Syrian refugees in Jordan,
A protection overview
January 2018
## Content

<table>
<thead>
<tr>
<th>CONTENT</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. INTRODUCTION</td>
<td>3</td>
</tr>
<tr>
<td>2. ENTRY TO JORDAN</td>
<td>4</td>
</tr>
<tr>
<td>3. LEGAL REGISTRATION</td>
<td>5</td>
</tr>
<tr>
<td>3.1. Current situation</td>
<td>5</td>
</tr>
<tr>
<td>3.2. Regularization</td>
<td>5</td>
</tr>
<tr>
<td>3.3. Amnesty</td>
<td>6</td>
</tr>
<tr>
<td>4. LIFE AS A SYRIAN REFUGEE</td>
<td>7</td>
</tr>
<tr>
<td>4.1. Access to healthcare outside of camps</td>
<td>8</td>
</tr>
<tr>
<td>4.2. Access to education outside of camps</td>
<td>8</td>
</tr>
<tr>
<td>4.3. Access to formal employment</td>
<td>9</td>
</tr>
<tr>
<td>4.4. Access to civil documentation</td>
<td>10</td>
</tr>
<tr>
<td>5. REDUCTION OF PROTECTION SPACE</td>
<td>13</td>
</tr>
<tr>
<td>5.1. Retraction of movement</td>
<td>13</td>
</tr>
<tr>
<td>5.2. Returns</td>
<td>16</td>
</tr>
<tr>
<td>6. NEGATIVE COPING MECHANISMS</td>
<td>17</td>
</tr>
<tr>
<td>6.1. Sexual Gender Based Violence (SGBV)</td>
<td>17</td>
</tr>
<tr>
<td>6.2. Child labor</td>
<td>18</td>
</tr>
<tr>
<td>7. CONCLUSION</td>
<td>19</td>
</tr>
<tr>
<td>8. KEY RECOMMENDATIONS</td>
<td>20</td>
</tr>
</tbody>
</table>
1. Introduction

Seven years into the Syria crisis, Syrian refugees remain in exile as their country continues to face a protracted conflict and an overwhelming humanitarian crisis. With 13.1 million people requiring humanitarian assistance in Syria and 5.5 million Syrian refugees worldwide\(^1\) (mainly hosted in Turkey, Lebanon, Jordan, Iraq and Egypt), this remains the world’s largest displacement crisis.

As of 31 December 2017, the United Nations High Commissioner for Refugees (UNHCR) recorded 655,624 registered Syrian refugees in Jordan\(^2\), a number that has remained consistent over the past three years, mainly due to the increased entry restrictions into the Kingdom. Close to 80 per cent of registered refugees live outside the camps, primarily concentrated in urban and rural areas in the northern governorates of Jordan, with lesser populations in the southern governorates\(^3\). The remaining Syrian refugees live in camps, mainly in Zaatari Camp (±80,000), Azraq Camp (±36,040)\(^4\) and the Emirati Jordanian Camp (±7,000). They are to be added to the multiple other refugee populations and persons of concerns that Jordan hosts, including 65,922 Iraqis, and more than 13,000 from Sudan, Somalia, and Yemen.\(^5\)

The significant influx of refugees over the last seven years has had an impact on service delivery and generated the need for humanitarian assistance. In response to this crisis, the international community worked with the government of Jordan to create the Jordan Compact, a ground-breaking deal that aims to provide 200,000 work permits for Syrian refugees in exchange for preferential access to the European market as well as access to conditional financing from the World Bank. More than two years on, and on the eve of another international Conference, the needs of Syrian refugees in Jordan remain staggering. The economic hardship which is affecting Jordan has significantly impeded the implementation of the Jordan Compact. While progress has been made to improve the legal status of Syrian refugees in Jordan, many barriers to economic opportunities, quality education and access to essential services prevent the fulfilment of their rights, exacerbate their vulnerability and raise major protection concerns.

Based on INGOs research, assessments and testimonies, this third edition of the JIF Protection brief aims to highlight the severe consequences of limited legal status for Syrian refugees in Jordan, the specific vulnerabilities that derive from it and the everyday impact of these restrictions.

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\(^1\) OCHA (Nov 2017), *Syria Humanitarian Needs Overview*  
\(^2\) UNHCR (Dec 2017) *Syria Regional Refugee Response*  
\(^3\) CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis  
\(^4\) While UNHCR officially recorded 53,557 Persons of concerns, only 36,040 are currently living in Azraq at present, UNHCR (Oct. 2017) Azraq factsheet  
\(^5\) UNHCR (Sept 2017) *Jordan Operational Update*
2. Entry to Jordan

While tight border restrictions have been in place since 2013, the government of Jordan officially announced the closure of its border on 21 June 2016, following a suicide-bomb attack at its north-eastern border in Rukban.

The closure of the border is a violation of the principle of non-refoulement and has resulted in the collective punishment of thousands of vulnerable Syrians seeking international protection, particularly the 40,000-50,000 people – 70-80 per cent of whom are women and children1, trapped in a demilitarized zone called ‘the berm’ in Rukban, between Jordan and Syria. These civilians are not only unable to exercise their right to seek asylum but are also enduring dire conditions in informal tented settlements cut off from humanitarian assistance, aside from water and healthcare. As party to the conflict in Syria, Jordan has obligations under International Humanitarian Law, including facilitating delivery of humanitarian assistance to civilians2.

Over the past year and half, only three rounds of aid distribution have been allowed by the Jordanian authorities, the last ones being in June 2017 and then, January 2018. In the summer 2017, the UN had approached INGOs operating in Azraq to prepare a contingency plan in order to receive a possible influx of 30,000 refugees from Rukban, however this option never materialized. In November 2017, the Kingdom announced that a solution had to be found from inside Syria through cross-line assistance. It later allowed the UN to conduct one exceptional lifesaving operation across the northeast border early January 2018. The distribution of food and non-food items, operated by trucks and facilitated by crane, reached 9,740 families. While only few clinics are operating in the whole area, one of them is only accessible with approval from Jordanian authorities, and Non-State Armed Opposition Groups present in the camp have also reportedly restricted movement to this facility3. Although a recent assessment reported low levels of severe acute malnutrition in the camp4, it also noted that many cannot afford current food prices: 89 per cent of households could not include a source of protein in their standard meals5. The discussions with the Syrian government and multiple actors of the conflict, as well as important logistic and security challenges mean additional delays for aid to be distributed from within Syria. As winter sets in, the absence of long term and robust solution poses the risk of severe humanitarian consequences for the population while lack of food is already the most important cause of stress for children in the camp6. Only a very few temporary entries were granted to Syrian patients for medical interventions inside Jordan. In 2017, there was 671 referrals to Jordanian hospitals from the berm, with the patients being sent back to Rukban makeshift camp once discharged7.

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1 UN data (Dec 2017)
2 The Fourth Geneva Convention requires States to “allow the free passage of all consignments of medical and hospital stores” intended only for civilians and “the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases”. Additional Protocol I broadens this obligation to cover “rapid and unimpeded passage of all relief consignments, equipment and personnel”. This interpretation is generally accepted, including by States not, or not at the time, party to Additional Protocol I.
3 UN data (Dec 2017)
4 UNICEF (Oct 2017) Rapid Nutrition Assessment
5 UN data (Dec 2017)
6 UNICEF (Oct 2017) Rapid Nutrition Assessment
7 UNHCR. Additionally, the clinics operated 12,845 consultations for acute and chronic health conditions throughout the year
3. Legal Registration

3.1. CURRENT SITUATION

Jordanian authorities require Syrians to register with the Ministry of Interior (MoI) and be issued a biometric service card. Additionally, they should register with UNHCR and be issued either a ‘proof of registration’ in formal camps or an ‘asylum seeker certificate’ (ASC) if they reside in host communities. Without valid registration, Syrian refugees face major barriers to legally stay in their current place of residence, access public services and humanitarian assistance or register births, deaths and marriages.

3.2. REGULARIZATION

The Urban Verification Exercise (UVE) for all Syrian nationals (refugees and non-refugees) to re-register in host communities has been ongoing since February 2015. Within the UVE, all Syrian nationals are required to present themselves to local police stations to obtain new biometric MoI service cards and confirm their place of residence. The exercise also allowed the eventual return of Syrian identity documents withheld by the Jordanian authorities at the border as well as the regularisation of the status of refugees who had left the camp outside of the bail out system if they hold an ASC.

To obtain the new cards, refugees above 12 years of age must obtain a health certificate from the Ministry of Health which they must present, along with a confirmation of residence (certified lease agreement, non-certified lease agreement with the presence of the landlord, or a proof of place of residency issued by UNHCR). As of December 2017, 403,332 refugees were registered through the UVE, the highest percentage of registered refugees being in Ajloun governorate (90 per cent) and the lowest in Tafila (72 per cent) and Amman (75 per cent). It was estimated that 110,331 Syrian refugees had not yet completed or were unable to meet the requirements to update their government registration, compared to over 143,000 in our last report. NRC documented common issues refugees faced, such as long waiting times at health centres and police stations, and police seeking additional documentation from refugees beyond the official requirements. Lease contracts and/or proof of residence were also identified by the DRC-PUI-MC consortium as a barrier to obtaining MoI registration.

The bailout system, allowing refugees to transfer from camp to host communities, with the support of a Jordanian sponsor, was introduced in July 2014 and suspended early 2015, with a first cut-off date of 14 July 2014. In 2017, the cut-off date got postponed to 8 March 2015, allowing refugees who had left the camp between July 2014 and March 2015 and who held a UNHCR ASC to register and get a MoI card. With the bailout process suspended, there is presently no legal way for refugees residing in the camps to leave permanently in order to settle in host communities, save for limited cases approved by

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1 In total, around 219,000 documents were retained up to 2014, when the practice ended. The process of returning document was then included in the UVE. Norwegian Refugee Council (Nov 2016) Securing status, Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan
2 Up until November 2015 refugees had to pay 30 JOD per person to obtain the health certificate. Since then, the MOH has agreed to lower the fee to 5 JOD for Syrian refugees
3 UNHCR (Jan 2018), Protection Working Group
4 INGO internal report
5 Jordan INGO Forum (Dec 2016) Syrian Refugees in Jordan: Shrinking access to services under a limited legal status
6 Norwegian Refugee Council (Nov 2016) Securing status, Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan
7 Danish Refugee Council, Premiure Urgence International, Mercy Corps (Dec 2017), Protection Monitoring Report 3
the government Humanitarian Committee in the camps, which may include family reunification, medical cases or other vulnerable profiles.

3.3. AMNESTY

At the time of writing, an “amnesty” is being negotiated in order to regularise the status of certain categories of Syrian refugees residing outside of camps in Jordan. The categories eligible will be clarified at the time of the official announcement of the amnesty. Once the policy is implemented, and for a defined period only, individuals fitting these categories will be able to update their registration with UNHCR in urban areas and access MoI registration in host communities, according to the standing requirements. Operational details of this policy have not been communicated publicly yet.
Life as a Syrian refugee

Precarious living conditions in urban and rural area

For Syrian refugees outside camps, shelter remains one of their most pressing needs. The crisis has exacerbated the existing shortage of affordable, adequate housing in Jordan. Shelter represents more than two-thirds of the monthly households’ expenditure\(^1\), leaving very little for food, health or education. Many Syrian families lack security of tenure and are still relying on a verbal renting contract\(^2\), which puts them at risk of eviction, harassment or exploitation\(^3\). In 2017, CARE found that 10.3 per cent of assessed families reported moving because they had been evicted or could no longer afford rent, and more than half\(^4\) did not know how long they could stay in their current accommodation. In addition, living in overcrowded conditions seems to be the norm for Syrian refugees in urban areas. For example with the subdivision of already small spaces, CARE reported that almost a quarter of Syrian refugees shared their accommodation with other families\(^5\), increasing the risks of domestic and gender based violence (See 6.1). The overall housing conditions of Syrian refugees are deteriorating: 41 per cent of them reported living in accommodation that lack ventilation or privacy, are damp, have leaking walls or poor hygiene conditions.\(^6\)

Informal Tenting Settlements (ITS) are mainly inhabited by the impoverished and most vulnerable Syrian refugees who are for the most part nomadic and live on private land, mostly in makeshift shelters. They are often unwilling to reside in refugee camps, as their livelihoods depend on agricultural work. At time they are unable to afford regular housing, and prefer occupy private land in proximity to agricultural fields where they can work. These families are highly vulnerable to food insecurity\(^7\), poor water and sanitation conditions, and unsafe environments, on top of being extremely marginalised, and deprived from access to basic services. To date, there is still no comprehensive population count available.

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1 Overseas Development Institute (Oct 2017) A promise of Tomorrow- The effects of UNHCR and UNICEF cash assistance on Syrian refugees in Jordan
2 CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis
4 CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis
5 Ibid
6 Norwegian Refugee Council (Nov 2017), Refugee housing market in Jordan
7 Overseas Development Institute (Oct 2017) A promise of Tomorrow- The effects of UNHCR and UNICEF cash assistance on Syrian refugees in Jordan
4.1. ACCESS TO HEALTHCARE OUTSIDE OF CAMPS

Since November 2014, registered Syrian refugees have to pay the same health fees as uninsured Jordanians while those without MoI card are required to pay the “foreigner’s fees” that are substantially higher (from 35-60 per cent higher to double depending on services and structures). While the Ministry of Health passed a decree early 2016 ensuring free ante- and post-natal care, and family planning for Syrian refugees with a valid MoI card, JIF members reported that effective application of the law remained uneven. Overall, Syrian refugees’ access to health services has deteriorated since our last report in 2016, including for prenatal care. In ITS, there is a severe lack of sexual and reproductive health services: long distances to health facilities and cost of transportation increase barriers for women to access basic and life-saving services.

More generally in host communities, the cost of healthcare is the most significant impediment for refugees to access such services, cited by 74 per cent of Syrian households as a reason for not receiving care for chronic diseases. In addition, 66 per cent of families receiving cash assistance reported not being able to meet their family’s needs, especially for individuals with chronic illness, war injury or disability.

Finally, high levels of psychosocial distress are prevalent in Syrian urban refugee families, most intensely affecting female-headed households. Feelings of constant fear and restlessness, perpetual helplessness and losing will to live were considerably reported to CARE. Recent focus group discussions led by IMC reveal that the inability to pursue studies, sometimes caused by the discrimination and bullying and harassment on their way to school, was a primary stressor impacting Syrian children and youth.

4.2. ACCESS TO EDUCATION OUTSIDE OF CAMPS

With the extension of double shifted schools, Jordan has focused on scaling up access to formal education services for all Syrian refugees. During the 2016-2017 school year, 126,127 Syrian children were enrolled in public schools. Yet, 40 per cent of Syrian school-age children remain out of school. Economic hardship and the consequent increase of child labour (particularly for boys), the costs associated with schooling, the distance to school and limited transportation options are the main reasons keeping Syrian children out of school. Despite the announcement of a grace period which allows participation in school for all children regardless of their nationality and documentation status, a significant number of children are being denied registration for not having documents according to JIF.

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1 Except for vaccination, which is free for all nationalities. The MoH does not publish its prices, estimations are based on Amnesty International (March 2016) Living on the Margin, Syrian refugees in Jordan struggle to access healthcare and on health INGO cost comparison
2 INGOs reported experience
3 Access to healthcare has declined since 2016, with 58 per cent of Syrian respondents reporting that they had used hospitals/clinics in the last six months, down from 77 per cent in 2016 – CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis
4 Overseas Development Institute (Oct 2017) A promise of Tomorrow- The effects of UNHCR and UNICEF cash assistance on Syrian refugees in Jordan
5 UNHCR (Dec 2016) Health access and Utilization survey Access to health services in Jordan among Syrian refugees
6 CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis
7 Ibid
8 International Medical Corps (Dec.2017) Understanding the Mental Health and Psychosocial Needs, and Service Utilization of Syrian Refugees and Jordanian Nationals
9 Education sector (2017), Jordan Response Plan, 2018-2020
10 Ibid: 85,160 children
11 ODI (2017) A Promise of tomorrow, The effects on UNHCR and UNICEF Cash assistance on Syrian Refugees
12 At the start of the 2016-2017 school year, the Ministry of Education (MoE) announced a grace period of one semester to regularize the child’s identity and residence documentation. It was renewed in September 2017 and extended to the beginning of 2018-2019 school year. The waiver allows all children to access school without documentation.
members. The lack of available space, the overcrowding of schools and the absence of specific services such as remedial classes are amongst many administrative barriers to school registration\textsuperscript{1}. In addition, the move to evening education (as part of the shift system) has caused additional challenges, especially with parents unwilling to send their children to school at night, particularly if the school is far from home.\textsuperscript{2}

The percentage of school dropouts among Syrian refugees is significant, with 68 per cent of out-of-school Syrian refugee children having previously been enrolled in formal school\textsuperscript{3}. Violence in school (bullying and in-class violence) is reportedly the main reason for dropping out, followed by the quality of teaching and learning environment, and the need for children to work (See 6.2)\textsuperscript{4}.

### 4.3. ACCESS TO FORMAL EMPLOYMENT

There are approximately 297,000 Syrian men and women of working age in Jordan\textsuperscript{5}. Under the Jordan Compact, the government of Jordan committed to issue 200,000 work permits to Syrian refugees over a three-year period. However, as per Ministry of Labour figure, only 83,507 work permits had been issued and renewed from January 2016 to December 2017\textsuperscript{6} and only some 40 000 Syrian refugees have valid work permits at this point. Despite some positive policy changes, such as the cancellation of the work permit costs and other legal amendments,\textsuperscript{7} formalization of work is not increasing as fast as anticipated, and new job opportunities are not being created. While refugees can obtain a work permit through cooperatives or a trade union in the agriculture and construction sectors, they are still dependant on a “sponsor”/employer in other sectors and decent work conditions remain a problem. Most importantly, restrictions in work sectors opened to foreigners exclude refugees from high-skilled and semi-skilled employment, leaving many to work in the informal market or remain unemployed. For women, constraints are exacerbated by a lack of transportation to the workplace, disproportionate responsibility for unpaid care and domestic work, and a lack of culturally appropriate employment opportunities. Only 4 per cent of work permits have been issued to Syrian women.

Although many Syrian refugees have strong entrepreneurial skills\textsuperscript{8}, the government has not created a specific, easy to understand, and streamlined regulatory framework for registering Syrian businesses, and Syrian refugee micro-, small and medium enterprises ownership remains low.\textsuperscript{9}. According to Oxfam, Syrian entrepreneurs have experienced harassment and intimidation from community and public officials, including customers, landlords, business partners and competitors\textsuperscript{10}. For single Syrian women who are considering running home-based businesses, there is currently no legal pathway to register them, and they often experience ad hoc restrictions from landlords making home business development very challenging.

\begin{itemize}
\item \textsuperscript{1} UNICEF (2017), Demand-Side Barriers to Education Presentation
\item \textsuperscript{2} Danish Refugee Council (2017). Key Informant Interviews in Ma’an
\item \textsuperscript{3} UNICEF (2017) Running on Empty II
\item \textsuperscript{4} UNICEF (2017) Running on Empty II
\item \textsuperscript{5} UNHCR (2017). Refugee Livelihoods: Jordan. September 2017.
\item \textsuperscript{6} From January 1, 2017 to December 31, 2017, 46,717 permits were issued, of which 12,995 permits were issued from camps between February 2017 to December 31, 2017. Ministry of Labour Syrian Refugee Unit (Dec 2017) Syrian Refugee Unit Work Permit Progress Report December 2017
\item \textsuperscript{7} Today, Syrian refugees only need to show Mol card and passport photo, although other documents may be required in different locations. Syrian refugees are able to change sectors and employers without the consent of his/her current employer, but only after the permit expires
\item \textsuperscript{8} S. Razzaz. (June 2017) A Challenging Market Becomes More Challenging: Jordanian Workers, Migrant Workers and Refugees in the Jordanian Labour Market. International Labour Organization
\item \textsuperscript{9} As of July 2016, only 65 businesses owned by Syrians had successfully registered with the Ministry of Industry, Trade and Supplies. Of course, these figures do not include people who are more likely to set up much smaller enterprises. UNHCR. (2016). Regulatory Framework for SMEs, Home-based Business, Cooperatives and NGOs for Non-Jordanian Nationals.
\item \textsuperscript{10} OXFAM, Balancing the books, Joint inter-agency briefing note, December 2017
\end{itemize}
As a result, most families continue to be dependent on humanitarian assistance and/or reliant on work in the informal sector to meet basic needs and are therefore left vulnerable to exploitation, risk of temporary detention, and to a lesser extent forcible relocation to Azraq if caught working illegally.4

4.4. ACCESS TO CIVIL DOCUMENTATION

Civil documentation processes require Syrian refugees to submit applications to local and national authorities, and in some cases, go through civil and religious court procedures to ascertain judicial facts, in addition to producing official Syrian identity documents.

Barriers

ICMC reports that the lack of financial means is one of the reported barriers to recovering civil or legal documents. While in simple cases, the cost of documentation is relatively low (5-10 Jordanian Dinar), some refugees are unable to afford the fees when factoring in the costs associated to transportation, as refugees might be obliged to return to the governorate they first settled in. In some complex cases (marriage certificate or when families have multiple interrelated pieces of documentation missing) the fees associated with documentation can rise significantly. With 93 per cent of urban refugees living below the poverty line in Jordan and competing expenses such as rent, health care and food, expenses related to documentation are often not prioritized.

Despite Syrian refugees demonstrating a clear understanding of the importance of having legal and civil documentation, there is however high prevalence or misinformation creating further barriers. Beneficiaries reported receiving the wrong information from the community, friends, or even service providers and authorities. It is common for example to see that different supporting documents are accepted by individual police officers in different police stations. Another complicating factor is the mixed status of many households, whereby some members have full UNHCR and MoI registration and others do not. This leads to complex situations in which family members face different levels of vulnerability and have unequal access to services. For marginalised communities, such as those living in ITS, accessing information can also be a challenge. As an example, ACTED found that 26 per cent of the families assessed in 18 sites had at least one member eligible for a MoI card who did not have one because of lack of information.

ICMC findings demonstrate that the fear of interacting with the Jordanian authorities creates a significant barrier to access civil and legal documentation. This could be attributed to previous distressing experiences with authorities in Syria, as well as the arbitrary treatment that some Syrian refugees reported experiencing with the police in Jordan and other service providers.

The wide practise of Sheikh marriage in Syria and a general lack of awareness led many Syrian refugees to marry informally once in Jordan. Registering a Sheikh marriage can incur significant fees or penalties.

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1 INTERSOS (May 2017) Internal Protection Monitoring Report
2 International Catholic Migration Committee (Sept 2017) Undocumented, unseen, and at risk: The situation of Syrian refugees lacking civil and legal documentation in Jordan – Setting the scene
3 UNHCR (Jan 2017) Jordan Operational update
4 International Catholic Migration Committee (Sept 2017) Undocumented, unseen, and at risk: The situation of Syrian refugees lacking civil and legal documentation in Jordan – Setting the scene
6 ACTED (May 2017) Rapid Needs Assessment on 18 sites
7 Ibid. The the majority of them did not understand the value of documents, nor how to obtain them
8 International Catholic Migration Committee (Sept 2017) Undocumented, unseen, and at risk: The situation of Syrian refugees lacking civil and legal documentation in Jordan – Setting the scene
9 Informal and religious marriage officiated by a sheikh (the head of an Arab tribe, family, or village)
If two people marry informally through a Sheikh marriage and fail to authenticate the marriage within one month at the Sharia court, they are subject to a 1,000 JD penalty. The husband may determine that the authentication is therefore not worth the high price, or the couple may be unable to afford the cost. Though the government of Jordan has waived these fees multiple times, it has done so inconsistently and the procedure, despite some improvements, remains complex. Therefore, many choose to remain in an unregistered marriage. Finally, if child marriages occur, they are conducted informally and not registered in the courts. The absence of marriage certificate sparks a cascade of civil and legal documentation challenges: no birth certificate for children out of the illegal marriage, no death certificates should one of them pass away, and no possibility to register with the MoI and access the associated services to which they are entitled. (See 6.2)

Finally, the lack of official Syrian identity documents is another obstacle to register key life events (birth, marriage, death). In some cases, documents were confiscated and not returned by Jordanian authorities, destroyed in Syria during the conflict, or the refugees come from parts of Syria where identity documents could not be produced. In other cases, the refugees were too young to have a Syrian identity card at the time they fled to Jordan or individuals were falsely registered under the identities of other people (e.g. spouses registered as siblings) as a coping mechanism to ensure entry to Jordan.

_Risks of statelessness_

Under Syria’s nationality law, nationality is only passed on by the father, whether a child is born in Syria or abroad. However, for refugee children born in exile in female-headed households where evidence of the Syrian nationality of the father may not be available, nationality can be difficult to prove. Additionally, Jordan has not ratified either of the Statelessness Conventions and does not have a legal framework to address this issue.

For Syrian refugee children born in Jordan without a birth certificate, the risk of statelessness is therefore high. Recent positive developments allow them to obtain an MoI card based on their ASC. In 2017, further progress was made to reduce the risk of statelessness by waiving fees and simplifying the procedures for late birth registration. The government of Jordan introduced expedited court procedures for children who had not been registered in the first year of life and agreed to accept as evidence the children’s MoI card or ASC.

Refugee children born in Syria who were not registered at birth or issued any form of identity documentation before they fled are the most vulnerable to statelessness. Under international law, the obligation to register birth falls only on the State in which a child is born and not on States to which people are displaced. In Jordan, authorities are only issuing MoI cards, based on children’s ASC, which do not replace a birth certificate. The confiscation of these documents by the Jordanian authorities at

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1 Comparatively in Syria, in Syria couples must register the marriage within 6 months -the penalty incurred for failure to do so is very low at 500 SL (At the time of writing, current exchange rate for 500 Syrian is less than one JD). International Catholic Migration Committee (Sept 2017) Undocumented, unseen, and at risk: The situation of Syrian refugees lacking civil and legal documentation in Jordan – A gender perspective
2 The government instituted two waiver periods (in 2014 and 2015). Shari’a courts now allow an individual who knows a married couple to give evidence on their behalf (even if the individual was not an official witness to their wedding). UNHCR (Dec 2017) Ending Statelessness within 10 years, Good Practice Paper, Action 7
3 While the minimum age for marriage is 18 in Jordan, a child of 15 years old and above (in most cases a girl) may be married with the consent of both a judge and a guardian
4 While UVE facilitated return of 191,000 documents, there have been delays or failure to return documents in some cases
5 Some cases are resolved by a Special Protection Committee on Complex Cases, which has power to issue to undocumented Syrian refugee children an official identity document that includes the data traditionally found on a birth certificate. However, the majority are given MoI cards. UNHCR (Dec 2017) Ending Statelessness within 10 years, Good Practice Paper, Action 7
the border when they return leaves them without any form of identification and might hinder their ability to establish their nationality there. Another risk is the negative coping mechanisms potentially adopted by parents, who for example, falsely register their new-born under the names of friends or relatives in an attempt to provide the child with a legal identity (when the parents are themselves undocumented). Such acts incur the possible loss of child custody, and can jeopardize the child’s claim to nationality because citizenship that has been acquired fraudulently is generally revocable under Syrian law.
5. Reduction of protection space

5.1. RESTRICTION OF MOVEMENT

DRC, MC and PUI found that in 20 per cent of households monitored, at least one person had restricted their movement in previous three months. The most commonly cited reasons inhibiting free movement were police checkpoints, fear of deportation, and fear of movement due to lack of documentation.

**Forced relocations to the camps**

As reported last year, refugees who fail to demonstrate that they left the camp through the formal bail-out procedure and refugees without MoI card, ASC or sometimes work permit (while caught working) are at risk of involuntary relocation to the camps, most predominately Azraq. In general, Jordanian Police identified Syrians lacking documentation through roadside checks, raids, random checks and workplace inspections. However, relocation to Azraq camp can also be a result of poor, or lack of, implementation of approved procedures at the local law enforcement level (in police stations). INTERSOS reported cases of Syrian refugees detained by local police when renewing their valid MoI cards.

In one case, an entire family from Dara’a – legally holding old MoI cards and UNHCR ASCs – was relocated to Azraq when applying to retrieve their Syrian identity documents held at the border by Jordanian authorities, which were necessary to obtain the new biometric MoI cards. In another case, a 20-year-old boy and his mother from Homs were relocated while trying to correct a mistake in the spelling of his surname on his recently issued new MoI card.

The primary effect of these coercive measures is family separation. INTERSOS reports that in most of the cases, the relocation concerns the breadwinners of the household – because of their higher exposure to police checks, while on their way to/from work or while at the workplace – thus strongly impacting the situation of those left behind with the same expenses but significantly reduced income. Once relocated, their documents are inactivated (even MoI cards, regardless of their validity) and replaced by an Azraq camp card, valid only for the camp. By turning “regularity into irregularity” and restricting the freedom of movement, Syrian refugees are left with the choice of staying in a camp or overstaying a leave permit in the host community under the constant fear of being caught again and possibly detained or deported to Syria.

In total, more than 25,600 involuntary relocations have been recorded to Azraq camp since the camp opened in April 2014, contributing to 44 per cent of the registered camp population. In 2016 and 2017, UNHCR officially recorded 9,647 relocations but NGOs working in the camp counted as many as 20,219.

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2. Jordan INGO Forum (Dec 2016) Syrian Refugees in Jordan: Shrinking access to services under a limited legal status
3. INTERSOS (May 2017) Internal Protection Monitoring Report
4. Ibid
5. Ibid
6. INGO unofficial report
7. Both data including people brought from Rabah Al Sarhan from February 2016 onward
Since the opening of Azraq camp, protection actors noted that almost half of the Syrian refugees involuntary relocated to the camp on a monthly basis were children accompanying their family.

Of serious concern is the significant number of children forcibly separated from their caregivers by Jordanian law enforcement authorities. According to an INGO, the police referred 82 unaccompanied children and separated children to the camp in 2017. Some were arrested, detained in police custody or in juvenile detention centres for several days, and later transferred to Azraq camp. While the official reason for their arrest and transfer is not provided, the most common reported offenses were a lack of proper documentation and/or being caught working illegally.

**In Azraq, Village 5 as a detention centre**

In Azraq, the second largest camp, a barb-wire fenced area known as ‘Village 5’ (V-5) was created in 2016 by the Jordanian authorities as a secure transit camp for the recent arrivals, all considered as a potential security risk at the time. The area was supposed to be a temporary measure; however, it has still not been dismantled. Over 21,700 refugees were transferred from Rukban to V-5 between March and June 2016. A year and a half later, the screening process has proven long, tedious, opaque, and irregular. Some months (i.e. June, July, October or December) witnessed no or very few relocations, while others saw an expedited process (i.e. 1,077 individuals and 989 in November), with a high number of refugees having to wait more than a year to be screened. With no possibility to exit the fenced area, except with a police escort and on very limited conditions (i.e. to access medical services unavailable in V-5), JIF members noted an increasingly desperate population unsure of what lies ahead. In 2016, our last brief reported 13,500 refugees in V-5. As of 31 December 2017, UNHCR recorded 8,580 Syrian refugees still registered within V-5. The UN agency also reported that 3,576 individuals had been screened during the year and relocated to unfenced area of Azraq Camp, however INGOs in Azraq reported numbers closer to 3,187. In the meantime, 797 refugees were involuntarily relocated to V-5 in 2017 from Zaatari camp and the host communities, raising increasing concerns of the area’s use as a detention facility. At the 2017 rate of screening and with no new involuntary relocation, it will take until October 2020 for all refugees to be screened and transferred to unfenced areas of the camp.

Outside of V-5 in the rest of Azraq camp, freedom of movement is also a challenge. Over the year, around 1,097 “bailout” were granted to refugees leave permits while the population is over 36,040. Until mid-summer 2017, refugees reported that they had to leave a form of ID at the Syrian Refugee Affairs Directorate office. In many cases they resorted to leaving the family booklet which could potentially hinder their access to public services in host communities. Refugees who exceed their leave permits are flagged in police stations around the country.

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1. It is noted that a number of them are reunified with their families/caregivers at a later stage.
2. According to protection actors
3. As of Nov 7th 2016, Jordan INGO Forum (Nov 2016), Syrian Refugees in Jordan: Shrinking access to services under a limited legal status
4. Protection actor.
5. Minutes of the Security Information Network meeting, Azraq. Leave permits are provided for families not for individuals
In 2017, 7,926 work permits were issued to refugees of Azraq, which allowed them to work outside the camp, once they obtained a leave permit. However, ex-V-5 residents do not benefit from the same opportunities and obtaining both a work and leave permit remains extremely difficult.

Deportations
In 2017, Jordanian authorities have summarily deported thousands of Syrian refugees – including collective expulsions of large families – back to Syria without legal due process or assessing their need for international protection. In most cases assessed by INTERSOS, few deportees have reported to their relatives being aware of the reason for such measures; none appeared to have received the assistance of a lawyer, to have been heard by a judge, to have been able to defend themselves from the allegations in any way or to have been allowed to communicate with their relatives or UNHCR. However, no mistreatment by the police and/or public authorities was reported.

In the first five months of 2017, Jordanian authorities deported about 400 registered Syrian refugees per month, with the majority being whole families, including children. While the number decreased in the second half of 2017, UNHCR reported a total of 2,361 confirmed deportations in 2017. However, this figure represents a portion of the likely number of people being deported, as several INGOs had flagged higher numbers of deportation of their beneficiaries in the first half of the year.

Spikes in deportations have often been tied to authorities’ response to particular security incidents, either directly in reaction to the incidents themselves, or as an overall increase in security measures throughout the country. Alleged national security threat is the main justifications of deportation measures to Syria according to authorities, and a variety of circumstances and suspicions fall under this category.

1 From February to December 2017, Ministry of Labour Syrian Refugee Unit (Dec 2017) Syrian Refugee Unit Work Permit Progress Report December 2017. Note that work permits are not delivered to V-5 residents
2 INTERSOS (Nov 2017) Internal Protection Monitoring Report
3 Human Right Watch (Oct 2017), I Have No Idea Why They Sent Us Back: Jordanian Deportations and Expulsions of Syrian Refugees
4 A fewer cases of extended families being deported were observed by mid-year 2017. Human Right Watch (Oct 2017), I Have No Idea Why They Sent Us Back: Jordanian Deportations and Expulsions of Syrian Refugees
5.2. RETURNS

Due to the protracted violent conflict, the dire humanitarian situation, ongoing internal displacement and safety and security concerns for civilian populations in Syria, conditions are not yet conducive for refugee returns in safety and dignity. According to UNHCR, only 8,037 refugees decided to return by themselves in 2017, a very slight increase compared to 7,100 returns in 2016. A peak was reported in August and September, when more than 1,200 refugees returned each month. The vast majority of returnees are originally from and returning to the south of Syria (Dara’a) and were living in host communities (69 per cent)\(^1\). For 78 per cent of them, return is motivated by family reunification - including reuniting with a relative who was recently deported or relatives who were unable to seek asylum in Jordan because of border closure. Perceived improved security in Syria is the reason for 4 per cent only. Living costs outside camps and the lack of income generation opportunities respectively account for 8 and 3 per cent of the reason for returns\(^2\).

According to UNHCR intention survey in October 2017, 73 per cent of respondents had no intention to return in the next 12 months, mainly because of the lack of security in Syria and housing concerns. Another 19 per cent said they were undecided. According to CARE, refugees increasingly favor moving to another place in Jordan: 47 per cent (up from 35 per cent last year) stated that if the situation were to become too difficult where they were currently living, they would find another place to live in Jordan\(^3\).

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1 UNHCR (Nov 2017) Durable Solution Technical Working Group Dashboard
2 UNHCR (Dec 2017) Returns November Factsheet
3 CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis
6. Negative coping mechanisms

6.1. SEXUAL GENDER BASED VIOLENCE (SGBV)

SGBV continues to be a strong concern for Syrian refugees. Cases are reported in all settings, including in camps. For example, in the Emirati Jordanian camp, INGOs report a prevalence of SGBV, including child marriage while no dedicated service providers is present.

The most dominant type of the SGBV reported are psychological and emotional abuse, forced marriage, and physical assault. Sexual assault and rape are the most under-reported, mainly because of social stigma\(^1\). For female refugees, women and girls being disproportionally affected by SGBV, increased fear of sexual assault and harassment push them to stay at home. However, home is often not a place of refuge: economic pressures, exacerbated by limited legal livelihood opportunities, and overcrowded and stressful living conditions, are contributing to increased violence and abuse at home. For the reported incidents, virtually all perpetrators were intimate partner/former partners, primary caregivers, or family other than spouse/caregivers\(^2\). Furthermore, UNHCR recent regional study highlights that refugee men and especially youth and boys are also facing sexual violence in camps and non-camps setting, including at home or at school. Perpetrators include older boys and men from the refugee and host communities as well as male family members\(^3\).

The rules of mandatory reporting in Jordan are such that actors receiving information about sexual based violence are compelled to report this information to the police. Informed consent of the survivor must be obtained prior the interview and in this case, a survivor may choose not to disclose vital information. Consequently, many SGBV cases amongst Syrian refugees are likely not to be reported.

The number of early marriages amongst Syrian refugee significantly increased over the past five years according to the Higher Population Council (2017). In-depth qualitative interviews by Tdh revealed that for families, marriage seemed the only option for their daughters to be safe and provided for, even at 14 years old\(^4\). Most of the families interviewed explicitly said that they only agreed to marry their children before 18 because of the conditions they find themselves in exile. Some of the participants said they are now considering marrying their daughters earlier due to financial need.

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Note that these data do not reflect prevalence in Jordan and are based solely on incidents reported by survivors to the data gathering organizations. As 93.3 per cent of the total cases are reported by refugees of Syrian nationality, we can extrapolate that the trends generally apply to Syrian refugees.

\(^2\) Ibid

\(^3\) UNHCR (Dec 2017) We keep it in our heart, sexual violence against men and boys in the syria crisis.

\(^4\) Terre des hommes, interviews completed with 10 Syrian married girls and their families in Jordan
6.2. CHILD LABOR

For a Syrian refugee family, children’s engagement in labour contributes to cover the household’s income-expenditure gap. This is accentuated when the caregiver is not able to work, unable to secure a work permit (See 4.3). In ITS, the situation is even exacerbated with children – often very young – obliged to work to compensate for the lack of humanitarian assistance, since some families are reportedly not registered with UNHCR.

Though only 6.2 per cent of CARE’s assessment respondents reported utilizing child labour to cover their monthly expenditures, Syrian children are still one and a half times more likely to work than children in neighbouring countries. Syrian refugee children who work (the vast majority being boys) do so in the same sectors as Syrian adults, namely construction work, in a shop and as skilled craftspeople, sometimes in hazardous conditions. The joint protection monitoring of DRC, PUI and MC reports that abuse of working children is widespread, with employers sometimes preferring children over adults as employees because they found them easier to control, willing to accept lower wages, and able to manoeuvre smaller spaces. Tdh noted that while education is sometimes considered a luxury, some parents are likely to share the cultural norm which views child labour as the most productive use of a child’s time. These parents may also view educational services as poor and failing to provide a safe learning environment.

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1 INTERSOS (May 2016) Internal Protection Monitoring Report
2 CARE (Oct 2017) 7 years into exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis.
3 Ibid
4 Ibid
5 Mercy Corps. (2017). FGDs in Irbid and Mafraq
7. Conclusion

At the 2017 Brussels Conference, the co-host declaration “highlighted the close links between protection, education and livelihood opportunities”, emphasized on the “protection of refugees” and their legal status, “recognized the critical role of resettlement as a protection tool” as well as the “importance of safe, voluntary and dignified return of refugees”¹. As this report highlighted, access to documentation/regularization of status of refugees, unsafe school environment, the restriction on sectors allowed to refugees, but also forced relocation and detention continue to be barriers to a safe, dignified and protection life for Syrian refugees in Jordan. It is of utmost importance that Brussels 2018 recognizes the protection principles as conditions sine qua non for the implementation of the Jordan Compact. For Syrian refugees to feel safe and protected is the fundamental underpinning to the promises made in London and Brussels.

¹ European Commission, the Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs of the United Nations, and the Foreign Ministers of Germany, Kuwait, Norway, Qatar, and the United Kingdom (April 2017) Supporting the future of Syria and the region: co-chairs declaration
8. Key recommendations

Access to Jordan
• The government of Jordan should ensure that refugees at the berm are treated humanely, receive assistance and that aid is not arbitrarily withdrawn from them, in full accordance with International Humanitarian Law (IHL). Syrian civilians trapped at the berm have the right to seek asylum in Jordan.

• Life-saving assistance from Jordan should continue until regular cross-line assistance from Damascus can be established.

Protection space
• While acknowledging Jordanian authorities’ security concerns
  o The screening processes within Azraq Village 5 needs to be expedited and should be completed within reasonable and predictable timeframes with clear and transparent screening procedures communicated to beneficiaries.
  o The international community should work with camp management to agree on transitional measures that support easing the freedom of movement of refugees within Azraq.

• Restrictions of freedom of movement from camps to host communities should be lifted.

• Deportation and forced relocations of Syrian refugees should follow due process.
  o The government of Jordan should, at the very least, provide anyone at risk of deportation to Syria with the opportunity to meet with UNHCR and be able to access legal support. Predictable redress mechanisms must be established for refugees to appeal deportation decisions.
  o Transparent and predictable criteria on when deportation is the proportional and justifiable measure should be published.

Legal registration
• The international community must support the government of Jordan to ensure permissive registration procedures for Syrian refugees in host communities. This includes a review of the ongoing urban verification exercise and ensuring that those who have not been able to re-register can do so with a particular focus on those who left the camps outside the procedures.

Access to health
• The government of Jordan should increase the current level of healthcare cost subsidization for non-camp refugees and non MoI-card holders.
Access to quality Education

- The government of Jordan and donors should prioritize strengthening the quality of education and the retention of students by investing in school construction and maintenance where needed, remedial school and teacher training.

- The government of Jordan along with donors should address the underlying barriers to education, such as economic hardship, by facilitating access to sustainable revenue opportunities to parents.
  - Programs linking cash grants to education attendance should be encouraged to deter families from resorting to negative coping mechanism, even for families without out of school students as preventive measures. However, it is essential that cash assistance is conditional to children’s education, restricted to education expense and well-monitored,
  - Donors should also commit to funding transportation to public schools for students.

Access to formal work

- The government of Jordan should relax work permit restrictions and expand the sectors and professions open to refugees to move towards fuller employment for refugees and Jordan Compact’s success.

- In addition, the government of Jordan should simplify and clarify business registration processes for Syrian refugees.

Access to civil Documentation

- Administrative procedures to allow refugees to obtain and retain civil documentation (birth certificate, marriage certificate) should be adjusted. The authorities should allow government registration to be de-linked from civil documentation so that refugees can register births, marriages birth, marriage and deaths regardless of whether they hold a MoI card.
The Jordan INGO Forum (JIF) is an independent network of 60 international non-governmental organizations (INGOs) implementing development and humanitarian programs to respond to the needs of vulnerable Jordanians, Syrian, Palestine and Iraqi refugees living in Jordan. JIF provides a joint platform to facilitate our members’ work and help members to efficiently and effectively address key issues of common interest. All JIF members have an equal voice in decision-making. An elected Steering Committee represents the JIF externally and oversees JIF activities. A Coordinator provides strategic, technical and logistical support to further JIF initiatives and represent its members.

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