

The Legal Regulations and Governmental Approaches towards Refugees in Jordan

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Jordan has long been a refuge for those fleeing conflict and persecution in neighbouring countries. As a result, the country has developed a robust set of laws and policies to protect refugees and provide them with the support they need to rebuild their lives. In this context, understanding the refugee laws in Jordan is crucial for anyone interested in the welfare of refugees and the broader humanitarian crisis in the region.

With over 750,000 registered refugees, Jordan is home to one of the largest refugee populations in the world. The country has been praised for its generosity and commitment to protecting refugees, but also faces significant challenges in providing for the needs of such a large and diverse population. Understanding the legal framework that governs refugees in Jordan is essential to addressing these challenges and improving the lives of those affected by conflict and displacement.

The ongoing conflict in Syria has resulted in a massive influx of refugees into neighbouring countries, including Jordan. To meet the needs of this growing population, the Jordanian government has established a set of laws and policies designed to provide refugees with protection, assistance, and access to essential services. This legal framework is a critical component of the countrys humanitarian response to the Syrian crisis and plays an essential role in the lives of hundreds of thousands of refugees living in Jordan.

Keywords: asylum rights, Jordan, legislation, governmental approaches, health services and accessibility for Jordanian refugees

Overview of the refugee crisis in Jordan

The refugee crisis in Jordan is one of the most pressing humanitarian issues of our time. The country is home to hundreds of thousands of refugees, including many who have fled violence and persecution in neighbouring Syria and Iraq.

The sheer number of refugees in Jordan has placed an enormous strain on the countrys resources and infrastructure. Government and civil society have

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worked tirelessly to provide essential support and services to refugees, including healthcare, education, and legal aid.²

Despite these efforts, the crisis continues to pose significant challenges. Many refugees face a range of issues, including limited access to essential services, legal and administrative barriers, and economic insecurity.

Overall, the refugee crisis in Jordan represents a major challenge for the country and the international community as a whole. Finding lasting solutions to this crisis will require ongoing commitment and investment in support for refugees, as well as broader efforts to address the root causes of displacement and conflict in the region.³

Importance of refugee laws in protecting vulnerable populations

Refugee laws play a critical role in protecting vulnerable populations who have been forced to flee their homes due to violence, persecution, or other forms of harm. These laws provide a legal framework for ensuring that refugees are able to access essential services and support, and that they are not subjected to further harm or mistreatment.⁴

In the absence of robust refugee laws, refugees are often at risk of being denied basic rights and protections, including access to healthcare, education, and legal aid. They may also face discrimination, exploitation, and violence.

By contrast, countries that have strong and effective refugee laws are able to provide a range of critical protections and services to refugees. These may include access to healthcare and education, legal aid, and protection from discrimination and persecution.

In addition to providing essential support for refugees, strong refugee laws can also help to promote greater stability and security in regions affected by displacement and conflict. By ensuring that refugees are able to access the support and resources they need, these laws can help to mitigate the impact of displacement on vulnerable populations, and help to promote greater social cohesion and stability.⁵

Ultimately, the importance of refugee laws in protecting vulnerable populations cannot be overstated. By providing a legal framework for ensuring that refugees are able to access essential support and protections, these laws play a critical role in promoting human rights and social justice, and in helping to ensure that those who have been forced to flee their homes are able to rebuild their lives in safety and security.

2 CULCASI 2017: 323–326.

3 MELOTTI 2018.

4 RYAN 2018.

5 WEISSBRODT et al. 2009.

Background on Jordan's refugee laws

Overview of the legal framework governing refugees in Jordan

The legal framework governing refugees in Jordan is complex and multi-faceted, reflecting the country's long history of hosting refugee populations. At its core, this framework is built around a range of national and international legal instruments that have been designed to protect the rights and welfare of refugees.

Key elements of the legal framework for refugees in Jordan include:⁶

- The 1951 Convention relating to the Status of Refugees: This international treaty sets out the basic legal principles governing the treatment of refugees, and provides a framework for defining who qualifies as a refugee.
- The 1967 Protocol relating to the Status of Refugees: This protocol extends the scope of the 1951 Convention to cover refugees who are not covered by the original treaty, such as those who have fled their homes due to conflict or other forms of violence.
- The Jordanian Nationality and Entry into Jordan Law: This law sets out the procedures and requirements for refugees to enter and remain in Jordan.
- The Jordanian Residency Law: This law governs the rights and obligations of refugees who have been granted residency in Jordan, including their right to work, access healthcare, and receive education.
- The Jordanian Refugee Affairs Directorate: This government agency is responsible for implementing Jordan's refugee laws and policies, and for overseeing the provision of support and services to refugees.

Together, these legal instruments and institutions form the basis of Jordan's legal framework for refugees, providing a range of critical protections and support to vulnerable populations who have been forced to flee their homes.

Historical context and evolution of refugee laws in Jordan

Jordan has a long history of hosting refugee populations, dating back to the establishment of the state of Israel in 1948. Over the years, the country has been home to large numbers of refugees from Palestine, Iraq, and Syria, among other places.

In the early years of its history, Jordan did not have a formal legal framework for addressing the needs of refugees. However, as the number of refugees in the country grew, the government began to develop a range of policies and programs aimed at addressing their needs.

6 HOVIL 2016.

One of the key milestones in the evolution of refugee laws in Jordan was the country's accession to the 1951 Convention relating to the Status of Refugees in 1963. This treaty provided a framework for defining who qualifies as a refugee, and set out a range of legal principles governing their treatment.

Over the years, Jordan has continued to refine its legal framework for refugees, enacting a range of laws and policies designed to protect their rights and welfare. For example, in 2008, the government introduced the Residency Law, which established a legal framework for granting residency to refugees and providing them with access to essential services and support.⁷

More recently, Jordan has taken a number of steps to strengthen its legal framework for refugees, including the adoption of the National Resilience Plan in 2017. This plan seeks to promote the social and economic inclusion of refugees, and to provide them with greater access to education, healthcare, and other essential services.

Overall, the historical context and evolution of refugee laws in Jordan reflects the country's ongoing commitment to protecting vulnerable populations who have been forced to flee their homes due to conflict, persecution, and other forms of harm. While significant challenges remain, Jordan's legal framework for refugees represents an important step forward in ensuring that these populations are able to access the support and protections they need to rebuild their lives in safety and security.⁸

Key principles and policies of Jordan's refugee laws

Jordan's refugee laws are based on a set of key principles and policies that are designed to protect the rights and welfare of refugees and to promote their social and economic inclusion. Some of the key principles and policies of Jordan's refugee laws include:⁹

- **Non-refoulement:** Under Jordanian law, refugees cannot be returned to their country of origin if they are at risk of persecution or harm. This principle, known as non-refoulement, is a cornerstone of refugee protection, and is enshrined in both international and Jordanian law.
- **Access to essential services:** Jordan's refugee laws require that refugees have access to essential services, such as healthcare, education, and employment. This includes provisions for providing refugees with identity documents, work permits, and access to social services.
- **Inclusion in national systems:** Jordan's refugee laws aim to promote the inclusion of refugees in national systems, including the education system and the healthcare system. This includes measures to ensure that refugees have access to the same services and opportunities as Jordanian citizens.

7 NEWMAN–SELM 2003.

8 LARKING 2014.

9 RYAN 2002.

- **Community-based support:** Jordan's refugee laws recognise the importance of community-based support for refugees, and encourage the participation of local communities in supporting the needs of refugee populations. This includes efforts to build bridges between refugees and host communities, and to promote social cohesion and mutual understanding.
- **Protection of vulnerable populations:** Jordan's refugee laws are designed to protect the most vulnerable refugee populations, including women, children, and people with disabilities. This includes measures to prevent and respond to gender-based violence, and to provide specialised support to vulnerable populations.

Overall, these principles and policies reflect Jordan's commitment to protecting the rights and welfare of refugees and to promoting their social and economic inclusion. While significant challenges remain, Jordan's refugee laws represent an important step forward in ensuring that refugees are able to access the support and protections they need to rebuild their lives in safety and security.

Non-refoulement and protection from persecution

Definition of non-refoulement and its importance in refugee law

Non-refoulement is a fundamental principle of refugee law that prohibits the forced return of individuals to a country where they face the risk of persecution, torture, or other forms of harm. This principle is enshrined in several international treaties, including the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as regional refugee instruments such as the African Union Convention on Refugees.

The principle of non-refoulement is based on the recognition that refugees are entitled to protection under international law, and that returning them to a situation where they face persecution or harm would violate their human rights. It is also grounded in the principle of non-discrimination, which holds that all individuals have the right to be protected from persecution and harm regardless of their nationality, race, religion, or other factors.

Non-refoulement is considered a cornerstone of refugee protection, and is widely recognised as a norm of customary international law. It is also an important legal principle in national refugee laws, including in Jordan, where it is explicitly enshrined in the country's legal framework for refugees.¹⁰

The importance of non-refoulement in refugee law cannot be overstated. It is a fundamental principle that ensures the safety and security of refugees, and protects

¹⁰ HATHAWAY 1991.

them from the risk of persecution, torture, and other forms of harm. Without the principle of non-refoulement, refugees would be at risk of forced return to situations of danger and would be denied the basic human rights to which they are entitled.

Jordan's commitment to non-refoulement and protection from persecution

Jordan has a strong commitment to non-refoulement and to protecting refugees from persecution and harm. The country has been a signatory to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol since 1956, and has developed a legal framework for refugees that is in line with international standards.

Under Jordanian law, refugees cannot be returned to their country of origin if they are at risk of persecution or harm. This principle of non-refoulement is enshrined in the country's refugee laws, which prohibit the forced return of refugees to situations of danger. Jordan has also taken steps to ensure that refugees have access to legal assistance and representation, and has established procedures for determining refugee status and providing protection to those who are recognised as refugees.

In addition to its legal framework for refugees, Jordan has also demonstrated a strong commitment to protecting refugees from persecution and harm through its humanitarian assistance programs. The country has provided refuge to millions of people fleeing conflict and persecution in neighbouring countries, including Iraq, Syria, and Palestine, and has worked closely with international organisations such as UNHCR to provide support and protection to refugees.¹¹

Despite the challenges posed by the ongoing refugee crisis, Jordan's commitment to non-refoulement and to protecting refugees from persecution remains strong. The country's efforts to provide assistance and protection to refugees reflect its recognition of the importance of upholding the fundamental principles of refugee protection and human rights.

Impact of non-refoulement on refugees in Jordan

The principle of non-refoulement has had a significant impact on refugees in Jordan, as it has helped to ensure their safety and protection from persecution and harm. By prohibiting the forced return of refugees to situations of danger, non-refoulement has provided a critical safeguard for refugees in Jordan and has helped to prevent the violation of their human rights.

In practice, the principle of non-refoulement has enabled refugees in Jordan to seek asylum and protection without fear of being forcibly returned to their country

¹¹ GOODWIN-GILL-MCADAM 2007.

of origin. This has given them the opportunity to rebuild their lives in safety and security, and has enabled them to access vital humanitarian assistance and support.¹²

Non-refoulement has also played an important role in shaping Jordan's legal framework for refugees, which is designed to protect the rights of refugees and ensure that they are treated with dignity and respect. By enshrining the principle of non-refoulement in its refugee laws, Jordan has demonstrated its commitment to upholding the fundamental principles of refugee protection and human rights.

Despite the challenges posed by the ongoing refugee crisis, the principle of non-refoulement continues to be a critical tool for protecting refugees in Jordan. As long as the country remains committed to this principle and to upholding the rights of refugees, it will continue to serve as a model for other countries seeking to provide protection and assistance to vulnerable populations.¹³

Access to essential services

Overview of the services provided to refugees in Jordan

Refugees in Jordan have access to a range of services designed to meet their basic needs and provide them with the support they need to rebuild their lives. These services are provided by a variety of organisations, including the Jordanian government, UN agencies, and international and local NGOs.

One of the most important services provided to refugees in Jordan is shelter. Many refugees are housed in refugee camps or in urban areas, where they receive support and assistance with housing, food, and other basic necessities. In addition to shelter, refugees in Jordan have access to healthcare, education, and other essential services, including water and sanitation facilities.¹⁴

UN agencies and NGOs play a critical role in providing these services, working closely with the Jordanian government to ensure that refugees have access to the support they need. UNHCR, for example, provides protection and assistance to refugees in Jordan, including assistance with registration, legal aid, and resettlement. Other organisations, such as the International Rescue Committee (IRC) and Save the Children, provide healthcare, education, and other services to refugees in both urban and camp settings.

In recent years, there has been a growing emphasis on providing refugees with opportunities for self-reliance and economic empowerment. As a result, many organisations are now providing vocational training, job placement services, and other support aimed at helping refugees to become more self-sufficient and less reliant on humanitarian assistance.

12 KÄLIN-KÜNZLI 2009.

13 McADAM 2010.

14 KARASAPAN 2015.

Despite these efforts, the scale of the refugee crisis in Jordan remains daunting, and there are significant gaps in the services and support available to refugees. As such, there is an ongoing need for increased funding and resources to support the needs of refugees and to ensure that they have access to the services and support they need to rebuild their lives in safety and dignity.

Healthcare services and their availability to refugees in Jordan

Healthcare is a critical service for refugees in Jordan, many of whom have fled their homes due to conflict, persecution, and other forms of violence. While the Jordanian government has made significant efforts to provide healthcare services to refugees, the scale of the refugee crisis and the limited resources available have made it difficult to ensure that all refugees have access to the care they need.

The Jordanian government provides healthcare services to refugees through its public healthcare system, which is available to all residents of the country, regardless of their nationality or legal status. Refugees are entitled to receive primary healthcare services, including consultations with doctors and access to medications, free of charge. However, specialised medical care and hospitalisation may not be covered, and there are often long waiting times for appointments and treatments.¹⁵

To address these challenges, a number of organisations, including UNHCR and international NGOs, have established healthcare programs and clinics specifically for refugees. These programs provide a range of services, including basic medical care, mental health support, and assistance with chronic conditions. They also help to address the language barriers that can make it difficult for refugees to access healthcare services in the public system.

Despite these efforts, however, there are still significant challenges in ensuring that all refugees have access to the healthcare services they need. Many refugees live in remote or hard-to-reach areas, making it difficult for them to access healthcare services. In addition, there are ongoing funding challenges, which can limit the availability of specialised medical care and other critical services.¹⁶

Overall, while healthcare services are available to refugees in Jordan, there is still much work to be done to ensure that all refugees have access to the care they need to stay healthy and rebuild their lives in safety and dignity.

Education and language training for refugees in Jordan

Access to education and language training is essential for refugees in Jordan to rebuild their lives and integrate into the host community. While the Jordanian government has

¹⁵ AKRAM–SYRING 2014.

¹⁶ COSTELLO–FOSTER–MCADAM 2021.

made significant efforts to provide education and language training opportunities to refugees, the scale of the refugee crisis and limited resources have made it challenging to ensure that all refugees have access to these services.

The Jordanian government has taken steps to integrate refugees into the national education system, allowing them to attend public schools alongside Jordanian students. However, there are still significant barriers to education for refugees, including language barriers and a lack of resources to support their education. Many refugee children have experienced long gaps in their education due to displacement and may struggle to catch up academically.

To address these challenges, a number of organisations, including UNHCR and international NGOs, have established education programs and language training opportunities specifically for refugees. These programs aim to provide quality education and support to refugee children and youth, as well as to adults who may need language training to access employment opportunities.

Despite these efforts, there are still significant challenges in ensuring that all refugees have access to education and language training opportunities. Many refugees live in remote or hard-to-reach areas, making it difficult for them to access education services. In addition, funding for education and language training programs is limited, and there is a need for greater coordination between government and non-governmental actors to ensure that resources are used effectively.¹⁷

Overall, while there have been significant efforts to provide education and language training to refugees in Jordan, more needs to be done to ensure that all refugees have access to these critical services. By investing in education and language training for refugees, Jordan can help to ensure that they have the skills and knowledge they need to rebuild their lives and contribute to the host community.

Access to legal aid and support for refugees in Jordan

Access to legal aid and support is critical for refugees in Jordan, who may face a range of legal challenges related to their status and their ability to access basic rights and services. While the Jordanian government has established a legal framework to protect refugees and provide them with legal assistance, the scale of the refugee crisis and limited resources have made it challenging to ensure that all refugees have access to these services.

The Jordanian government has established a legal aid system to provide refugees with access to legal assistance, including legal advice and representation in court. The legal aid system is managed by the Ministry of Justice and includes a network of legal aid centres across the country.

¹⁷ NANDA 1989.

In addition to the government's legal aid system, a number of non-governmental organisations (NGOs) and international organisations provide legal aid and support to refugees in Jordan. These organisations offer a range of services, including legal advice, representation, and assistance with documentation and administrative procedures.

Despite these efforts, there are still significant challenges in ensuring that all refugees have access to legal aid and support. Many refugees may not be aware of their legal rights and the services available to them, and language barriers may make it difficult for them to access legal assistance. In addition, funding for legal aid programs is limited, and there is a need for greater coordination between government and non-governmental actors to ensure that resources are used effectively.¹⁸

Overall, while there have been significant efforts to provide legal aid and support to refugees in Jordan, more needs to be done to ensure that all refugees have access to these critical services. By investing in legal aid and support for refugees, Jordan can help to ensure that they have the legal assistance they need to protect their rights and access basic services.

Challenges to implementing refugee laws in Jordan

The strain of refugee populations on Jordan's resources and infrastructure

The large and sustained influx of refugees into Jordan has placed significant strain on the country's resources and infrastructure. With over 650,000 registered refugees and many more unregistered, the population of refugees in Jordan now constitutes a significant proportion of the country's overall population.

One of the most significant challenges posed by the refugee crisis is the strain it has placed on Jordan's infrastructure, including housing, water, and sanitation. The large influx of refugees has led to overcrowding in many areas and has put significant pressure on the country's water resources, which were already limited.

In addition to these challenges, the refugee crisis has also had an impact on Jordan's economy. The large numbers of refugees have created increased demand for goods and services, which has driven up prices in many areas. At the same time, many refugees are unable to work legally, which has limited their ability to contribute to the economy and has led to increased reliance on aid.¹⁹

Despite these challenges, Jordan has made significant efforts to provide services and support to refugees. The government has established a number of refugee camps and has worked with international organisations to provide basic services such as healthcare, education, and water and sanitation. NGOs and international organisations have also played a key role in providing support to refugees.

¹⁸ ANNAMALAI 2014.

¹⁹ PALMER 2000.

However, with the ongoing conflict in Syria and the continued arrival of refugees, the strain on Jordan's resources and infrastructure is likely to continue. Addressing these challenges will require sustained investment in infrastructure and services, as well as continued cooperation between the government, NGOs, and international organisations.

Difficulties in ensuring access to essential services for all refugees

Ensuring access to essential services for all refugees in Jordan has been a significant challenge. Despite the efforts of the government and international organisations, many refugees still struggle to access basic services such as healthcare, education, and legal support.

One of the main barriers to access is the sheer scale of the refugee crisis. With hundreds of thousands of refugees in the country, providing services to everyone who needs them is a complex and difficult task. Resources are often stretched thin, and it can be challenging to identify and reach all of the refugees who require assistance.

Another challenge is the geographic dispersion of the refugee population. While many refugees live in designated camps, many others are dispersed throughout urban areas. This can make it difficult to provide services to everyone who needs them, particularly in areas where resources are already scarce.

Language barriers can also be a significant challenge, particularly for refugees who do not speak Arabic. Many essential services are provided in Arabic, which can make it difficult for refugees to access the support they need.

In addition to these challenges, there are also specific barriers to access for vulnerable populations such as women, children, and those with disabilities. For example, women may face cultural barriers that prevent them from accessing healthcare or legal support, while children may struggle to access education due to a lack of resources or discrimination.²⁰

Addressing these challenges will require a coordinated and sustained effort from the government, international organisations, and NGOs. This will involve not only providing essential services but also addressing the underlying factors that contribute to barriers to access, such as language barriers and discrimination.

Legal and administrative challenges in implementing refugee laws in Jordan

The implementation of refugee laws in Jordan has been challenging due to a range of legal and administrative issues. Some of the key challenges include:²¹

20 KHORY 2012.

21 RYAN 2018.

- **Limited resources and capacity:** The sheer number of refugees in Jordan has placed a significant strain on the country's resources and administrative capacity. This has made it difficult to provide refugees with the services and support they require.
- **Complex legal framework:** The legal framework governing refugees in Jordan is complex and can be challenging to navigate. This can make it difficult for refugees to access the protection and support they are entitled to under the law.
- **Inconsistent implementation:** The implementation of refugee laws in Jordan has been inconsistent, with variations in practice between different government agencies and regions. This can lead to confusion and uncertainty among refugees regarding their legal status and entitlements.
- **Limited access to legal aid:** Many refugees in Jordan have limited access to legal aid, which can make it difficult for them to navigate the legal system and access the protection and support they require.
- **Language barriers:** Many refugees in Jordan do not speak Arabic, which can make it difficult for them to understand the legal system and access legal support.

Addressing these legal and administrative challenges will require a concerted effort from the government, civil society organisations, and the international community. This will involve not only providing resources and capacity-building support but also ensuring that refugees have access to legal aid and information in languages they understand. It will also require ensuring consistent implementation of refugee laws and policies across different government agencies and regions.

Conclusion

Recap of the importance of Jordan's refugee laws

Jordan's refugee laws are crucial for protecting vulnerable populations and providing support to those who have fled their homes due to conflict, persecution, or other reasons. Some of the key benefits and impacts of these laws include:²²

- **Protection from persecution:** Jordan's commitment to non-refoulement ensures that refugees are not returned to countries where they may face persecution, torture, or other forms of harm.
- **Access to essential services:** Refugees in Jordan have access to healthcare, education, and other essential services that can help them rebuild their lives and create a sense of stability.

²² AKRAM-SYRING 2014.

- Legal support and protection: Jordan's legal framework for refugees provides a range of protections and support, including access to legal aid and assistance with resettlement and other legal processes.
- A model for other countries: Jordan's approach to refugee protection has been hailed as a model for other countries to follow, particularly in the Middle East and North Africa.

Overall, Jordan's refugee laws are critical for ensuring that vulnerable populations are protected and supported during times of crisis. While there are challenges in implementing these laws, continued efforts to strengthen and enforce them can have a significant impact on the lives of refugees in Jordan and beyond.

The continued need for support for refugees in Jordan and beyond

Despite the progress made in protecting and supporting refugees in Jordan, the need for ongoing support remains high. The ongoing conflict in neighbouring Syria and other crises in the region continue to drive displacement, with new waves of refugees arriving in Jordan each year.

To meet the ongoing needs of refugees in Jordan and beyond, it is essential to continue providing funding and support for essential services like healthcare, education, and legal aid. In addition, efforts to address the root causes of displacement, such as conflict and political instability, can help prevent future waves of displacement and reduce the burden on host countries like Jordan.²³

Beyond Jordan, there is a global need for increased support for refugees, with millions of people displaced around the world. This includes providing safe and legal pathways for refugees to resettle in other countries, as well as supporting countries like Jordan that are hosting large numbers of refugees.

By working together to address the ongoing refugee crisis, we can provide hope and support to those who have been forced to flee their homes, and help build a brighter future for all.

Final thoughts on the significance of refugee laws for protecting vulnerable populations

In a world where millions of people are displaced due to conflict, persecution, and other factors, refugee laws play a critical role in protecting vulnerable populations and ensuring that they have access to the support and resources they need to rebuild their lives.

²³ DE LAURI 2016.

The importance of refugee laws cannot be overstated. They provide legal protections against persecution, ensure access to essential services like healthcare and education, and offer a range of support and assistance to refugees as they navigate the challenges of displacement.²⁴

Jordan's refugee laws are an example of how such laws can be implemented effectively, and the impact they can have on the lives of refugees. However, the ongoing refugee crisis requires continued support and action from the international community to provide adequate protection, support, and resources to refugees in need.

In the face of ongoing conflict and displacement, it is essential that we continue to advocate for the rights of refugees, and work together to build a more just and compassionate world where everyone has the opportunity to thrive.

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²⁴ ZAHRA 2021.

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