staff and other key partners. In lieu of key informant interviews (KII) with NGOs and International Organizations working with asylum seekers and refugees from countries other than Syria, the team brought organizational representatives together for a half day workshop. In this workshop, researchers elicited support for the study and collected data through small group work on aid policy, protection, education, and livelihoods, and mapped actors and activities across sectors. Follow-up interviews were conducted with six organizations who could not attend the workshop. NRC staff clarified procedures and questions about project approvals with the Ministry of Planning and International Cooperation (MoPIC). Lack of clarity and inconsistencies in implementing government policies seem to impact these populations' access to rights and services. The researchers decided not to conduct formal interviews with line Ministries that might trigger them to further reduce access.

20 focus group discussions, 10 with Sudanese and 10 with Yemenis, were conducted in Arabic with a total of 164 participants in July and August 2018. An AI-informed, semi-structured protocol that conformed with globally accepted standards for ethical research was employed. Though Sudanese and Yemeni PoC were targeted for recruitment, participants were not asked to disclose or prove their refugee status. Thus, the sample may have included some migrants who have not applied for asylum. Focus groups were spread out in locations where these populations reside and where organizations that serve them operate, namely Jabal Hussein, Jesuit Relief Services (JRS); Jabal alWeibdeh, Sawiyan; Hashmi Shamali, Collateral Repair Project (CRP); and Sahab, Sahab Association for Development.

This sample size provided adequate data to saturate qualitative themes¹⁰ and compare among Yemenis and Sudanese and different population groups: adult females, adult males, female youth (15-24 years old), and male youth (15-24 years old).¹¹ Qualitative data analysis, supported by NVivo data analysis software, was carried out simultaneously with data collection in order to determine whether more data was needed on each topic and whether new questions should be asked to about the themes already uncovered or to uncover new themes.¹² We sometimes quote participants to illustrate these themes. Unless noted, the themes included in the report are those that were saturated, which in this study meant that they arose from at least a third of focus group discussions conducted.

Members of the research team have been providing services to and conducting research with refugees in Jordan, especially Sudanese, for some years and have strong relationships in the communities being researched.¹³ This provided the opportunity to incorporate ethnographic observations about the Yemeni and Sudanese refugee communities and about the humanitarian community delivering services to those communities. Further it enabled the team to verify many of the findings with community members.

¹⁰ The point in analysis where the researcher sees similar instances in their data over and over again and can be confident that sampling more data will not lead to more information related to the research questions. See: Clive Seale, "Grounding Theory," in *The Quality of Qualitative Research*, ed. Clive Seale (London: SAGE Publications Ltd, 1999): 87–105.

¹¹ Recruitment of focus group participants was theoretically-driven, aiming for diversity within the population groups targeted, and was facilitated by community members and community partners currently working with these communities. Other forms of diversity included time since displacement, asylum status, employment status, neighbourhood, poverty and class, disability, and family composition.

¹² Research assistants took verbatim notes in Arabic that were translated into English for analysis.

¹³ One member of the research team is co-founder of Sawiyan, a Jordanian NGO that works in solidarity with asylum seekers and refugees from countries other than Syria, especially Sudanese. The other two members of the research team sit on Sawiyan's board of advisors.

There are limitations to using a purely qualitative methodology. Based on our findings we cannot draw conclusions about the extent of a phenomena (e.g. how many people in the population are affected). Related to this, the findings are biased in favour of the participant's perceptions of what is important, and this is not necessarily the same as what affects the largest number of people or what has the most severe impact on individuals. Additionally, given the use of focus group discussions, the researchers intentionally avoided discussions on very sensitive topics (e.g. illegal behaviour, personal trauma) and expect that participants themselves withheld sensitive information.

B. Context

With the Syria crisis well into its eighth year, hundreds of thousands of Syrians in Jordan continue to live in poverty, struggling to make ends meet. Humanitarian aid is dwindling, and livelihood opportunities remain largely restricted to low-paid sectors.¹⁴ At the same time 86,632 individuals from countries other than Syria are also seeking refuge in Jordan: 66,823 (78.6%) of these are Iraqi, 11,477 (13.5%) Yemeni, 4,211 (5.0%) Sudanese, 819 (1.0%) Somali, and 1651 (1.9%) from other countries.¹⁵

Origins and arrivals

Unlike Syrian refugees, and with the exception of the 'old' Iraqis who arrived in the 2000s, asylum seekers from other countries mostly arrive by air. The vast majority reported entering Jordan legally or being born in-country.¹⁶ Some refugees may have transited and stayed for prolonged periods in other countries en route or been smuggled during an earlier leg of their journey, but "overland or overseas smuggling operations directly into Jordan are understood to be limited."¹⁷ Refugee-serving organizations participating in the study reported that

¹⁴ ILO, *Work Permits and Employment of Syrian Refugees in Jordan* (ILO, 2017), https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_559151.pdf.

¹⁵ UNHCR, "Statistical Report on Registered Iraqis Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Others (excluding SYR/IRQ/YEM/SOM/SUD) Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Somalis Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Sudanese Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Syrians Currently Residing in Jordan" (UNHCR, May 31, 2018); UNHCR, "Statistical Report on Registered Yemenis Currently Residing in Jordan" (UNHCR, May 31, 2018).

¹⁶ UNHCR, "Statistical Report on Registered Iraqis"; UNHCR, "Statistical Report on Registered Others"; UNHCR, "Statistical Report on Registered Somalis"; UNHCR, "Statistical Report on Registered Sudanese"; UNHCR, "Statistical Report on Registered Syrians"; UNHCR, "Statistical Report on Registered Yemenis."

¹⁷ MMP *Displaced Minorities Part II*, 2.

Iraqis, Sudanese, and Yemenis often arrive in Jordan on medical visas¹⁸ and that some Sudanese travel under different names or with forged documents. This can make subsequent documentation procedures more complicated and puts asylum seekers at risk of criminal prosecution. Asylum seekers from countries other than Syria may choose Jordan over other destinations due to ease of entry, proximity, linguistic and cultural similarities, and history of labour migration to Jordan. Also, Sudanese study participants perceived third-country resettlement by UNHCR to be easier through Jordan than through Kenya, Uganda, or Egypt.

Iraqis

Around half of the registered Iraqi PoC originate from the Baghdad area,¹⁹ and many of these are likely amongst the 'old' Iraqis who fled sectarian violence after the fall of the Baathist regime.²⁰ 2014 saw a steep increase in Iraqis seeking refuge in Jordan,²¹ many of them Christian minorities fleeing persecution by the Islamic State and affiliated groups in the northern areas of Iraq (Anbar, Ninewa).²²

Yemenis

Likewise, the number of Yemeni PoC has increased dramatically since 2014, with registration numbers peaking in 2015.²³ UNHCR has suggested that "most of the Yemeni persons of concern are in situ, including those stranded in Jordan after travelling to the Kingdom for work or medical treatment."²⁴ When registering with UNHCR, 80 percent of Yemenis cited generalized violence/unrest as the primary reason for flight; another eight percent cited lack of services and livelihoods.²⁵

Sudanese

30 percent of the Sudanese who are currently registered with UNHCR arrived before 2011, during the height of the civil war in Darfur. There was another increase in arrivals in 2013 and 2014 following the separation of South Sudan, the collapse in the Sudanese economy, the escalation of conflict in the peripheries,

¹⁸ Tighter restrictions were introduced on medical visas in 2015, but then partly eased in February 2017 to reverse the decline in medical tourists.

¹⁹ UNHCR, "Statistical Report on Registered Iraqis."

²⁰ UNHCR, "Registered Iraqis in Jordan," (UNHCR, January 15, 2016).

²¹ UNHCR, "Registered Iraqis in Jordan."

²² UNHCR, "Sharp Increase in Iraqi Refugees Fleeing ISIS into Jordan and Turkey," UNHCR Briefing Note, September 23, 2014, <http://www.unhcr.org/news/briefing/2014/9/54214cfe9/sharp-increase-iraqi-refugees-fleeing-isis-jordan-turkey.html>; Jason Hart and Anna Kvittingen, "Tested at the Margins: the contingent rights of displaced Iraqi children in Jordan," *New Issues in Refugee Research* 272 (2015), <https://www.unhcr.org/research/working/54cf8de29/tested-margins-contingent-rights-displaced-iraqi-children-jordan-jason.html>

²³ UNHCR, "Statistical Report on Registered Yemenis."

²⁴ UNHCR, "Jordan UNHCR Operational Update April 2017" (UNHCR, 2017), p 3, [http://reporting.unhcr.org/sites/default/files/UNHCR Jordan Operational Update - April 2017.pdf](http://reporting.unhcr.org/sites/default/files/UNHCR%20Jordan%20Operational%20Update%20-%20April%202017.pdf)

²⁵ UNHCR, "Statistical Report on Registered Yemenis."

and the government’s crackdown on political opposition (Sudan had its own Arab Spring in 2011 and 2012).²⁶

Demographics²⁷

As the graph at Figure 1 makes clear, the demographic profiles of Sudanese and Yemenis are significantly different from refugees of other nationalities.²⁸ Whereas Syrian, Iraqi, and Somali populations have a balanced gender composition, Yemeni and Sudanese are mostly male.

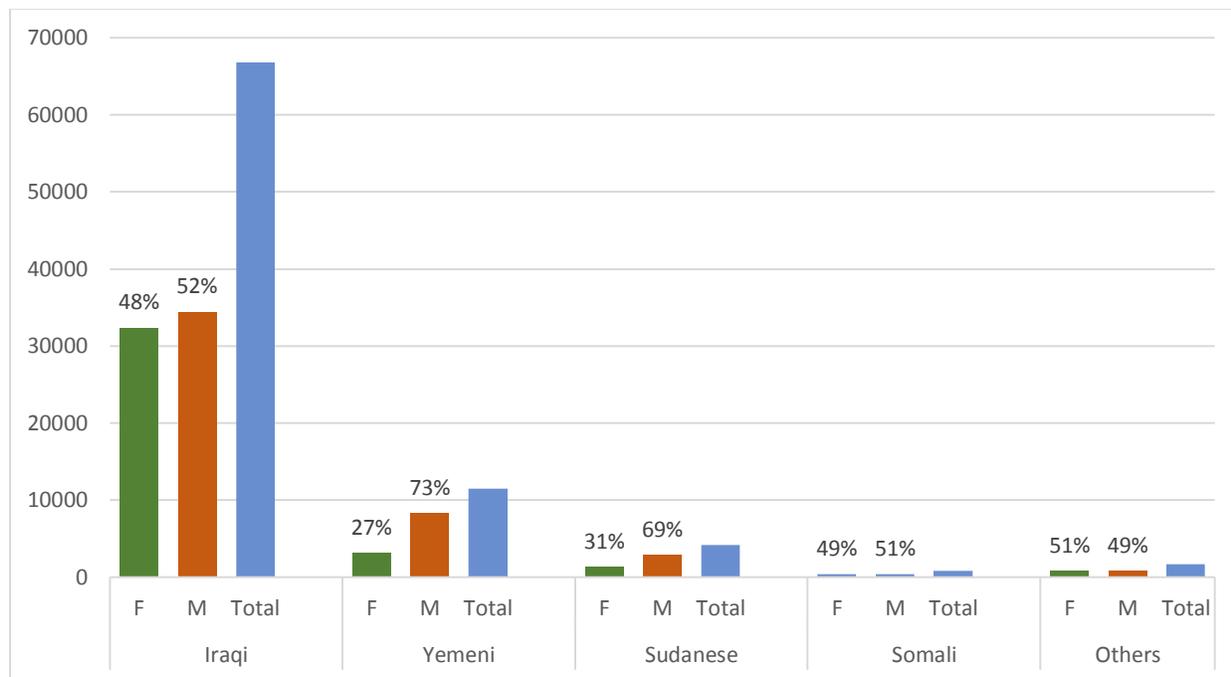


Figure 1. PoC by nationality and gender

As can be seen from Figure 2, a much lower proportion of asylum seekers and refugees from countries other than Syria are children, as compared to the Syrian population of whom 51 percent are under the age of 18. Only 20 percent of Yemenis are under the age of 18, and 46 percent of Yemenis are males aged 18 to 59 years. There is also an unusually large cohort of older Iraqis, with 10 percent of PoC of this nationality aged 60 and older.

²⁶ UNHCR, “Statistical Report on Registered Sudanese.”

²⁷ While UNHCR has data on household composition for these nationalities, it was not shared with the research team.

²⁸ UNHRC, UNHCR, “Statistical Report on Registered Iraqis”; UNHCR, “Statistical Report on Registered Others”; UNHCR, “Statistical Report on Registered Somalis”; UNHCR, “Statistical Report on Registered Sudanese”; UNHCR, “Statistical Report on Registered Syrians”; UNHCR, “Statistical Report on Registered Yemenis.”

Although only a small proportion of the Sudanese population are children, 13 percent of the total population are very young children, a proportion that approaches what is seen among Syrian refugees (16%).



Figure 2. PoC by nationality and age cohort

Geographical distribution

While asylum seekers and refugees from countries other than Syria make up only 12 percent of the total number of PoC nationally, they are a much more substantial minority in Amman (27% of the total population of PoC). The vast majority of Iraqis (88%), Yemenis (75%), Sudanese (85%), and Somalis (97%) reside in Amman. There is also a community of Yemeni in Ma'an (8%).

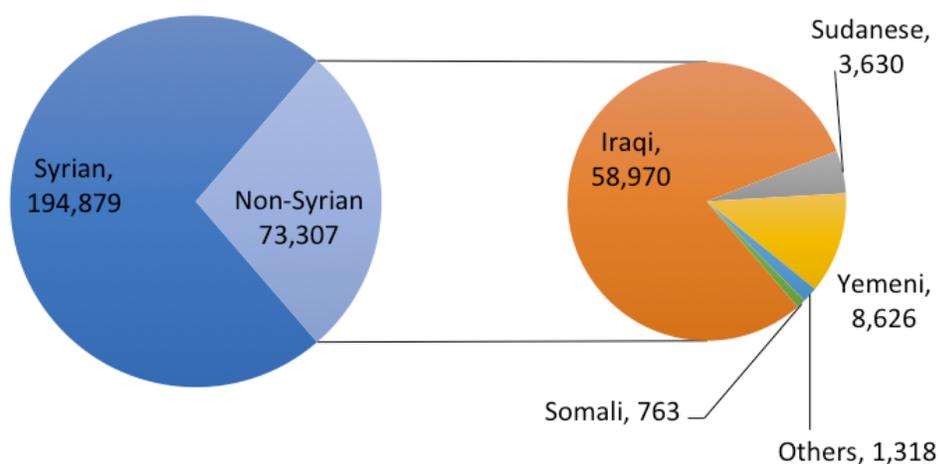


Figure 3. PoC of different nationalities in Amman governorate provided by UNHCR Jordan, August 2018

While the neighbourhood of Amman Qasaba (the central area of Amman) is popular with asylum seekers and refugees from countries other than Syria, Marka and Al-Jami'ah are popular among Iraqis and Yemenis, and Sahab is popular among Sudanese and Yemenis.

Socioeconomic status

Asylum seekers and refugees from countries other than Syria living in Amman face comparable economic challenges to urban Syrians and vulnerable Jordanians. They have expenses that those living in camps do not have, such as rent and utilities. They may also have to pay to access and travel to services. On average, urban refugees of all nationalities spend half or more of their monthly expenditures on rent, contributing to their housing being insecure. To cope, they accrue debt and eat lower quality foods.²⁹

²⁹ CARE International, *7 Years in Exile*, 11.

On average Syrian PoC report lower incomes (233 JD/month) than Iraqi PoC (367 JD/month) and similar incomes to PoC of other nationalities (273 JD/month).³⁰ However, other data suggests that wealthier Iraqis could be skewing this average and masking the vulnerability of Iraqis at the lower end of the socioeconomic spectrum. CARE International's 2017 household survey³¹ of urban areas accounted for this by only including vulnerable households in its sample. Urban Syrian refugee households reported slightly higher average monthly incomes (176 JD per month) than those of other nationalities (169 JD per month). Syrians also reported higher average expenditures (222 JD compared to 204 JD during the previous month) and lower debts (694 JD compared to 1,329). There are other indications that Somalis, Sudanese, and Yemenis are struggling economically. They are more likely than Syrians to lack non-food items (NFIs)³² and are more reliant on negative economic coping mechanisms including high-risk work and begging.³³ Our study also identified coping methods such as late or non-payment of rent and utility bills and reduction in quality and quantity of food. Despite these challenges, some participants still reported sending remittances home where their families may be even less well off.

Preferred durable solutions

According to UNHCR statistics, 5,696 Syrians, 242 Sudanese, 383 Iraqis, 1 Eritrean, and 35 refugees of other nationalities were submitted for resettlement in 2018.³⁴ No Yemeni resettlement submissions are reported, though Yemeni may be included in the "other nationalities." Compared to the total number of PoC, a relatively high proportion of Sudanese were submitted for resettlement.

Yemenis

Regarding preferred durable solutions, four of ten focus groups with Yemenis included participants who wanted to return to Yemen. Some look forward to returning when the security and economic situations improve, while others want to return regardless of the security situation. One female Yemeni participant said, "The situation is really hard here for us and our families [in Jordan]." However, other Yemenis seem amenable to permanently settling in Jordan. "Even if the war will finish in Yemen, we will just stay here; it's not safe to go back. As well, what to go back for? The country is destroyed!" said a male Yemeni participant. Resettlement is also an aspiration, though Yemenis spoke of their chances of being resettled as slim, if not non-existent.

³⁰ MMP, *Displaced Minorities Part II*, 13.

³¹ CARE International, *7 Years in Exile*, 27.

³² MMP, *Displaced Minorities Part II*, 5-6.

³³ CARE International, *7 Years in Exile*, 46-47.

³⁴ UNHCR, "Resettlement Data Finder," (UNHCR, 2019), <https://rsq.unhcr.org/en/#9Ftl>

Sudanese

On the other hand, Sudanese participants prioritized resettlement. No Sudanese participating in this study spoke of wishing to remain in Jordan, despite the fact that some Sudanese men are married to Jordanian women (and women of other nationalities) and have lived in the country for decades. Furthermore, no Sudanese focus group participant spoke about returning to Sudan. However, enquiries made outside of focus groups revealed that some Sudanese, particularly young men, feel negatively about life in Jordan, have given up on resettlement, and are returning or considering returning to Sudan.



Photo credit: Sawiyan

2. Framework Governing Refugees and Asylum Seekers

This section outlines the legal and policy framework for realizing the rights of asylum seekers and refugees in Jordan from countries other than Syria. For the most part, this analysis relies on the veracity of secondary sources and interviews with subject matter experts rather than legislative and policy documents. Where relevant, findings from our primary research report on how these laws and policies are being applied to Yemenis and Sudanese. The section begins with a discussion of entry and legal status, including asylum seeking and refugee status in Jordan, and ends with a discussion of humanitarian aid policy and procedures as they apply to these populations. An explanation of legislation and policies relevant to employment, education, and health care are incorporated into the sections where those findings are discussed.

Entry

Entry requirements for foreigners in Jordan differ by nationality and are decided through bilateral agreements. Currently Iraqis, Sudanese, and Somalis of all ages and genders, as well as Yemeni males aged 18-49 require pre-approved visas to enter Jordan. Approval requires the guarantee of a Jordanian sponsor and is only granted for the purposes of medical treatment, work, study, visiting relatives, or conference and workshop participation.³⁵

Iraqis

Before 2006, Iraqis could enter Jordan without a visa. However, more stringent entry and residency requirements for Iraqis were introduced in the wake of the hotel bombings in Amman in November 2005, which were reportedly carried out by Iraqi nationals.³⁶

Yemenis

Up until 2016, Yemenis could enter Jordan without a visa. Since then, Yemeni males aged 18-49 have been subject to visa and prior approval processes.³⁷ In 2018, entry visas for Yemeni males aged 18-49 were suspended for all reasons except medical treatment. Yemeni females of any age, as well as boys under the age of 18 and men 50 years and older, do not require visas. For Yemenis residing in a third country, the entry requirements for that country applies.

Legal presence and residency

Jordan is not a States party to the 1951 Refugee Convention or its 1967 Protocol, and it has no national legislation pertaining to the status and treatment of refugees. The 1998 MOU between UNHCR and the Government, amended in 2014, outlines the major principles of international protection, the definition of a refugee, and confirms the principle of non-refoulement. It provides the legal basis for the stay of asylum seekers in Jordan pending refugee determination by UNHCR and of mandated refugees for a limited period of time after recognition

³⁵ ARDD, *Recent Development and Main Challenges of Yemeni Refugees Situation in Jordan* (ARDD, 2018), https://ardd-jo.org/sites/default/files/resource-files/recent_development_and_main_challenges_of_yemeni_refugees_situation_in_jordan-_legal_paper_0.pdf

³⁶ Francois De Bel-Air, "State Policies on Migration and Refugees in Jordan," (Paper presented at "Migration and Refugee Movements in the Middle East and North Africa," The American University in Cairo, Cairo, 2007).

³⁷ Prior to December 2015, Yemeni nationals were listed under those nationalities exempted from obtaining residency permits and only needed 'entry permission', not a visa. Khetam Malkawi, "Visa requirements re-imposed on Yemenis," *The Jordan Times*, December 7, 2015, <http://www.jordantimes.com/news/local/visa-requirement-re-imposed-yemenis>; ARDD-Legal Aid, *Information Regarding Yemeni Nationals and Libyan Nationals in Jordan* (ARDD-Legal Aid, 2016), <https://ardd-jo.org/node/727>.

while a durable solution is sought. As there is no possibility of local integration in Jordan, UNHCR must either resettle or assist refugees to voluntarily repatriate.

Unlike the special procedures that have been introduced to regularize Syrians' presence in Jordan, annual residency for Iraqis, Yemenis, Sudanese, and Somalis remain regulated by the standard (and restrictive) conditions of the Law on Residence and Foreigners' Affairs. The regulations are dealt with by the Public Security Directorate (PSD), which falls under the authority of the Ministry of Interior (MOI).³⁸ A foreigner who falls under this legislation can be "legally present" up to three months after arriving in Jordan (one month initially and then for an additional two months if they apply for an extension) and can request a further three-month extension. After this, they are not legally present unless they pay overstay fines and/or receive a one-year residency. Foreigners who are not "legally present" in Jordan can be arrested and legally deported unless they are registered with UNHCR as an asylum seeker or refugee.

The lack of formal legal status under Jordanian law leads to the accrual of fines of 1.5 JD a day for overstaying an entry visa, even for refugees registered with UNHCR and possessing an Asylum Seekers Certificate (ASC). This fine is contrary to the Memorandum of Understanding signed by the Government of Jordan and UNHCR in 1998 which states that "to facilitate voluntary repatriation or resettlement in a third country it was agreed to exempt refugees from overstay and departure fees."³⁹ Those who fail to pay their overstay fees upon leaving, including to be resettled, can be barred from re-entering Jordan for five years. The last financial waiver for overstay fines was in 2011. It remains to be seen how the General Pardon Law ratified in 2019 will apply to overstay fines accrued by refugees.

A one-year residency permit (*iqama*) is generally only issued, at the discretion of the MoI, for studies, work, investment, or marriage to a Jordanian citizen.⁴⁰ Arabs, Iraqis, Yemenis, and Sudanese (but not Somalis) may be eligible for citizenship

³⁸ Dallal Stevens, "Legal Status, Labelling, and Protection: the Case of Iraqi Refugees in Jordan," *International Journal of Refugee Law* 25, no. 1 (2013): 1–38; International Labour Office (ILO), *Migrant domestic and garment workers in Jordan: A baseline analysis of trafficking in persons and related laws and policies*, (Geneva: ILO, 2017), https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_554812.pdf

³⁹ Government of Jordan and UNHCR, "Memorandum of Understanding between the Government of Jordan and UNHCR," (Amman: April 5, 1998). Unfortunately UNHCR is not in a strong position to press for the government to adhere to its commitments under this MoU as UNHCR itself has not kept its commitment to resettle refugees within six months of arriving to Jordan.

⁴⁰ ILO, *Migrant domestic and garment workers in Jordan*.

after residing in Jordan for 15 years, but it is rarely granted in practice.⁴¹ Marriage provides a legal route for female refugees to integrate in Jordan if they so choose: those who marry a Jordanian man are eligible for citizenship after three years if they are Arab and after five years if they are not.

Yemenis

Prior to 2016, Yemenis did not require annual residency. However, our research confirms that residency is being issued to Yemeni asylum seekers and refugees who secure work permits. “My husband has his residency sorted,” said a Yemeni participant. Though the Yemeni participants talk of the changes in visa and residency rules from 2016 being well-communicated by the government, they still resulted in confusion. Those who arrived in Jordan before 2016 complained of not being able to secure extensions. Others complained of having their residency applications rejected. Some Yemeni participants endeavor to maintain a legal stay in Jordan despite being refugees and pay, or save money so that they can afford to pay, their overstay fees. They anticipate returning to Yemen, yet wish to be able to return to Jordan to work or if the situation in Yemen deteriorates again. If they fail to settle their fees when they exit, they will be barred from re-entering Jordan for five years.

Sudanese

Except for the small number who are married to Jordanians or have been working in Jordan for many years, Sudanese participants did not appear to be applying for residency permits.⁴² It is possible Sudanese are unlikely to qualify for and easily obtain a residency permit. University is prohibitively expensive, as are work permits. As will be discussed below, a work permit also requires an employer willing to act as a sponsor.

Asylum seeker and refugee registration

UNHCR initially issues Asylum-Seeker Certificates (ASC) and later may conduct Refugee Status Determination (RSD) for PoC from countries other than Syria who request international protection. UNHCR used to routinely conduct RSD for asylum seekers of all nationalities. In the last couple of years, UNHCR began conducting RSD only for asylum seekers being considered for resettlement.⁴³ This

⁴¹ Human Rights Watch (HRW), “*I Just Want Him to Live Like Other Jordanians*” *Treatment of Non-Citizen Children of Jordanian Mothers*. (HRW, 2018), <https://www.hrw.org/report/2018/04/24/i-just-want-him-live-other-jordanians/treatment-non-citizen-children-jordanian>

⁴² This being said there was discussion in one focus group of Sudanese about how residency either eased or was necessary for school registration.

⁴³ UNHCR, Refugee Status Determination, UN doc. EC/67/SC/CRP.12 (31 May 2016).

means that, as with Syrians, many PoC from countries other than Syria remain asylum seekers and are not formally recognized by UNHCR as refugees.

In the absence of resident or other status under Jordanian law, registration with UNHCR as an asylum seeker or refugee should offer both international protection and access to services. The views of study participants, however, were varied. Some felt that ASC provides fewer rights than refugee status, particularly protection from refoulement. Others did not perceive a difference: “The only difference between asylum seekers and refugees is only that hope of being resettled. Otherwise we are facing the same conditions,” said a male Sudanese participant. The slow pace for RSD, due to capacity constraints within UNHCR, may be a problem for those who have secured private sponsorship, although UNHCR strives to conduct RSD in these cases. Between October 2017 and the commencement of a more strategic use of RSD for possible resettlement, ASC-holders from countries other than Syria were not eligible for UNHCR’s regular cash program. However they continued to benefit from one-off and/or ad hoc disbursements. This led to greater disadvantages; at the time, Syrian refugees deemed eligible under the Vulnerability Assessment Framework (VAF) were being paid monthly cash grants.

Sudanese and Yemeni participants registered with UNHCR to avoid harassment, arrest, and possible deportation by authorities, but they remained concerned that refugee status does not prevent refoulement: “Your UNHCR card does not fully protect you, as happened three years ago with the Sudanese. The [protections provided by the] UNHCR card had been neglected and they [between 500 and 800 individuals] have been deported back to Sudan.” Asylum seekers and refugees from countries other than Syria are not issued MoI service cards or other government-issued identification the way Syrians are. Their ASC serves as a form of official identification that may be requested by the police and other officials. Widespread cynicism among both Yemenis and Sudanese about the reduced likelihood of qualifying for assistance may explain why so few related their status to accessibility of services. “UNHCR cards it’s just for security but not for accessing any other services,” said a male Yemeni participant. Finally, people register in hopes of resettlement.

Our data suggests that many Yemenis are not registering with UNHCR. As of August 2018, ARDD reported that only 41 percent of Yemeni residents in Jordan were registered. One female participant from Yemen reported:

One person has been in Jordan for 5 years, and only learned about the UN two months ago. She is facing a maze in relation to registering with the UN. Sometimes, Yemenis hear from other

people that going and registering with the UN is a waste of time. Sometimes, the title of refugee is problematic and some feel ashamed to have that status.

Participants reported that many of those not registered have work permits and residency in Jordan. Some are wealthy:

Female Yemeni Participant 1: Do all members of the Yemeni register? The ones who have money, do not.

Female Yemeni Participant 2: Yes, they do only so they are not deported. Like politicians and business people [do not]. For example, I did not apply to refugee until the MoI refused to renew my visa. I registered so I am not deported.

It is possible that some very vulnerable Yemenis are missing out on the protection and access to services afforded by asylum seeker and refugee status. Our data suggests, and UNHCR has confirmed, that awareness of the registration system is much higher among Sudanese. However, we do not have data on the overall number of Sudanese currently residing in Jordan to be able to calculate the percentage registered. This could be due to Sudanese's:

- Previous exposure to UNHCR in Sudan and other places;
- Close communities;
- Effective outreach to new arrivals; and
- Longer refugee presence in Jordan.

Among the participants in this study were those who are registered as asylum seekers, those who have been accepted as refugees, and those for whom RSD is pending. While no one self-identified as being excluded or not having registered with UNHCR, participants confirmed that there are those with both types of status in their community. Both a Sudanese and a Yemeni participant claimed their refugee status had been rejected. However, it is possible that the switch to RSD only in cases of possible resettlement has created confusion. Asylum seekers may assume that they have been rejected for refugee status since they are only issued an ASC.

Humanitarian aid policy

In 2013, the international humanitarian community became focused on the refugee crisis created by the war in Syria. The European Union's interest in funding the refugee response in Jordan and other countries was intensified by the

influx of migrants/refugees into Europe. In the midst of this, the Government of Jordan, donors, and UN agencies created the Jordan Response Platform/Plan for the Syria Crisis (JRP). The JRP is a national planning and coordination framework for “a refugee, resilience-strengthening, and development response to the impact of the Syrian crisis on Jordan.”⁴⁴ Donor policies played a large role in exclusively directing the JRP, and thus nearly all funding for refugee response in Jordan, to Syrians and vulnerable Jordanians. The government developed new legislation and policies for coordinating this foreign aid. Managed by the Ministry of Planning and International Cooperation (MoPIC), the policies targeted Syrians rather than all refugees. Since 2015, however, the European Union, through ECHO, has encouraged a “one-refugee” approach that supports “humanitarian interventions targeting all refugees in need of protection and assistance to the same standards and irrespective of their country of origin.”⁴⁵ With declining interest in funding refugee response in Jordan, the future of the JRP is in doubt. It may not be expedient, then, to invest resources in trying to open the JRP to refugees from countries other than Syria. However, other humanitarian aid policy discussions *can* include asylum seekers and refugees from countries other than Syria, particularly in relation to health reform and eligibility for work permits.

Though UN funding appeals for Iraqi and “other” refugees remained in place, funding for asylum seekers and refugees from countries other than Syria all but disappeared. Some national and international organizations that had been working with refugees and vulnerable community members in Jordan prior to the Syria crisis continued their earlier support, primarily to Iraqis. However, shifting donor priorities have resulted in changes in funding and organizational policies. Another factor is the disparity between refugee response in camps and non-camp settings, particularly the urban areas where asylum seekers and refugees from countries other than Syria are concentrated.⁴⁶ In spite of all this, UNHCR continued to provide assistance to non-Syrian refugees, as they are mandated to do.

The funding available for refugee programming in Jordan has already decreased and can be expected to decrease further.⁴⁷ As the number of Syrians decrease, asylum seekers and refugees from countries other than Syria will make up a

⁴⁴ Jordan Ministry of Planning and International Cooperation (MoPIC), *The Jordan Response Plan for the Syria Crisis*, MoPIC, <http://www.jrpsc.org/the-jrpsc/>

⁴⁵ ECHO, “Humanitarian Implementation Plan for the Syria Regional Crisis” (ECHO, 2016), https://reliefweb.int/sites/reliefweb.int/files/resources/SYR_HIP_EN.pdf

⁴⁶ With declining funding for refugee response these disparities may be decreasing.

⁴⁷ UNOCHA, “Jordan,” *Financial tracking service* (UNOCHA, 2019), <https://fts.unocha.org/countries/114/summary/2018>

growing proportion of the refugee population in Jordan, especially if Yemenis and Sudanese continue to arrive.

It is possible the Government of Jordan is concerned about becoming a destination for those in the region seeking asylum and will increasingly pursue policies to discourage this. If so, it may be difficult to change policy to better protect the rights of Sudanese and Yemenis. The future of UNRWA is also in question now that the US has cut much of its funding. These issues, and the return of Syrians, have significant implications for how the Jordanian government, and the whole society, approaches refugees.

Opportunities exist to advance the rights of refugees on questions like work permits, overstay fees, school registration, and deportations, particularly if a tactical and unconventional approach is taken. Bilateral arrangements, policy discretion, and even legal challenges may be able to address some of these issues. With the humanitarian response in Jordan on the wane, it is important to advocate for an improved national legislative and policy framework for refugees from countries other than Syria. Those advocacy plans should also carefully consider whether the low profile of these refugee communities puts them at higher risk or is in fact an asset.

Project approval procedures

Many refugee-serving organizations we spoke with believe that there is no government approval process for NGO projects that target non-Syrian/non-Iraqis. MoPIC, however, communicated that there are different project approval processes for activities that benefit different communities and a lack of awareness (including within MoPIC) about the non-Syrian/non-Iraqi processes. Projects with Syrians and Jordanians are submitted through the Jordan Response Information System for the Syria Crisis (JORISS). According to our understanding, projects with Iraqis and Jordanians are approved through MoPIC and will only be considered if they are in line with a predetermined list of projects prioritized by the government for this population.⁴⁸ Projects with any other population, Jordanians as well as non-Syrians/non-Iraqis, are approved through:

⁴⁸ NGOs need to deliver a cover letter for each project, a donor commitment letter and additional cover letters for any local partners on these projects.

1. The Ministry of Social Development or Ministry of Trade and Industry (depending on the registration of the NGO);
2. The relevant line ministry (i.e. Ministry of Education [MoE] in case of an education project); and
3. The cabinet for final approval.⁴⁹

If the project tackles “sensitive” issues, then the project goes through additional approval with the MoI.⁵⁰

⁴⁹ NGOs need to deliver a cover letter of the lead NGO, donor commitment letter, and project activities and budget.

⁵⁰ Given the deportations in 2015, refugee serving organizations were concerned that working with Sudanese may be deemed “sensitive,” however MoPIC itself did not communicate this concern.



Photo credit: Kaynouna Art Therapy Center

3. Findings by sector primarily concerning Yemenis and Sudanese

This section describes the access Yemenis and Sudanese have to their rights across different sectors. This description is based primarily on focus groups conducted with members of these communities, results from our workshop with refugee-serving organizations, and ethnographic observations.

A. Access to legal work and decent employment

The Sudanese and Yemeni participants felt that having a work permit would both decrease legal risk and increase their job opportunities. While Jordan has a large informal work sector, some employers prefer that their foreign workers have work permits.

Work permits and the rights of foreign workers

Most labour rights provided for in Jordanian law should apply to all workers, including documented foreign workers.⁵¹ However, those working irregularly are unlikely to assert their rights as employees out of fear of being reported. Unlike Syrian refugees, asylum seekers and refugees of other nationalities are not included in the Compact, nor were they extended the right to apply for a work permit in the revised permit structures of the MoL. If they want to apply for a work permit, they are subject to the Law on Residence and Foreigners' Affairs and other labour regulations.

One of the issues uncovered by this research, yet not fully explained, is the question of dual status as refugee and labour migrant. It was reported that there are those from countries other than Syria who came to Jordan as labour migrants, obtained a work permit, and later registered as asylum seekers with UNHCR. Others reportedly came to Jordan seeking asylum, registered first with UNHCR, but now would like to apply for a work permit. According to Ministry of Labour statistics for 2017, the total number of permits issued for Iraqis for that year was 815, Yemenis 3,195, and Sudanese 331.⁵² This data does not tell how many of these individuals (if any) are also registered with UNHCR as asylum seekers or refugees, but it does show a much higher ratio of documented migrant workers to refugees among the Yemenis than among the Sudanese or the Iraqis.

We have not come across legislation or policies prohibiting dual status. However, some Yemenis reported being denied work permits. One participant in our workshop for refugee organizations said that government officials have told Yemeni asylum seekers and refugees that they need to deregister with UNHCR if they want to apply for a work permit. Members of the Sudanese community (outside of a focus group) also reported that a couple of Sudanese refugees have been detained because they applied for work permits. Our findings suggest that protection from deportation is a primary motivation for seeking either status – ideally both – as they provide different types of protection.

Under the Jordanian *kafala* sponsorship system, a migrant worker must have a Jordanian employer to sponsor them for a work permit, among other things. They cannot change employment without explicit written permission from their

⁵¹ Mohamad Al-Mousa and Mohamad Yacoub, *Breaking the silence!! Irregular Migrant Workers in Jordan: between marginalization and integration*, (Tamkeen, 2012), http://tamkeen-jo.org/upload/breaking_the_silence.pdf

⁵² Personal communication, ILO on December 5, 2018 retrieved from Ministry of Labour statistics for 2017.

employer. The ILO has stated that, in combination with other factors, the *kafala* system may be conducive to exacting forced labour from migrant workers.⁵³ Annual work permit fees are 600 JD for domestic work, 275 JD for the garment sector, and 500 JD for other sectors.⁵⁴ Employers who hire workers without a residency permit are subject to fines of between 50 to 75 JD per irregular status worker. Those found working without a permit may be subject to arrest, imprisonment, and deportation.⁵⁵

Income source and levels

Participants from both communities reported income from cash assistance, employment, loans (granted by shopkeepers, employers, and property owners whom they rent from), and remittances. For a few, cash assistance included monthly allowances from UNHCR, with more benefitting from UNHCR's annual winterization payment. Participants also reported receiving sporadic cash assistance from NGOs (e.g. Sahab Centre). Participants also spoke of some NGOs providing meals, particularly during Ramadan, and food coupons (e.g. Collateral Repair Project [CRP], Islamic associations, and churches). Redistribution of income among community members was also mentioned. When compared to Syrians, Yemenis and Sudanese have more diverse income sources.⁵⁶ Participants complained about inadequate cash assistance, but they also expressed a strong desire to be self-sufficient. A female Sudanese participant explained:

We would choose safe work. Even if UN gives assistance, you never know, maybe one day it will expire. Sudanese men and women like to be independent and not to have to ask for any favors or charity.

In the words of a female Yemeni participant, "It hits our dignity to be getting this support to be honest. When people are showing sympathy towards you sometimes it hurts more than it helps."

Employment status and sectors

Many participants, particularly female participants, reported that they themselves and others in their community were out of the labour market or

⁵³ ILO, *Migrant domestic and garment workers in Jordan*.

⁵⁴ Jordanian Ministry of Labour, "Regulation No. 67 Work Permit Fees for Non-Jordanian Workers and its amendments," (2014).

⁵⁵ ILO, *Migrant domestic and garment workers in Jordan*.

⁵⁶ CARE International, *7 Years in Exile*, 46–47.

unemployed. Many others are engaged in informal work, especially day wage labour. This group may include significant numbers who are underemployed (i.e. qualified, experienced workers or professionals) working in low-skill and low-wage jobs. Very few participants spoke of being entrepreneurs or being self-employed. Men were engaged in construction, other manual labour, factory work, and service delivery (cleaning, sales, and restaurants). Women were engaged in education (formal, informal, kindergartens), factory work, and service delivery (beauty, clerical, sales, cleaning, family-owned restaurants, marketing, and tailoring). Due to the methodology used and the wide range of topics that focus groups needed to cover, we lack data on participants' marketable skills.

Aspirations for work permits

Among the employment-related concerns raised by participants, the most discussed was lack of employment opportunities, in particular difficulties securing work permits. In December 2017, 1,891 Sudanese and 2,439 Yemeni had work permits. It is unknown how many of them are registered with UNHCR.⁵⁷ Most Sudanese participants seem to work without work permits (unless they came from Sudan a decade or more ago for work and only recently applied for refugee status in situ). The small number of Sudanese refugees we came across in this research who have both residency and work permits have been in Jordan for years, often decades.

Yemenis aspire to work permits and, to an extent, are able to secure them. The price of paying overstay fees is comparable to the cost associated with securing some types of work permits, and permits may afford access to more and higher-paying jobs.⁵⁸ Other concerns may also override economic concerns. Legal status allows a foreigner to travel out of Jordan and return without having to pay overstay fees (provided they meet visa/entry requirements), something that seems important to Yemenis. A work permit also affords residency, which is being requested from Yemenis to register their children in school. Also, while most Syrians live outside of Amman, the vast majority of Yemenis and Sudanese live in Amman. The perception (we have not come across data that proves this empirically) is that the level of surveillance for illegal workers in Amman is much higher than in other parts of the country.

⁵⁷ United Nations Department of Economic and Social Affairs. "International migrant stock: The 2017 revision," (UN, 2017),

<https://www.un.org/en/development/desa/population/migration/data/estimates2/estimates17.asp>

⁵⁸ At 1.5 JD/day this amounts to almost 550 JD annually. Due to a bilateral agreement between their governments, Syrians in Jordan are not subject to overstay fees.

Also, some participants say a work permit helps one escape from the stress of two competing demands: (1) avoiding arrest and deportation and (2) meeting economic needs. These stresses can be overwhelming. A few participants reported they led to family violence. A couple participants were so distressed about these issues that they requested not to talk about them. “All our psychological issues are because of the financial struggles,” said a male Sudanese participant.

Working conditions

For those who are working, the working conditions are also difficult. Because they work informally, it is extremely difficult for refugees to advocate for their rights under Jordanian law. In nearly every discussion of livelihoods, exploitation was raised, including failure to pay wages either in part or in full. Workers have ended up working for months on end for no pay. Other complaints included:

- Working for long hours;
- Working without days off;
- Receiving no extra pay for working during holidays;
- Having “expenses” unfairly deducted from one’s salary; and
- Doing physically arduous and unsafe work.

One community member communicated that a young Sudanese man was killed in a work-related accident at a construction site where he was working on December 10, 2018. Both Yemenis and Sudanese spoke of feeling humiliated at work. This included being afforded fewer rights and poorer treatment than workers of other nationalities, including Jordanians and Egyptians. Physical violence by employers was also reported, particularly in the context of disputes. Work contracts were only raised in one focus group by Yemenis who stated, “We never signed any contract. [...] We do not think the employers will accept signing contracts.” When asked if they wanted a contract, their answer was ambiguous: “A contract would help. But the problem is often times, we have no legal status or our status here in the country is not in order.”

The working conditions and the type of work considered suitable for women was different than that which was considered suitable for men. Women said that they could not work at night and that they needed child care. Men, rather than women, appeared to be most at risk for arrest and deportation for working illegally.



Photo credit: James L. Brown

B. Access to adequate housing

Difficulties finding and keeping housing

Asylum seekers and refugees in Amman generally rent apartments or rooms in apartments. Yemenis did not report much difficulty finding housing, but some Sudanese reported being discriminated against because of their nationality. Young men in particular face challenges as property owners often prefer to rent to families. Participants from both communities appear to move frequently: three or more times per year. Reasons for moving include inability to pay rent, disputes with property owners or roommates, and poor housing conditions. Moving neighbourhoods as well as moving houses was reported. The former has significant implications for social networks and for children's schooling given the difficulties both Yemenis and Sudanese face enrolling their children in school. Participants also said some in their community were homeless. Coping mechanisms included staying with friends and living on the street.

Rental prices, housing conditions, and sharing practices

Vulnerable refugee households from countries other than Syria report spending 167 JD on average per month for rent and utilities.⁵⁹ Participants said they could not afford the price of rent in Amman for housing of a reasonable standard and big enough for their family. Because of this, some fall behind on rent. This is a major reason why families move so frequently. The high cost of utilities, particularly electricity, was an additional burden. Sharing electricity with others often leads to disputes, unpaid bills, and cancelled electricity.

The rental units participants could afford are usually of very low quality. They often settle for older buildings and those on the basement level where humidity, mold, and poor plumbing are problems. Overcrowding, including dormitory type arrangements and multiple families sharing apartments designed for a single family, was a concern for both Yemenis and Sudanese in nearly every focus group discussion that addressed shelter. Concerns were also raised about the health impacts of these conditions.

Discussions with individual Sudanese outside of the focus groups revealed that they prefer to stay in Amman so that they can follow up with UNHCR about resettlement and to be near other Sudanese. We do not have information on why so many Yemenis stay in Amman. For both communities, living in a safe neighbourhood was an overriding concern, though they could not necessarily afford to live in neighbourhoods that they felt were safe. Having “good neighbours” was another priority, and for Sudanese this meant living near other Sudanese. Bad neighbours made you feel unwelcome, made life difficult, and even threatened you, while good neighbours became friends and provided material support and protection.

Sharing housing with non-relatives, even single males and females living together, denies families and individuals the privacy they need to function normally and contravenes social norms in ways that cause additional stress. “I have been in my veil (full hijab) for the whole six months I have been here,” said a female Yemeni participant. This causes particular anxiety for families with adolescent daughters. An extreme measure taken by a few in the Sudanese community was to split up the family, with male members going to live with other men and female members joining groups of women and children.

⁵⁹ CARE International, *7 Years in Exile*, 46.

Property owner-related issues

A number of participants, especially Yemenis, report positive experiences with property owners or the agents who represent them. They especially appreciate property owners being flexible when they cannot pay their rent on time, but note that it is easier to have a good relationship when they are not late on their rent. Written rental agreements are uncommon. Concerns were raised that having them may require payment of a year's rent in advance. Further, the evictions discussed were not through legal means. There was no mention of eviction notices being served. Property owners forced refugee tenants to leave by threatening to report them to police and by sending intimidating gangs of men.

The greatest grievance that participants report is being exploited by property owners, largely with regard to payment of utility bills. Property owners, with whom we did not speak, would probably identify other issues, including failure to pay rent. Other sources of grievance were only reported by Sudanese and include being told they can't have friends over, having their privacy violated by the property owner, and complaints about burning Sudanese incense.

Participants discussed both self-advocacy and legal advocacy as ways of resolving these disputes, though moving seemed to be a common strategy.



Photo credit: Sawiyar

C. Access to education

Policies governing registration in primary and secondary schools

Registration in primary and secondary school for foreigners is premised on annual residency in Jordan as well as not being out of school for three years or more. While this requirement does not apply to Syrian refugees, it does apply to asylum seekers and refugees from other countries. However, it appears that discretion is being used at the MoE and school level, allowing many non-Syrian refugee children to register with their ASC. While the MoE policy for 2017-2018 stated that all children, regardless of nationality or status, are entitled to enroll in school in Jordan without complete documentation, the policy for 2018-2019 only applies to Syrians.⁶⁰ For the most part, schools appear to accept ASC for Sudanese in lieu of annual residency. Yemenis may be asked to produce proof of residency. Some Yemeni participants claimed that even UNHCR was unable to resolve this issue for them, though other Yemeni participants were able to register after UNHCR

⁶⁰ Prime Minister's Letter to the MoE and the Mol dated Monday 15th October 2018.

intervened. At school-level, participants have been requested to produce other documents including passport entry stamps, educational certificates, birth certificates, and vaccination cards (usually embassy-certified copies). Students have also been requested to sit for placement tests.

The registration process for foreign students is complex, unclear, and changing. Parents need to go back and forth between the school, MoE, Mol, their embassy, and UNHCR to follow their procedures, incurring transport costs as they do so. Even after following these procedures some are told that they cannot enroll because the school is full. They are explicitly told that priority goes to Jordanian students or that people of their nationality cannot enroll in that school. “I was told no place for Yemenis, Somali or Sudanese,” said one female Yemeni participant. Sudanese and Yemenis who have succeeded in registering have persistently and skillfully self-advocated. They have often benefited from the help of those who have been successful with registering their children in the past, but also from supportive school and MoE staff. The participants’ perception was that these difficulties with school registration only arose in the past few years as the numbers of refugees in Jordan have increased and that registration is more difficult in secondary than primary school.

School enrollment

We know that of the school-aged PoC in Jordan from countries other than Syria, 17,520 are Iraqi, 1,486 are Yemenis, 758 are Sudanese, 190 are Somali and 529 are of other nationalities.⁶¹ However, we were unable to find data on school enrollment for Yemenis and Sudanese: UNICEF “Learning for All” campaign data is not disaggregated by nationality. Sudanese community members participating in an ARDD study in September 2017 did provide the research team with data that they collected using snowball sampling of out-of-school Sudanese children in Amman. 188 of the students counted were attending 48 schools, with a median number of 2.5 students per school. They conducted a follow-up survey with these same informants during the first week of October 2018. They found three students aged 11-13 years out of school in Jabal Amman and 20 students aged 6-15 years out of school in Jabal Akhdar, though there certainly could be more in these and other neighbourhoods. While it can be concluded that at least 23 of the 188 school-aged Sudanese children surveyed were out of school at the time, we cannot generalize these results to the entire population of school-aged Sudanese children.

⁶¹ UNHCR, “Statistical Report on Registered Iraqis”; UNHCR, “Statistical Report on Registered Others”; UNHCR, “Statistical Report on Registered Somalis”; UNHCR, “Statistical Report on Registered Sudanese”; UNHCR, “Statistical Report on Registered Yemenis.”

Although the numbers cannot be generalized, Syrian children who are eligible for and enrolled in Hajati cash transfer program are almost twice as likely to be out of school (30%) as those who are Iraqi, Yemenis, Sudanese, or Somali (17%), even though they have all met the same vulnerability criteria.⁶² Possible explanations include: (1) Syrian children in this subpopulation being more vulnerable for any number of reasons or (2) non-Syrian children benefiting from protective factors that promote school enrollment.⁶³

According to the study participants, school-aged children are often out of school due to difficulties registering. The protracted nature of the registration process and the fact that students sometimes wait until the last minute to register means that students miss classes, sometimes for half of the school year, while these problems are resolved.

Socioeconomic barriers

For the 2017-2018 year, school registration for refugees was free. Even the annual 40JD fee paid by Jordanians was waived. Sudanese have reported that for 2018-2019 enrollment for them was also free, though they were told that it was UNHCR that paid the fees. UNHCR confirmed that they pay the school fees of some students. However, our research confirmed that families in these communities still struggle to afford textbooks, school supplies, and transportation if the school is far from a student's home.⁶⁴ It was further reported, especially by Yemenis, that this compromises their learning and, as a female Yemeni youth explained, can be humiliating:

My first year in school, they distributed books to locals in front of us and did not give us any. I cried because of how hurt I was. I was given books when they distributed them, then a teacher said: "oh no, she is Yemeni!" and they took the books away from me. They tell us go to the basement and get used books if you find any.

Participants had received books and school supplies from UNHCR, CRP, and various Islamic associations.

⁶² "The typical household eligible for the Hajati programme has fled war in a neighbouring country (87 per cent), has three school-aged children who are likely (48 per cent) to study with at least a one year delay in their education experience, and have a considerable risk of dropping out before finishing basic education." Boncenne et al., *My needs, our future*, 7.

⁶³ It may also be that work is a stronger pull factor for Syrian boys.

⁶⁴ K. Madanat, *Research on Sudanese and non-Syrian, non-Iraqi refugees living in East Amman*, (Amman: Mixed Migration Platform, 2017), 4-5.

The Hajati program initiated by UNICEF provides targeted grants and other programmatic interventions to families with school-aged children in Jordan in order to improve school enrolment and attendance (and general child well-being). For the 2017/2018 school year, the program was open to all children registered in a double shift school regardless of nationality. Due to funding cuts, that program is only reaching a fraction of these students in 2018/2019.

As already mentioned, university is beyond the reach of most due to its expense and lack of scholarships for asylum seekers or refugees from countries other than Syria. Sudanese male youth also explained that the need to work in order to provide for themselves and their families prevents them from pursuing higher education.

Safety

The safety of children in and on the way to school is a concern in itself as well as a barrier to education. Bullying by other students includes violence that results in injuries, attacks with weapons (knives), verbal abuse, and ostracism. This is reported by both Sudanese and Yemenis. Yemenis even characterize this violence as racialized. This being said, the dehumanizing nature of anti-black racism that Sudanese experience seems of another order than the discrimination that Yemenis face. Violence in schools in Jordan, especially against refugees, has been well documented.⁶⁵ While participants in this study view girls' schools more favourably and believe boys to be at greater risk of violence than girls, this female Sudanese participant explained that girls are also targeted with physical violence:

My daughter gets beaten up in school. A student chooses a black girl every day to beat. It was my daughter's turn. The Principal punished my own daughter. Violence happens in the schools and schools do not take it seriously. I had been to the UN to complain about my daughter facing violence in the school after another student's father threatened her and used physical violence. But the UN did not do anything. All that happened was that the father got a chance to say that he did not want his daughter to study with black people.

Students and even parents experience discrimination and verbal abuse from teachers as well. They report that teachers condone the bullying of Yemenis and Sudanese students. Some of this appears to be intentional. Other times it appears

⁶⁵ AAN Associates, *Evaluation of The Ma'an (Together) towards a Safe School Environment Programme 2009-2016 – Jordan*, (UNICEF, 2017), https://www.unicef.org/evaldatabase/files/MAAN_EvalReport_FINAL_20170623_Eng.pdf

to be the result of lagging skills, lack of confidence managing student behaviour, and lack of proper supervision within the school. Going to and from school is also risky. “Harassment happens outside of the school, not inside, but on the way to or back,” said a female Sudanese participant.

Parents are heartbroken about the impacts they see on their children. “We as adults we can handle things, we pretend that we are not hearing what people are shouting at us, but our children cannot,” says a male Sudanese participant. They feel they are damaging their children by forcing them to go to school. There are children who cry daily and refuse to go to school, children who drop out, children who stop achieving at school, and children who continue to be hurt. Said a Sudanese mother:

It would be an exaggeration to think we can overcome this situation, what we can do is build our children’s character and confidence. But we cannot fight the whole society or keep our children at home, that would be even more damaging.

The coping strategies students used to protect themselves included avoidance, internalization, and – to an extent – responding violently. The last is generally avoided because as minorities they are so disempowered. “I avoid trouble. If I get any real trouble I will not get fairness. If faced with any problems by students, I just keep it to myself,” says a female Sudanese youth. Students did report that the situation at school became better for them after a year or two.

Violence in and around schools of Syrian refugee students, as well as violence that targets Syrians, has been well documented. Syrians are likely to be sitting in a classroom with other Syrians and are the majority at least in that context. Sudanese, Yemenis, and – one presumes – Iraqis, are in the minority in any setting and are especially vulnerable to this type of bullying.

Integration

While our findings suggest that school is often a place where Sudanese and Yemeni students face harassment and even physical violence, it also presents an opportunity for integration. Young people and their parents consistently reported that after a year or so the situation at school got easier. Though they have more opportunities to integrate, youth still have keen aspirations for resettlement, and this shapes some of the educational and training supports they are looking for.

Other factors

There are a number of other factors raised by the participants that may be important to realizing their right to education and to contextualizing the issues already raised. Many of the children attend double shifted schools, with some attending the shift with Jordanian students and others with the Syrian students. Participants expressed frustration with the subjects taught, the need to switch to a system with a different curriculum and qualifications, and the adjustment to the type of Arabic spoken in school. Other challenges are related to the teachers: their classroom management, discrimination, motivation levels, and teaching skills. Parents are deeply concerned about their children's negative experiences at schools and do complain. Communicating with the school can be difficult, and students felt shamed by the racism their parents experienced in dealing with their school. However, this does appear to be an important channel for making improvements. As a Sudanese mother said:

They [at the school] think that we the parents are all ignorant and unequipped people. So when they meet us and learn about the parents and their abilities, the preconceived image will change. This will also empower the students.

Very much along these lines, Sudanese parents in Jabel Amman have entered into negotiations with a girls' school to bring Sudanese community members into the school to plant a school garden, facilitate drama activities, bring attention to bullying and racism, and provide afterschool tutoring to all students.

The value of education, including higher and non-formal education

The desire for education at all levels, not merely primary education, was voiced by participants. This included informal, nonformal, and formal education. Those from both communities feel that they value education more than the Jordanians with whom they go to school.⁶⁶ "For Sudanese community and families education is the most important," said a Sudanese male youth. A Yemeni female youth explained, "They [Jordanians] claim that Yemenis are aloof...Studying is very important to us. It is empowering. We will be useful."

⁶⁶ Some of this may reflect that Sudanese and Yemeni refugees might be of higher socio-economic background than families who send their children to Jordanian public schools.

Higher education is a priority. Concern about the very limited opportunities and supports available for PoC to attend university was raised in five of the ten focus groups with Sudanese and six of the ten focus groups with Yemenis. Higher education in Jordan is prohibitively expensive for foreigners, and most of the scholarships available for refugees are exclusively for Syrians. Sudanese also spoke of needing preschools, mostly in relation to child care so that mothers could work.

There was also participation and interest, especially among Sudanese, in seeing more opportunities for informal education such as those being provided by JRS. English was noted in particular – which makes sense given this community’s aspirations for resettlement – but also vocational training and literacy for women who have limited formal education. Informal learning opportunities like workshops, field trips, and cultural events were also appreciated.



Photo credit: James L. Brown

D. Access to health

Even though health was not a sector formally included in this study, participants themselves brought the topic up in 13 out of the 20 focus groups (5 Sudanese and 8 Yemenis). For this reason, the report includes results and a review of literature pertaining to the health of asylum seekers and refugees of these nationalities.

Unlike uninsured Jordanians and Syrians, asylum seekers and refugees from countries other than Syria pay the higher foreigner rates at government health facilities.⁶⁷ While subsidies for Iraqis reportedly ended in August 2015,⁶⁸ some report that the subsidy still applies to them.⁶⁹ Our results confirmed that UNHCR provides free health services to PoC of these nationalities through its Jordan Health Aid Society (JHAS) clinic and will pay for certain approved procedures (e.g. maternity services) at government facilities. Yemenis also mentioned that their embassy would sometimes provide emergency medical grants. The government

⁶⁷ UNHCR, *Health access and utilization survey: Access to Health Services in Jordan among refugees from other nationalities - Baseline Survey December 2016*, (UNHCR, 2016), 10, <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR-HealthAccess%26UtilizationSurveyinJordan2016-Othernationalities.pdf>

⁶⁸ UNHCR, "Jordan: UNHCR Operational Update, August 2015", (2015), 3, <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR%20Jordan%20Operational%20Update%20August%202015%20FINAL.pdf>

⁶⁹ MMP. *Displaced Minorities Part II*, 4.

also provides free vaccinations to all children under the age of 5, regardless of nationality.

A 2016 UNHCR study that interviewed households of PoC from Sudan, Yemen, Somalia, and other countries found that 31 percent were unaware of free access to UNHCR services⁷⁰ and only 30 percent in need of medical care initially approached JHAS.⁷¹ Participants in our study reported having overwhelmingly negative experiences at JHAS, something that could contribute to the low attendance rate at these facilities. Further, even though maternity services are fully covered, 32 percent of deliveries are paid for by PoC, with 24 percent costing between 251 and 750 JDs.⁷² Our research confirms that there is lack of awareness that maternity care is free to PoC and widespread misperceptions that the quality of care provided at government hospitals is poor. We say misperception because women in our study who did utilize maternity and antenatal care in public hospitals were very satisfied with the care they received.

12 percent of UNHCR-surveyed household members are reported as having a chronic disease, especially diabetes and hypertension. That amounts to 30 percent of interviewed households having a member with a chronic disease. The numbers of individuals registered with UNHCR who report having a serious illness are 8.1 percent for Yemenis⁷³ and 11 percent for Sudanese⁷⁴. As confirmed by our study, some Sudanese and Yemenis entered Jordan on medical visas and may still need treatment for those concerns.⁷⁵ 45 percent of those with chronic conditions report being unable to access medicine. 38 percent report being unable to access services. 57 percent report that it is because they are unaffordable. In our study, Yemenis especially complained of the high cost of medical services and medicines.

Sudanese and Yemeni refugees cope with these barriers by devoting a high percentage of their household expenditure to health care. 44% of households interviewed by UNHCR spent an average of 116.9 JDs on health care during the last month even though they reported an average combined monthly income of

⁷⁰ UNHCR, *Health access and utilization*, 20.

⁷¹ UNHCR, *Health access and utilization*, 35.

⁷² UNHCR, *Health access and utilization*, 24; These rates are similar to those reported by Syrian refugees: UNHCR, *Health access and utilization survey: Access to Health Services in Jordan among Syrians - Baseline Survey December 2016*, (UNHCR, 2016).
<https://data2.unhcr.org/en/documents/download/55906>

⁷³ UNHCR, "Statistical Report on Registered Yemenis."

⁷⁴ UNHCR, "Statistical Report on Registered Sudanese."

⁷⁵ A very, very low percentage of those in UNHCR's database are registered as having entered on a medical visa, though perhaps this is due to the way the question is being asked; UNHCR, "Statistical Report on Registered Sudanese."

273.4 JDs.⁷⁶ This leads them to leave health issues untreated, particularly chronic conditions.⁷⁷

In general, free medical care to Sudanese and Yemeni refugees is only available through JHAS, though some study participants reported that Médecins Sans Frontières (MSF) served non-Syrians.⁷⁸ There was dissatisfaction with the quality of care, treatment by medical staff, lack of referrals and cash grants to cover medical expenses, and approval processes. A Sudanese male participant explained:

What safety we should feel when we cannot even access the hospital? My son was extremely sick and we even went to the hospital by the ambulance, and they asked us to go and get a referral from (JHAS), and we were on Thursday night, and does not open until Sunday!

While non-Syrian/non-Iraqi PoC appear to be physically healthier than Syrians, they also appear to be psychologically less well: 11 percent of households with members with chronic diseases reported that they are suffering from mental illness.⁷⁹ In addition to having suffered trauma due to war and displacement, some have been imprisoned and tortured. Unsolicited by the research team, a number of participants in our study reported mental health concerns. The Centre for Victims of Torture (CVT) accepts referrals for Sudanese and Yemenis and is actively working to understand and respond to their particular needs.

Nutrition is another health-related concern that was raised.⁸⁰ Running out of food was cited as a consequence of the expenditure-income gap many households face. Currently WFP does not include asylum seekers and refugees from countries other than Syria in their cash voucher program. Few organizations (CRP being an exception) support with food vouchers. Buying food on credit from neighbourhood grocery stores is a way some families cope with this challenge.

⁷⁶ CARE International, *7 Years in Exile*, 38.

⁷⁷ UNHCR, *Health access and utilization*, 33.

⁷⁸ Some members of the Sudanese community have reported that they have been treated at Caritas-sponsored facilities. The research team and NRC attempted to contact Caritas to confirm which nationalities they serve but did not hear back from them.

⁷⁹ UNHCR, *Health access and utilization*, 29.

⁸⁰ This is investigated in WFP's upcoming food security study.

E. Access to civil documentation

Officially, obtaining a work permit and civil documentation (birth and marriage certificates) from Jordanian authorities requires non-Jordanians to have a “legal stay,” which in the absence of residency is fulfilled by settling overstay fines.⁸¹ It also seems that approval of the line ministry/agency and the General Intelligence Department (GID) is required. However, perhaps due to policy discretion or exceptions granted to refugees, neither Sudanese nor Yemenis report difficulties receiving birth certificates. A record of the birth from the hospital and an ASC which states that the parents are married has been enough for Sudanese to register births. Though there is no data to demonstrate this, Yemeni children in Jordan may be at risk of not having their births registered because Yemen has extremely low rates of birth registration.⁸²

Registering a marriage also appears to be a fairly straightforward and inexpensive process for Sudanese since their marriage can be conducted by their families/legal representatives in Sudan without their physical presence. A marriage to a non-Sudanese, however, would need to happen in Jordan. We were told of cases in which couples were unable to legally marry, did not ask UNHCR to state that they were married on their ASC, and then encountered difficulties registering the birth of a child.⁸³ One family facing this problem had their child apprehended and a year later still had not regained custody. Some Yemenis have married in Jordan. The procedures to obtain marriage certificates, first through their embassy and then through Jordanian institutions, are reported to be complex and expensive.

There were also issues raised with passports, which in addition to being necessary for international travel are sometimes requested by authorities as proof of identity. The Sudanese spoke of being reluctant to go to their embassy to get documents renewed. Yemenis seemed less reluctant to go but complained of corruption, inefficiency, and the cost. One female Yemeni participant explains:

Some have lost their passports (got stolen). Even if stolen, our embassy demands 70 to 200 JD for each passport. We hardly have money to get food, paying this money for a passport will be impossible. So even if a person wishes to go back to Yemen, it will be hard to get a passport because of the financial obstacle.

Also, the reported illegal practice of requiring foreigners to surrender passports (e.g. by employers or shop owners who provide loans) is a protection concern.

⁸¹ Iraqis have been asked to clear overstay fines to issue marriage certificates.

⁸² ARDD, “Hidden Guests,” 3.

⁸³ Presumably they did not have the non-Sudanese parent on the ASC in this case.



Photo credit: James L. Brown

F. Protection

The protection concerns raised in the focus group discussions include arrest, detention, deportation, crime, violence, harassment, and sexual and gender-based violence. The low rates of child protection concerns among Yemenis and Sudanese reported by UNHCR likely reflect the smaller number of children and lower rates of female-headed households in these communities.⁸⁴ However, the higher rates of physical and legal protection issues among Sudanese suggests that members of this community are under particular threat and/or are more likely to face problems with disputed identity or entry on a false passport.

Arrest, detention, and deportation

Arrest and fear of deportation of those caught with irregular status and working informally was raised as a priority concern. It was discussed in five of the ten focus groups with Sudanese and six of the ten focus groups with Yemenis. In December 2015, Jordan deported somewhere between five and eight hundred Sudanese

⁸⁴ UNHCR, "Statistical Report on Registered Yemenis." UNHCR, "Statistical Report on Registered Sudanese."

PoC who were non-violently protesting their treatment by UNHCR.⁸⁵ As with the Syrians,⁸⁶ it appears that Sudanese and Yemenis caught working without a work permit (often without a legal stay) are being arrested and threatened with deportation, though UNHCR claims that these threats are not followed through on. Given the high proportion of Yemenis who are unregistered, or potentially registered but unaware of their rights to non-refoulement, it is possible that Yemenis are being deported without UNHCR being informed.

Those arrested are being required to swear an oath for a first work visa-related offence, secure a Jordanian sponsor who pays a bond for a second offence, and submit to deportation for a third offence. Length of arrest depends on the speed with which UNHCR responds to requests to intervene, as evidenced by a Sudanese woman's recounting of her husband's arrests:

First, we called the UN (wife or brother can call). I called our community representative to the UN. It may take a week up to four months, and you would not hear anything about them. It is not solved easily.

Strategies to avoid deportations included not surrendering passports to the police and calling on UNHCR to intervene. It is possible, with Yemenis in particular, that some of the cases they related involved those who were not registered with UNHCR. However, both communities reported that this "three strike rule" was also being used against those who are registered with UNHCR. In a couple of the Yemeni focus groups, participants related that police use discretion in whether or not they arrest members of their community for working without a work permit. This was not mentioned by any of the Sudanese participants. In the words of a male Yemeni participant: "Women have an easier treatment other than men in Jordan especially with the police, when it comes for treatment and deportations." It is not clear, though, if this is because men are particularly targeted, men are employed more, or men work in the sectors targeted for enforcement.

It is important to consider the psychological and socioeconomic toll these arrests take on family members. Sudanese women explained that during their husbands' detention they went into debt: "When a man goes to prison and is being awaited by accumulating debts and troubles. It is hard to find support within the community because matters are really difficult for everyone." Another Sudanese woman added:

⁸⁵ MCC, *On the Basis of Nationality*, 12.

It is really scary when you hear your husband saying: "I have been caught." Or a friend calls you. This phone call will come your way at the end, because they will be asked for the passport. Firstly you go to the police station, then ARDD Legal Aid, then the UN and have to wait. And most importantly you have to secure the passport and NEVER give it to them or he will be deported.

Crime, violence, and harassment

While Jordan was generally described as being safe, participants from both communities spoke of being threatened by crime, violence, and harassment. They spoke of the general threats associated with living in a dangerous neighbourhood as well as being targeted due to their refugee status, nationality, and/or race. Yemeni participants talked primarily about living in neighbourhoods where criminality, including drugs, was a problem (Sahab, Ashrafyah, Jofeh, Natheef, and Hay El-Massarweh in Jabel Amman were mentioned). The Sudanese talked about being specifically targeted by violence because they are Sudanese, not only on the street but also in their own homes in attacks which can only be described as hate crimes:

My husband and cousin were attacked at our home. They said: "We will not allow any Sudanese to remain here." We told the police, when they arrived the men had escaped.

This was not an isolated incident. Such hate-motivated home invasions were described in two separate focus groups, with a participant in one group stating that four separate households had been targeted.⁸⁷ Participants also felt targeted by the police. Those suspected to be labour migrants are stopped on the street by police and asked to produce proof of legal stay or an ASC. This was particularly true for Yemenis of both sexes (women say they are identifiable when they wear the niqab) and Sudanese males (though not females).

In addition to harassment and bullying on the street, children faced violence in school. This ranged from verbal abuse, often racialized and dehumanizing, to physical violence and sexual harassment. While this was primarily a problem for the Sudanese – it was raised in six of the ten focus groups – Yemenis also had complaints, particularly concerning the bullying and on-street harassment of children as well as women who wear the niqab. The latter differs from what is

⁸⁷ Alice Su, "Sudanese Refugees Are Being Attacked by Angry Mobs and Police in Jordan," *Vice News*, November 21, 2014, https://news.vice.com/en_us/article/qva9bd/sudanese-refugees-are-being-attacked-by-angry-mobs-and-police-in-jordan

experienced by the Sudanese community. Though girls and women were certainly verbally and sexually harassed, it is boys and men who were perceived as being most at risk of physical attacks. Sudanese men also complained of sexualized and racialized harassment. Regarding the attackers, they were reported to be Jordanian, and there was concern about neighbourhood gangs of boys.

Sexual and gender-based violence (SGBV)

As expected, given the limitations of focus group discussions for collecting sensitive information, there was sparse discussion of SGBV. In the Yemeni community, a couple of participants spoke of girls and women being abducted and forced to marry, as well as risks of honour-like killings:

My neighbour back in Yemen, a Houthi, wanted to marry me. He kidnapped me. My paternal family members continued to threaten that they will marry us (my sister and I) to older men. When they returned us, my mother escaped with us. The threats still come to us and my paternal uncle said: "I will come to Jordan and kill you."

In instances where girls and women are transported involuntarily back to Yemen, this would qualify as human trafficking. Early marriage was also mentioned as a concern among the Yemenis. While Sudanese girls and women have more freedom of movement compared to Jordanian standards, Yemeni girls and women face many restrictions, including those that keep them from school and other educational opportunities. While intimate partner violence (IPV), particularly related to the stress of displacement and life in Jordan, was raised as a concern only in one Yemeni focus group, CVT reports that many Sudanese women approach them for help with IPV. Sudanese women and men complain of sexual harassment by strangers, while Yemeni women raised concerns about sexual harassment in the workplace.

Violence against children is a concern that has been raised by Sudanese outside of this research. In Sudan, extended family – particularly grandparents – play a big role in raising children. In their absence, parents (both mothers and fathers) have expressed confusion about how to appropriately raise and discipline their children.

Protection strategies

Calling the police for assistance was the protection strategy most frequently mentioned by Sudanese and Yemenis, even though participants often felt that the police's response was unsatisfactory. They respond late, not at all, or in ways that are ineffective. There are no clear differences between how Yemenis and

Sudanese felt about the police. Some felt positively about them; others saw them as threats. There was only limited awareness that legal aid could be available (ARDD was mentioned), and those who were aware seemed skeptical that legal aid could make a difference. Some of the challenges that these communities have with the police reflect their status as outsiders in the kinship-based system that underpins the informal and even formal justice system in Jordan:

- Police urge refugees to mediate problems themselves, but they lack the kinship networks to do so;
- Victims go to the police and face retaliation by the perpetrator's extended family; and
- Victims try to report without knowing the perpetrators' full names.

One focus group with Yemeni men suggested it was effective to work through these systems:

We are always trying to solve the issues we are facing, in a friendly way, it's not worth it to go to the police or whatever to do so, so whenever we are having any issue within the Yemeni community we are trying to go to community leaders and if with Jordanian we are trying as well to see someone older than that person to speak to solve it.

Calling UNHCR was a strategy, but one that was only felt to be effective if a refugee was detained. When a refugee was in need of other forms of protection their experience was that UNHCR did not respond. Seeking help from neighbours was another strategy, but one Sudanese woman explained that it was more likely to work if one lived amongst those of the same community: "I would scream but the neighbors do not respond unless a Sudanese comes to my aid."



Photo credit: 7Hills Skatepark

3. Diversity and community dynamics among Yemenis and Sudanese

Difference and diversity within the communities

This study identified important considerations for designing programming for Sudanese and Yemeni asylum seekers and refugees regarding gender and youth (our focus groups included youth 15-24 years old) and particularly the intersection between gender and age.

Young men

Young males are demographically dominant in these communities, especially among the Yemenis. Our findings suggest that young men are at risk of certain protection threats, in particular violence, harassment, arrest, and detention. In part due to their high labour force participation, young male participants report being vulnerable to labour-related abuses like exploitative labour and dangerous

working conditions. The extent to which organizations are responding appropriately to the protection concerns of these young men could not be determined by this study and should be investigated. By virtue of being male and young, they are less likely to qualify for cash assistance.⁸⁸ With regards to livelihoods, they are under intense pressure to provide for themselves and for family members, both those in Jordan and in their home countries. It was reported by one organization that Sudanese young men in particular are increasingly frustrated with the challenges of living in Jordan, the perception that they are the lowest priority for resettlement, and the lack of access to services. The organization has also seen an increase in reports of suicidal thoughts and conflict between Sudanese community members and the staff of organizations.

If working or actively looking for work, young Yemeni and Sudanese men may not have the time to participate in activities organized by refugee-serving organizations, especially those offered on weekdays and during the day. If unemployed, they are under-occupied. High rates of participation in day labour can result in them being alternately over- and under-occupied. These young men may benefit from casual drop-in and evening programming. Boys may face greater pressure to drop out of school than girls because of bullying or work opportunities. While some young men have come to Jordan with post-secondary qualifications, those who completed secondary school here may be frustrated at being unable to pursue higher education. There are also single men who are frustrated because they feel they are being deprioritized for resettlement.⁸⁹ Finally, many young men are living in very substandard and crowded housing conditions. Because families are less likely to host young men, they may also be at higher risk of homelessness.

Young women

As with young men, young women are seeking learning and livelihoods opportunities. However, they have to balance these aspirations with family responsibilities, including caring for younger and older people in their families. Young women, particularly in the Sudanese community, are likely to have young children. Thus, child care is essential for them to pursue these opportunities. While young Sudanese women tend to enjoy more freedom of movement than is customary in Jordan, young Yemeni women may face more restrictions. For these

⁸⁸ Delphine Brun, *Men and boys in displacement: Assistance and protection challenges for unaccompanied boys and men in refugee contexts*, (CARE, 2017), https://insights.careinternational.org.uk/media/k2/attachments/CARE-Promundo_Men-and-boys-in-displacement_2017.pdf

⁸⁹ Lewis Turner, "Why will resettle single Syrian men?" (Forced Migration Review, 2017), <https://www.fmreview.org/sites/fmr/files/FMRdownloads/en/resettlement/turner.pdf>

reasons it may be necessary for staff to establish a relation of trust with their families if they are to be allowed to participate in programming. While some Yemenis felt gender-segregated services and service by same-sex staff was necessary for girls and women to take part, others felt that cross-gender interaction was acceptable if trust was established. Our study also suggests that young Yemeni women may be at particular risk of early and forced marriage.

Women

Sudanese and Yemeni women with lower levels of education who may benefit from adult literacy training. Livelihoods aspirations and opportunities are also very gendered and likely require separate programming interventions that address different sectors as well as the different protection risks, particularly sexual harassment, that women face at work. As mentioned above, Sudanese women may be open to livelihoods that Yemeni women would not consider, such as agricultural or domestic work.

Given women's relatively more inclusive social networks, our data suggests that working with women of different nationalities together presents opportunities to build bridges between communities. In both communities, we found separated families. This has resulted in female-headed households that might need social protection services and, given the unequal guardianship rights for mothers in Jordan, legal aid. The impact of the conflict and migration experience on gender roles provides opportunities to pursue work on gender equality, something that could contribute to addressing SGBV.

Community cohesion

Participants spoke of how the strength and nature of their relationships with refugees of the same nationality, what is termed bonding social capital, helped them access information and resources. They talked of how income was redistributed to those who were less well off in their communities. In the words of a male Yemeni participant: "We are managing to support each other, when someone from the community doesn't have income for the month, we together contribute to support that person." At the same time, they felt that having so few resources on average made it difficult to share and created tensions.

Being part of a strong community, living close to one another, or going out together in public also affords members protection, particularly when the Jordanian host community is apathetic or even hostile. Community members support each other in solving problems. Sudanese mentioned providing child care; Yemenis talked about intervening in cases of intimate partner violence (domestic violence); and both communities spoke of how community members

use their “wasta” to help others solve problems they have with government institutions or humanitarian organizations. However, both Sudanese and the Yemenis also mentioned factors that weaken these bonds, like living far away from each other, not having the opportunity to meet, and not being organized as a community. A few sought to distance themselves from their compatriots and did not want to have to encounter other community members when accessing services.

As humanitarian aid to refugees in Jordan declines, refugees will become increasingly reliant on relationships with those within and beyond their community to meet their needs. If Jordan’s economy takes a further downturn, public resentment against refugees may grow. In this context, it is especially important that refugee-serving organizations strengthen rather than unintentionally compromise these sources of support and security.

Sudanese

While both communities spoke of positive relations within their communities, the Sudanese especially talked about self-organizing and the importance of getting together with others from their community. Though the consequences were devastating, it is important to acknowledge that it was because of their strong bonding capital that Sudanese refugees were able to organize and sustain a month-long, high-profile demonstration in 2015 by a substantial portion of the community. The research team observed the community’s capacity to quickly set up meetings with members from across Amman, effectively run group gatherings, implement activities, and pass and collect information through community channels.⁹⁰ These efforts have been supported by a number of NGOs who have close relations with these communities and understand these dynamics, especially JRS and Sawiyan. Opportunities to socialize and connect through recreation and the arts were appreciated, with JRS, the Nuzha Princess Basma Centre, and even the Medicine sans Frontières (MSF) hospital mentioned as places where this happens. Possessing leadership qualities and especially education gives leaders legitimacy in the community, and there is openness to sharing leadership opportunities with women and youth. However, there is sometimes mistrust within the community about the motives of these leaders. Given intracommunity divisions, engaging multiple leaders is advisable.

⁹⁰ Much of this is not surprising as despite the present government Sudan has a very strong democratic tradition and experience with self-organizing, from the community level to formalized institutions.

Others spoke of tensions within the community along political, ethnic, and regional lines. “The relation between the Sudanese on the surface looks good, but from inside there is a lot of issues,” said a male Sudanese participant. This was affirmed by organizations working with the community. Some of these are tensions that carry over from Sudan. The majority of Sudanese in Jordan are from ethnic groups originating from the conflict-affected “peripheries” of Sudan who stand in opposition to the Sudanese government (Darfur in Western Sudan, the Nuba Mountains near the southern border, and Eastern Sudan). There are also those from the riverain ethnic groups of Northern Sudan who control the government. Even though some of them are themselves political dissidents, they may be viewed with suspicion by those of the peripheries.⁹¹ There are also tensions among those of the peripheries along ethnic lines. The Sudanese embassy also plays a role. It reportedly assisted the Jordanian government in deporting asylum seekers and refugees in 2015,⁹² and community members report incidences of harassment by embassy staff. This has compromised the ability of Sudanese asylum seekers and refugees to access consular services.

Yemenis

Relationships within the Yemeni community are similarly positive, though less close. The research team has less experience with this community and thus less ethnographic insight. Women mentioned a WhatsApp group that helps dozens of them stay in touch, share information about humanitarian services, and raise money for community members in crisis. Unlike in the Sudanese focus groups, there were participants who had very limited interactions with other Yemenis, and not by choice. One of the Yemeni participants’ most clearly articulated aspirations for their community was to become better organized and connected. They asked for support to bring community members together, form community organizations, and build leadership capacity.

They also spoke of tensions within the community along lines of class, political, and regional differences. In the words of a female Yemeni participant, “The problem is we are not that unified as a community. There is great division and fear.” Given that the Yemeni community is demographically dominated by young men and that half of Yemenis are labour migrants rather than refugees, organizing for this community will look very different than for the Sudanese. Yemeni asylum seekers and refugees also report better relationship with their embassy.

⁹¹ We also came across a few South Sudanese in our research who arrived 20 or more years ago during the time of the North-South civil war in Sudan, and also some Sudanese who had previously resided in Iraq and fled conflict there.

⁹² Aaron Williams, “Why Jordan is deporting Darfuri refugees,” *Foreign Affairs*, February 2, 2016, <https://www.foreignaffairs.com/articles/sudan/2016-02-04/why-jordan-deporting-darfuri-refugees>

Social inclusion

While bonding social capital within the Yemeni and Sudanese communities serves many important functions, it is not sufficient to sustain Yemeni and Sudanese refugees in Jordan. One of the benefits of bridging capital, relationships among different communities, has been coined “the strength of weak ties”.⁹³ While the ties that one forms with those outside of their community are usually weak – acquaintances with whom one has limited contact and little in common rather than close friends – they are important because they afford Sudanese and Yemenis access to novel information and resources that those within their community do not possess. The classic example of the importance of these weak ties is for employment, job leads in particular. For asylum seekers and refugees in Jordan, these weak ties are even more important because no one in their community can formally own a business or employ people. Even the informal work to which they are restricted is not recruited for publicly and openly. Our research and other research on the social capital of Sudanese, Somali, and Iraqi refugees in Jordan find that weak ties are similarly important for accessing services or finding a place to live:

*Unlike many Syrian and Iraqi refugees, they [Sudanese and Somali refugees] tend to lack personal, cultural and for the Somalis, linguistic ties to build social networks with the Jordanian host community and thus are less able, if at all, to draw on connections outside of their own community for work, information, housing or social opportunities in Jordan.*⁹⁴

One of the strongest examples of the strength of weak ties in our data was Yemeni and Sudanese students (and sometimes parents) who built relationships with teachers and administrators at schools. These ties are crucial to allowing students to enroll in and then succeed at school.

Bridging capital is also essential for integration as these bridges hold different groups in society together and, crucially for refugees, defend against xenophobia and marginalization. Participants of both nationalities spoke of how difficulty integrating, in part because of cultural differences, made for weak bridges with the Jordanian community. The Yemenis also located the problem in limited relations with Jordanians, while both nationalities saw racism, harassment, threats, and violence from Jordanians as seriously weakening these ties.

⁹³ Mark S. Granovetter, “The Strength of Weak Ties,” *American Journal of Sociology* 78, no. 6 (1973): 1360–80.

⁹⁴ Noel Calhoun, “With a Little Help from our Friends: A Participatory Assessment of Social Capital among Refugees in Jordan,” *New Issues in Refugee Research* 189 (2010), <https://www.unhcr.org/research/working/4ca0a0109/little-help-friends-participatory-assessment-social-capital-among-refugees.html>

Unfortunately, relations in the workplace and through business partnerships do not foster social inclusion because they are so often experienced as exploitative.

Despite these negative experiences, participants had much to say about how these bridges are built and strengthened. Being treated respectfully by Jordanians was a strong theme. There was discussion about what refugees themselves could do to engender respect, such as excelling in whatever they do (e.g. education and sports), contributing back to the community, and being willing to adapt to Jordanian society.

Ways in which bridges with the Jordanian community are built and strengthened were different depending on nationality. The Yemenis spoke of how opportunities to interact with Jordanians were important. “Maybe if they get to know us, to know that we are good people,” said a female Yemeni participant. (Many Yemeni women who wear niqab felt unwanted in Jordanian society because of their dress.) But Sudanese felt that addressing racism is most important. They envisioned countering the negative stereotypes that Jordanians had about them through educating Jordanians about their community (Yemenis also had this idea.) and showing that even though they are refugees and black, they have much to contribute. Channels for strengthening bridges with the Jordanian community included interpersonal relationships (e.g. friendships and intermarriage), and the Yemenis mentioned strengthening relationships between women. Participants of both nationalities said opportunities to interact with Jordanians in settings where power differences were less pronounced, where they could connect with one another as people, would be beneficial. The arts and sports were mentioned as important vehicles for building bridges, as well as mosques and community activities during Ramadan.

While no research was done with Jordanian host community members for this study, refugee-serving organizations related that Jordanians feel more responsible for refugees from countries other than Syria, whereas the Syrians are seen as the responsibility of the international community. Moreover, because of their smaller numbers, Jordanians are less threatened by Yemenis and Sudanese. For these reasons, programming with these communities could be an entry point for integration work that could extend to Syrians.

Finally, bridges with other refugee communities were also mentioned, with experiences being mixed. Some participants spoke of hostility between members of different refugee communities, while others spoke about other refugee communities positively and described the support that they received from other refugees. NGO social activities involving refugees of mixed nationalities (such as those facilitated by JRS), especially among youth, were cited positively.



Photo credit: Un Ponte Per (UPP)

4. Accountability to affected populations

According to UNHCR:

*Accountability to affected populations (AAP) can be understood as 'an active commitment by humanitarian actors and organizations to use power responsibly by taking account of, giving account to, and being held to account by the people they seek to assist'. It refers to the responsible use of power in humanitarian action, combined with effective and quality programming that recognizes the dignity, capacity, and abilities of communities of concern.*⁹⁵

Some participants gave positive feedback about their relationships with organizations responding to the needs of refugees in Jordan and

⁹⁵ UNHCR, "Accountability to affected populations," *UNHCR Emergency Handbook*, accessed December 15, 2018, <https://emergency.unhcr.org/entry/147239/accountability-to-affected-populations-aap>

compared services in Jordan favourably with those provided in other countries (e.g. Egypt or Kenya). However, participants were overwhelmingly dissatisfied with this relationship. In part this had to do with them believing that services were being withheld from them due to their nationality. They also had concerns about the quality of the services provided and, most especially, about how they were looked down upon by organizational staff. Given the paucity of NGOs serving these communities, their relationship with the humanitarian community in general is strongly determined by their relationship with UNHCR. It is important to remember that the Sudanese deportations of 2015 resulted from them non-violently protesting what they perceived to be unfair treatment by UNHCR and the humanitarian community in general. Though UNHCR has made efforts to improve this relationship, particularly through their Community Services department, this episode still casts a shadow over the relationship. While the research team was expecting negative feedback from the Sudanese community, the feedback from the Yemeni community was equally critical.

Challenges

Participants overwhelmingly describe the employees of refugee service organizations as disrespectful and provided concrete examples of the disrespectful things said to them. For example, “you Yemenis are not able to learn, you Yemenis give me trouble;” and شو صار الأردن مجاري تمر فيها القاذورات من -- سوريين ويمنيين وغيرهم. “Jordan has become like a sewage system. All the dirt of Syrians, Yemenis and others pass through it.”

Most concerns participants had were about the quality of services and, in particular, what they saw as the failure of organizations to follow up and communicate with refugees about their case, including urgent protection issues. Concerns about the quality of medical care provided by JHAS (government hospitals were viewed positively) have already been mentioned. Participants were also dissatisfied about the length of time they had to wait for assistance and for registration processes that a few years ago were simple and quick to complete.⁹⁶ This includes time spent waiting in the offices of organizations as well as months waiting for appointments and action to be taken. Delays in RSD should not result in any disadvantage as regards cash assistance, but they could delay resettlement. Delays in issuing the ASC leave refugees without the protection afforded by this status.

⁹⁶ Sudanese participants talked of waiting up to two months to get a first interview for an ASC, and then five months to one year for RSD. Yemenis also described waiting up to two months to get a first interview for an ASC and six months to two years for RSD, with some reporting waiting four years, and others never receiving it.

The findings suggest that though there is inequity based on nationality, lack of awareness about the services that are available is also a problem, especially among Yemenis. While only 2 percent of targeted Syrian refugees did not collect their winterization cash assistance in 2017, 20 percent of asylum seekers and refugees of other nationalities failed to, with the number of Yemenis and Iraqis being particularly high. Given that nearly all registered Yemenis were eligible for this assistance, it is possible that wealthier community members decided not to collect their payments or that these individuals had left Jordan. Given the lack of awareness about the humanitarian system and weaker networks for information sharing within this community, the possibility that very vulnerable Yemeni families are not accessing the aid they are eligible for needs to be investigated.⁹⁷

Also, the provision of targeted assistance based on what refugees perceive to be opaque vulnerability criteria causes confusion and tensions among community members. It might also incentivize refugees to mislead assessors in relation to how they believe vulnerability is being assessed. It also appears to contribute to the perception of inequity: those refused aid due to not fitting the vulnerability criteria may conclude that they are being refused aid because of nationality. Importantly, asylum seekers and refugees from countries other than Syria have to refer themselves for cash assistance rather than being routinely assessed like the Syrians. It is likely that those with the least capacity to ask for help may fall through the cracks. While the Sudanese may be close-knit enough as a community to identify and support very vulnerable members, the Yemeni seem to have less of this protective bonding social capital. Because of this, a widespread belief has arisen within both communities that services are not provided based on need but to those who are persistent. Said a female Yemeni participant, “I believe that because I went weekly to harass the UN I got approval and monthly aid. Those who do not follow up regularly are ignored.” Indeed, UNHCR confirmed that those from countries other than Syria are assessed for cash assistance “predominantly through self-referral,” a practice that could lead to this perception and a failure to meet the most vulnerable cases.

The belief that one needs to persistently follow up with UNHCR has important implications in terms of household expenditure. Refugees travel to UNHCR’s offices – sometimes weekly – to enquire as to the status of their cases at a cost upwards of 5 JD per round trip and, in some cases, lost wages. Fortunately, very recently UNHCR commenced a shuttle service to help alleviate some of this

⁹⁷ The data UNHCR has published on winterization payments is for the most part not disaggregated by nationality and thus the analysis we can conduct on it is limited.

burden. Refugees who have been frustrated in attempting to access sometimes life-saving services over months understandably become angry and desperate. Thus it is no surprise that confrontations and violence occasionally result.⁹⁸ When referring very vulnerable individuals from these communities to services, members of the research team have themselves witnessed some of these deficits in customer service.

While this study is not an evaluation of refugee services, the research team heard from front line staff working with these communities that they feel stretched to their limit in trying to provide assistance. They also foresee the situation getting worse with less assistance available and declining numbers of staff. Some of the staff who witnessed the Sudanese deportations are still distressed by the experience. They feel unsupported in their work with asylum seekers and refugees from countries other than Syria and feel their organizations prioritize Syrians at the expense of refugees from other countries. When the well-being of staff is compromised and their capacity insufficient, poor service and “victim-blaming” of refugees can result.

Challenges around AAP should be put into the context of the culture and human resourcing of assistance to refugees in Jordan. The humanitarian community is aware of the stark, power-laden differentiation between Jordanian front line staff, refugee recipients, and the substantial numbers of international managers, yet discussing this reality and its implications openly is a challenge. The impact of avoiding these uncomfortable yet important discussions is that those who could be some of the strongest advocates for refugees – those who work directly and often closely with them every day – can develop a low level of respect for them and, in the worst cases, become abusive.

Opportunities

Opportunities to strengthen AAP mentioned by participants included providing services through community service centres and community committees. There was also a call to look beyond individualized service delivery to strengthening social cohesion and relations between asylum seekers and refugees and the Jordanian host community. This fosters community participation and may help refugees avoid some of the problems that lead to them needing support. It may

⁹⁸ This was confirmed by UNHCR.

also promote community-based protection⁹⁹ and help them get their needs met within their own neighbourhood rather than from a humanitarian organization.

Local partners are increasingly more involved in refugee response delivery. This often entails capacity building of partners, which affords opportunities to institutionalize the practice of AAP in Jordan. UNHCR reported that they have opened community centres which also host committees of refugees from countries other than Syria in collaboration with JOHUD in Ras Al 'Ain (Sudanese/Somali), Jabal Amman (Sudanese/Somali), Nuzha (all nationalities), Hashmi Shamali (Iraqi), Marka (Iraqi), Sweileh (Iraqi), Sahab (Syrian) - in addition to those outside of Amman. The Nuzha Centre was established in June 2017 and used to be a Syrian and Jordanian community centre. In March 2018, it became the community centre for all nationalities and host communities. A UNHCR help desk operates from there three days a week, enabling refugees to renew their documents and inquire about the status of their files. Feedback from community members about this centre and its activities was positive. However, centre staff are focused on reaching the greatest number of people, so their engagement was seen as a "one-off" with little space to develop relationships.

Participant priorities

In addition to treating affected populations with dignity and delivering quality services, humanitarian organizations must seek out and respond to the priorities that asylum seekers and refugees define for themselves. Sudanese and Yemeni participants identified six priorities (in no particular order):

- **Assistance with community organizing**, especially for Yemenis. This included more opportunities to get together with others in the community, more community spaces, and more leadership training.
- **Respectful relationships with organizations**. In the words of a female Yemeni participant, "Kindness and good attitudes. Even if I am told there is no assistance with kindness is one thing, but to be treated badly and made to feel ashamed is wrong. The employee [of the organization] knows how to deal with a computer but not a human."
- **Education beyond schooling**. This included opportunities to explore one's passions and talents with and beyond formal education; gain transferrable skills; and develop skills and knowledge "to stand up for ourselves."

⁹⁹ UNHCR, "Community based protection," UNHCR Emergency Handbook, (UNHCR, 2019), <https://emergency.unhcr.org/entry/251732/community-based-protection>

- **Livelihoods.** Some named cash assistance while others wanted the right to work. There was no consensus on which should be prioritized.
- **Protection programming.** This included: mental health (for the Yemenis) and PSS, legal assistance and awareness raising on legal status, registration with UNHCR, international protection and related rights and obligations stemming from refugee/asylum seeker status, steps to be taken when threatened with deportation, and SGBV services.
- **PoC exemptions from paying overstay fees** (among Yemeni asylum seekers and refugees).

5. Conclusion

This report presented findings relevant to livelihoods, shelter, education, protection, health, and youth programming raised by the participants. It analyzed gender-related differences, described the social networks of Sudanese and Yemenis, and identified AAP-related challenges and opportunities. A number of cross-cutting issues relevant to working with Yemeni and Sudanese asylum seekers and refugees emerged, including improved and appropriate information and communication, assistance with transportation, and the mixed migration aspects of work with these communities. Intersectoral connections were important. For example, the effects of frequent moves on children's education and neighbour relations, protection in and around school, access to work permits as a protection issue (i.e. prevention of arrest and deportation), and opportunities to address social inclusion and PSS within cultural and recreational programming for youth and women.

Finally, the report forefronted the priorities of the Sudanese and Yemenis who participated in this research: assistance with community organizing (especially for Yemenis), respectful relationships with organizations, education beyond schooling, livelihoods, protection programming, and exemption from overstay fees. A strategy for supporting these priorities must consider the transitional context in Jordan. With the humanitarian response pulling back, a much leaner type of support will be required for realizing the rights of refugees of all nationalities, one that may be best delivered by local partners. This work offers opportunities to forge a renewed and respectful relationship between refugees and their Jordanian hosts based on the challenges and solutions that Yemeni and Sudanese refugees have identified.



Photo credit: Kaynouna Art Therapy Center

6. Recommendations

Livelihoods and youth programming in Amman for PoC from countries other than Syria

- Develop a Market Analysis for sectors that can incorporate and increase the Yemeni and Sudanese workforce. Leverage this data to advocate for relaxed quota systems.
- Provide legal services and incentives to employers that hire non-Jordanians.
- Provide counselling and legal services on work rights to PoC from countries other than Syria.
- Provide Demand Driven Skills Development through non-formal and informal training and voluntary work that is associated with market assessments and linked to employment pathways in Jordan and in third countries upon resettlement.

- Offer evening and weekend programming that targets young men, as they are the majority in the Sudanese and Yemeni communities.
- Address barriers to young women’s participation in livelihoods programming and the labour force, including caretaking responsibilities and reputation concerns.
- Investigate the opportunities, benefits, and risks of refugees holding dual status – asylum seeker/refugee and foreign worker – or of the right to work being extended to PoC from countries other than Syria.

Shelter programming in Amman for PoC from countries other than Syria

- Implement programming to improve the quality of housing and alleviate overcrowding, paying particular attention to the needs of young men.
- Provide emergency cash assistance for rent, counselling on housing rights, and mediation of disputes with property owners.
- Ensure that shelter programming does not exclude tenants who face eviction from their housing without having received an eviction notice.

Education programming in Amman for PoC from countries other than Syria

- Raise awareness among students and their parents from countries other than Syria on the school registration process and advocate for individual students who face difficulties registering in school.
- Provide subsidies to cover school registration fees and cash support for especially vulnerable families of all nationalities with children in school.
- Advocate for, provide, and monitor distribution of consumable materials (books, etc.) for all students in a school regardless of nationality or status.
- Implement violence prevention programming in both morning and afternoon school shifts to address discrimination, promote inclusion, and create spaces for positive interaction amongst students of all nationalities. Engage PoC from countries other than Syria (students and their parents) in developing this programming.
- Support the creation and capacity building of PTAs. Invite PoC from countries other than Syria to participate in them, and use them to implement initiatives that address the challenges students of these nationalities face in school.
- Raise awareness and monitor enrollment of non-formal and informal education programs to ensure equal access for PoC from countries other than Syria.
- Award university scholarships to refugees in Jordan regardless of nationality.

Protection programming in Amman for PoC from countries other than Syria

- Raise awareness among PoC (especially Yemenis) about international protection for refugees and the rights, obligations, and procedures stemming from it.
- Investigate and monitor barriers to PoC from countries other than Syria obtaining, renewing, validating, and being issued civil documents, particularly marriage and birth certificates.
- Monitor the use of policy discretion that allows for an ASC to be used in lieu of residency for vital documentation and school registration. Assess openings for advocating for extending the 2018-2019 policy that allows Syrian refugees to register for school without complete documentation and expand it to cover all PoC.
- Consider advocating for a policy to provide annual residency to asylum seekers and refugees.
- Investigate the overstay fee and residency concerns of PoC from countries other than Syria and explore the possibility of advocating for waivers on overstay fees for asylum seekers and refugees.
- Provide protection services to PoC regardless of nationality and adapt programming to address the protection concerns (SGBV in particular) of these communities.

Health programming in Amman for PoC from countries other than Syria

- Provide health, mental health, and nutrition services to all PoC regardless of nationality.
- Increase funding for, streamline processes for, and improve the quality of free medical services currently being provided to PoC from countries other than Syria.
- Investigate differences in health status and access to health services among PoC of different nationalities. Use these results to reform the provision of health services to refugees and implement public health interventions to close gaps.
- Assess the mental health status and mental health and psychosocial support needs of PoC from countries other than Syria.
- Ensure that health staff are educated about the particular mental health and protection needs of (SGBV in particular) and appropriate referral pathways for PoC from countries other than Syria.

Community development and social inclusion programming in Amman with PoC from countries other than Syria

- Build leadership capacity and provide opportunities for community members to connect with each other and organize themselves.
- Use existing programming and specialized activities to:
 - Promote social inclusion;
 - Build relationships (bridges) between the Yemeni and Sudanese community and the Jordanian host community (including Jordanian service providers); and
 - Raise awareness about their community and the contributions that they are making while here in Jordan.
- Develop and implement a neighbourhood-based approach to preventing and responding to violence targeting refugees that incorporates refugees, Jordanians, the police, and community-based dispute resolution mechanisms.

Organizational considerations for programming with PoC from countries other than Syria

- Uphold high standards of accountability to affected populations (AAP). In particular, set, monitor, and improve the quality of service provided by staff to PoC of all nationalities.
- Devote additional resources to expanding and adjusting program activities so that they meet the different needs of PoC from countries other than Syria, sensitizing and training staff to respond to their particular needs.
- Manage community expectations, adhere to principles of Do No Harm, and consider declining refugee funding in Jordan when deciding whether to extend programming to PoC from countries other than Syria.
- Extend sustainable, lower-resource programming to all refugee communities rather than merely incorporating Sudanese and Yemenis into the very high-resource programming that has been set up for Syrians.
- Capitalize on and strengthen communities' capacity to self-organize by:
 - Using participatory methodologies;
 - Delivering services through community volunteers and networks; and
 - Being sensitive to tensions and divisions within the community.
- Implement programming in partnership with Jordanian NGOs and CBOs that are created by or working closely with these communities, with consideration for their capacity.
- Consider and make accommodations for transportation costs in all programming.

- Submit project approval requests to the government for programming with Iraqi and with non-Syrian/non-Iraqi PoC through appropriate channels.
- Develop and implement risk management plans and training for frontline staff and partners, with a strong focus on duty of care, violence prevention, and de-escalation strategies and techniques.

Additional recommendations for UNHCR

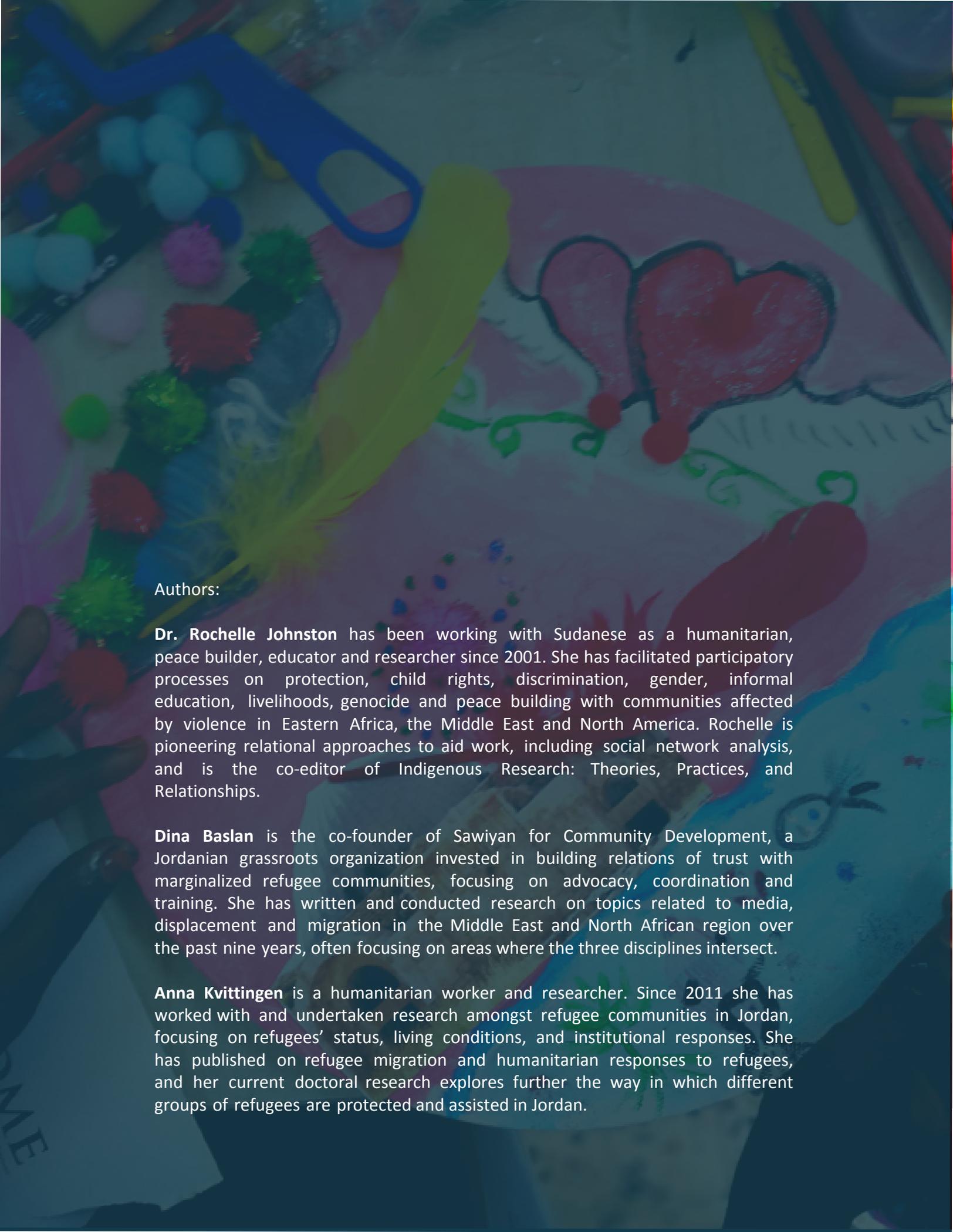
- Ensure that asylum seekers are registered and receive ASC as soon as possible upon arrival in Jordan:
 - Set and monitor benchmarks issuing these in as short a period as possible;
 - Reduce wait times at UNHCR offices; and
 - Enable registration at community registration centres close to where community members live or provide free transport to UNHCR offices.
- Raise awareness among government agencies and international organizations that PoC from countries other than Syria are not issued with MoI service cards and that ASC or RSD affords PoC international protection and access to services.
- Partner with members of the Yemeni and Sudanese community, and the organizations serving them, to improve the communities' understanding of their rights to assistance and to develop effective communication and self-advocacy skills.
- Investigate and address the problem of refugees having to follow up so frequently with UNHCR on their cases.
- Collect comparable house visit/VAF data on PoC from countries other than Syria and ensure equitable, data-driven distribution of cash and other assistance.
- Continue to monitor and promote the government's commitment to international protection for refugees and the rights and obligations stemming from it.
- Carry out a systematic review and analysis of Jordanian legislation and policy with a view to potential advocacy for a sustainable and comprehensive framework for the rights of refugees in Jordan, regardless of their nationality.

WFP

- Conduct periodic monitoring of the food security and nutrition status of PoC from countries other than Syria.
- Expand food security programming to all refugees.

Donors

- Provide sufficient funding for refugee response for PoC in Jordan regardless of their nationality.
- Provide more resettlement opportunities for refugees.
- Support potential advocacy for a sustainable and comprehensive framework for the rights of refugees in Jordan, regardless of their nationality.



Authors:

Dr. Rochelle Johnston has been working with Sudanese as a humanitarian, peace builder, educator and researcher since 2001. She has facilitated participatory processes on protection, child rights, discrimination, gender, informal education, livelihoods, genocide and peace building with communities affected by violence in Eastern Africa, the Middle East and North America. Rochelle is pioneering relational approaches to aid work, including social network analysis, and is the co-editor of *Indigenous Research: Theories, Practices, and Relationships*.

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