

# EUROPEAN POLICYBRIEF



European  
Commission



**ASILE**

Global Asylum  
Governance and  
the European  
Union's Role

## *Creating an Inclusive Refugee Response in Jordan*

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#### ABOUT ASILE PROJECT

The ASILE project studies the interactions between emerging international protection systems and the United Nations Global Compact for Refugees (UN GCR), with particular focus on the European Union's role. Adopting an interdisciplinary perspective, it examines the characteristics of international and country-specific asylum governance instruments and arrangements, and their compatibility with international and regional human rights and refugee laws. A key objective of the project is to provide the cutting edge of academic knowledge, promising practices and a collection of evidence-based tools for the development of future asylum policies.

ASILE represents an advance in comparison to the current state of the art. It seeks to facilitate a ground-breaking understanding of the role and impacts of legal and policy responses - instruments and arrangements - on refugee protection and sharing of responsibility from the perspective of their effectiveness, fairness and consistency with international and regional legal and human rights and refugee law standards. It will do so through an interdisciplinary examination and mapping of UN GCR actors and key policy and legal instruments on mobility and containment, and the impacts of vulnerability and status recognition assessments over individuals in search of international protection.

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#### Abstract

This policy brief focuses on people seeking international protection in Jordan, which hosts around 750,000 people of concern to UNHCR, on whom this brief focuses. Based on extensive and original [ASILE Project](#) research from 2021-2022, it outlines key findings related to two research themes: protection seekers' status in Jordan, and their right to work. The research found that many protection seekers from Iraq, Somalia, Sudan and Yemen experience discrimination by the government, donors, humanitarian actors and Jordanian society, and many cannot even register with UNHCR. Secondly, on the right to work, it found that while there are welcome efforts to facilitate Syrian labour market participation, decent work has been sidelined by the focus on formal targets. These efforts are also problematically focused exclusively on Syrians. This policy brief recommends that all actors push for the adoption of the 'one refugee approach' based on needs, rather than nationality. Secondly, it recommends that the Jordan Compact should be amended to focus more on working rights and conditions, and should include all nationalities of protection seekers. Enacting these recommendations, which are offered to the Government of Jordan, the European Union, international donors, and humanitarian actors in Jordan, would help create a more inclusive and fair refugee response, while enhancing protection seekers' abilities to be self-reliant.

## 1. Introduction

Jordan is a crucial country in the international refugee regime. A key ally of western states and donors, it hosts [around 750,000](#) registered persons of concern to UNHCR. Most of these people experience precarity, poverty and few prospects of durable solutions. Yet despite this very challenging context, the situation in Jordan has become much less prominent internationally, due to events elsewhere in the world (e.g. in Ukraine) and the protracted nature of the Syria crisis.

This policy brief focuses on the situation for populations potentially of concern to UNHCR in Jordan, and thus not Palestinian refugees. Those [registered with UNHCR](#) are mostly Syrians (around 660,000) followed by Iraqis (around 61,000), Yemenis (around 13,000) and Sudanese (around 5,000). Around 20% of registered Syrians live in refugee camps, but otherwise protection seekers live in Jordanian host communities. The term 'protection seekers' is used here to include not only those who are registered or recognised as asylum seekers and refugees, but also those who are seeking international protection but do not have any formal recognition of that claim.

This policy brief, based on new, in-depth research in Jordan over the course of 2021-2022, focuses on two key themes: legal status and working rights for people seeking international protection in the country. In each of these areas it outlines the key findings of the research, and offers tangible and immediate recommendations for the Jordanian government, the European Union, donors, and humanitarian actors. These recommendations, if enacted, would create much greater equality and fairness for protection seekers in Jordan, and enhance refugee self-reliance, which is essential in a context of protracted displacement, and a key component of the Global Compact for Refugees.

## 2. Methodology

This Policy Brief is based on in-depth research undertaken on Jordan as part of the [ASILE Project](#). A range of desk-based, online and in-person fieldwork was conducted over 2021 and 2022, including 17 online interviews and 13 in-person interviews with a range of diplomats, humanitarians, governmental officials, workers at international and national non-government organisations (NGOs), and civil society representatives; two focus group discussions with a total of 18 Syrian protection seekers living in Jordan; an ASILE Task Force meeting in Amman; and visits to relevant spaces such as refugee community centres over the course of 5 weeks of in-person fieldwork in Jordan in 2022. The interim findings of this research were presented to an ASILE Task Force in Amman in September 2022. This event, conducted under 'Chatham House rules' included attendees from Jordanian government departments, embassies, the European Union, United Nations agencies, and international and Jordanian NGOs. The policy brief takes into account those discussions and the feedback received there.

This fieldwork resulted in two Country Reports on Jordan, published in [2022](#) and [2023](#), and a [report](#) comparing the situations in Jordan and Bangladesh. The policy brief is based on the research outlined in those reports, and more detailed information about research methodology (as well as research findings) is included in those reports. The policy brief also draws on the author's long-term qualitative and ethnographic engagement (since 2015) with humanitarian work in Jordan, including on [labour markets](#), which this policy brief discusses.

### 3. Key Findings

***Key Finding #1: Many protection seekers from Iraq, Somalia, Sudan and Yemen cannot access the international protection system, and experience discrimination by the Jordanian government, donors, humanitarian actors, and Jordanian society.***

The clear majority of protection seekers who are potentially of concern to UNHCR in Jordan are of Syrian nationality (approximately 90%). This high proportion, as well as the large-scale and protracted nature of the Syria crisis, have led to Syrian refugees being the main focus of humanitarian work in the country.

In this context, while the focus on Syrians is, to an extent, understandable, many other nationalities of protection seekers live in Jordan, especially from Iraq, Somalia, Sudan and Yemen. These nationalities of protection seekers – just like Syrians – experience extensive poverty, precarity, protracted crisis, and a lack of durable solutions. The focus on Syrians has led to the needs of protection seekers of other nationalities being neglected and to wide-ranging unfairness in asylum governance in Jordan.

Crucially, in January 2019, the government requested UNHCR to [suspend registration](#) of those who had arrived in Jordan on visas for medical care, work, tourism, or study. This measure was in practice targeted at protection seekers from states other than Syria – notably Iraq, Somalia, Sudan and Yemen, who overwhelmingly lack other legal avenues to reach Jordan. It arguably was particularly targeted at Sudanese and Yemenis, who had registered in noticeably larger numbers in 2017 and 2018 than in the preceding years.

Therefore, if someone from Iraq, Somalia, Sudan or Yemen arrives in Jordan today, they cannot access the asylum system, regardless of the strength of their claim to asylum. It is also much more difficult for people who are not registered with UNHCR to access aid or services from humanitarian organisations or international and national non-governmental organisations ((I)NGOs). This government policy therefore creates clear inequalities and unfairness in terms of access to both asylum and humanitarian aid in Jordan.

These inequalities and unfairness are also replicated in the humanitarian aid system, which [marginalizes](#) these communities even when they are registered with UNHCR. Many donors and (I)NGOs focus on Syrians and Jordanians, but not protection seekers of other nationalities. The 'Jordan Response Plan' – the central framework for humanitarian work in the country - focuses exclusively on the needs of Syrians and Jordanians. This is despite the [extremely challenging circumstances](#) that protection seekers of other nationalities often live in, which can be worse than those for Syrians and Jordanians.

Protection seekers of these 'minority' nationalities who hold an asylum seeker certificate and want to apply for a [work permit](#) must give up their asylum seeker certificate in order to do so. This policy does not apply to Syrians, and is therefore unfair and discriminatory, and prevents protection seekers from achieving a greater degree of self-reliance.

Grassroots actors and civil society organisations in Jordan have led calls for the adoption of a '[one refugee approach](#).' This approach advocates for the treatment of people seeking international protection to be based on their needs and not their nationality.

In recent years, the government has [changed some regulations](#) that have benefitted protection seekers from Iraq, Somalia, Sudan and Yemen, for example in terms of improving their access to healthcare and education. Nevertheless, despite these welcome moves, progress towards actualizing the 'one refugee approach' remains slow and requires urgent attention.

***Key Finding #2: While efforts to facilitate Syrian labour market access are welcome, there has been too much focus on formal targets, and not enough focus on decent work.***

In a context of protracted displacement, with severe budgetary challenges, and very few durable solutions in sight, protection seekers' ability to be 'self-reliant' is one of the key focuses of humanitarian work, in line with the Global Compact for Refugees. Access to paid work and to the labour market can be a crucial element of 'self-reliance.'

Since early 2016, Syrians in Jordan have been able obtain work permits in the formal labour market, as a result of the [Jordan Compact](#), a high-level arrangement between the Government of Jordan and its donors. The European Union has been a key actor in the Compact since its inception. Jordan and the EU have twice renegotiated the 'Rules of Origin' arrangements covering EU-Jordan trade under the auspices of the Compact, and the EU has more widely been a key donor to and partner of Jordan.

While the Compact seeks to improve the living conditions of Syrians in Jordan, its [focus](#) on labour market integration and on EU-Jordan trade should also be understood in a wider context of, and as a part of, [European governments](#) attempts to limit or reduce the 'onward migration' of Syrians from the Middle East to Europe, particularly after the 2015 'summer of migration.'

By some metrics, the Compact has had important successes. For example, over 320,000 [work permits](#) were issued to Syrians between 2016 and 2022, and there is [evidence](#) that Syrian unemployment has fallen over the same time period, notwithstanding the economic challenges associated with the COVID-19 pandemic. The Jordan Compact has also led to a wide [range of reforms](#) to the Jordanian labour market, as well as to the Rules of Origin governing EU-Jordan trade as noted above, and to extensive livelihoods programming being carried out by humanitarian actors and (I)NGOs in Jordan.

Despite there being a range of initiatives, helping Syrians to obtain work permits quickly became a central focus of the Compact. In governmental and humanitarian attempts to increase the number of work permits issued, new categories of work permits (such as the 'free work permit,' 'flexible work permit' and the 'temporary work permit') began to be issued by the Ministry of Labour.

Free and flexible work permits represent a form of licensed self-employment, giving the holder the right to work in a certain set of occupations, and to move between employers and geographical regions as they wish over the course of a year. Temporary work permits are issued for short term (3-6 months) 'cash for work' projects run by (I)NGOs and Jordanian municipalities.

The creation of these new kinds of permits has significantly increased the number of permits issued, and thus helped the Jordanian government and its partners make progress towards targets set by donors. However, while the work permit figures give the impression that the Compact is an effective instrument to improve refugee self-reliance, in practice many of the Compact's underlying goals have not been met.

For example, under the Jordan Compact, work permits are often taken as a proxy for job opportunities. But free, flexible and temporary work permits do not necessarily represent job opportunities, but rather licensed self-employment, or participation in a short-term livelihoods intervention. The number of Syrians with work permits, therefore, can be very different to the number of Syrians in work.

The Compact's focus on work permits and the formal labour market was justified, in part, by the presumption that formal work would be more likely to be decent work. Decent work is a key concept in contemporary debates on labour standards and, according to the [ILO](#), it covers a range of issues such as pay, working terms and conditions, equalities, and social security. There have arguably been [some improvements](#) in working conditions, and there is [evidence](#) that work permit holders are likely to receive slightly higher wages, although the data from which these findings are drawn is not representative at the national level. Syrians also experience an increased sense of [safety](#) from police harassment or deportation when working with a permit.

Nevertheless, the Compact's primary focus on work permits, and on formal targets, has displaced a more meaningful discussion – and set of policy interventions – that could focus on decent work, and increasing the collective power of workers. While more recent programming has attempted to integrate Syrians into Jordan's national social security system, in order to improve their working conditions, work in this area has similarly been too focused on formal targets and too far removed from the realities of work for many Syrians in Jordan.

The policies that aim to improve Syrians' access to the formal labour market do not apply to Iraqis, Somalis, Sudanese or Yemenis, which again demonstrates a profound unfairness in the regulations governing the lives of protection seekers in Jordan. In contrast to Syrians, if other nationalities are able to pay the relevant fees and apply for a work permit, they must give up their asylum seeker certificate in order to receive a work permit. This makes it much more difficult for them to work legally and safely and to achieve self-reliance, and is another example of the discrimination they experience in Jordan.

While not without their merits, these labour market policies therefore fail to adhere to the goal of providing access to livelihoods without discriminating among refugees, as outlined in the Global Compact for Refugees.

## Policy recommendations

**Recommendation 1:** *All actors should push for the adoption of the 'one refugee approach' in Jordan, where people seeking international protection receive assistance based on their needs, rather than their nationality.*

- **Recommendation 1a:** *The Government of Jordan* should rescind the 'pause' on refugee registrations for protection seekers who are not Syrian, and should reform the Jordan Response Plan to ensure it is inclusive of and fair to all nationalities, not just Syrians and Jordanians.
- **Recommendation 1b:** *The European Union, and other donor states and organisations,* should use the leverage available to them to pressure the Government of Jordan to rescind the 'pause' on refugee registrations, and to include all nationalities in the Jordan Response Plan. Where funding programs directly, donors should allow and encourage organisations in Jordan to work with all nationalities living in the country.
- **Recommendation 1c:** *Humanitarian organisations, NGOs and civil society organisations working in Jordan* should design their programs in the most inclusive way possible, catering to the needs of all nationalities present in the country. Wherever possible, programmes should not solely be focused on Syrians and Jordanians, to the exclusion of other nationalities.

**Recommendation 2:** *The Jordan Compact should shift its focus from work permit numbers to working conditions, decent work, and increasing the collective power of workers. The Compact should be reformed to include all nationalities of protection seekers.*

- **Recommendation 2a:** *The Government of Jordan* should allow all protection seekers of all nationalities to access to the same range of work permits (for example flexible work permits) under the same terms that they are available to Syrians.
- **Recommendation 2b:** *The European Union, and other donor states and organisations* should use the leverage available to them to pressure the Government of Jordan to open up work permits to all nationalities living in Jordan. Donors should seek to fund programs that focus not on work permit targets, but rather on meaningful improvements to workers' rights and working conditions.
- **Recommendation 2c:** *The European Union* should reconsider its current approach, in which labour market inclusion in countries such as Jordan is part of a wider agenda to contain protection seekers in the Middle East and limit their onward mobility. It should ensure there are more robust and independent evaluations of its funding and interventions, and that such evaluations go beyond formal targets and centre the lives, rights and experiences of the intended beneficiaries of these interventions.
- **Recommendation 2d:** *Humanitarian organisations, NGOs and civil society organisations* should use the framework of the Jordan Compact to push for reforms that will meaningfully enhance workers' rights and conditions and should focus their programming on workers' rights and conditions, rather than on targets such as the number of work permits issued.