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Final Thesis

Beyond criticism

Critical analysis of the Syrian refugee crisis in Jordan
with a particular focus on labour market and education.

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To Mafraq..

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المقدمة

كُتبت هذه الأطروحة خلال إقامتي في الأردن، حيث ذهبت إليها لأول مرة في يوليو 2018 بالتعاون مع الجمعية الإيطالية "نون دالا غويرا" و كاريتاس. كان المشروع عبارة عن خدمة تطوعية لمدة أسبوعين مع اللاجئين العراقيين والسوريين وشملت أنشطة مختلفة. على سبيل المثال، أثناء مساعدة المعلمين في تدريسهم للأطفال السوريين، لاحظت أن معظم المدارس تبنت برنامج الفترتين يستضيف الأطفال السوريين في فترة ما بعد الظهر، بينما الأردنيين في الصباح. ومع ذلك، في الصيف، تنظم بعض المدارس دروساً للاجئين السوريين، بالإضافة إلى أنشطة تعليمية أخرى. على سبيل المثال، قدمت المدرسة التي قمت بالتطوع فيها دروساً باللغة العربية والإنجليزية في الصباح وورش عمل في فترة ما بعد الظهر. بما أنني كنت أحد الأشخاص القلائل في المجموعة الذين يعرفون اللغة العربية، فقد حضرت دورة اللغة العربية الفصحى و شعرت بالأسى، فليس فقط الأطفال لا يعرف الأطفال كيفية الكتابة باللغة العربية، بل أيضاً الإناث البالغات. علاوة على ذلك، كان مستوى الطلاب في اللغة الإنجليزية أقل من المتوسط. عقدت ورش العمل في فترة الظهيرة من قبل المنظمات الخيرية المحلية والمتطوعين الشباب، وكانت حول الانسجام والثقة بالنفس وحل المشكلات، وكانت تنتهي ورش العمل باللعب و الرقص.

كما أتحت لنا الفرصة لزيارة مركز كاريتاس في الزرقاء وشهدنا عمليات تسجيل للاجئين في المكتب بالإضافة إلى تعبئة نموذج الطلبات والخدمات ودعم من كاريتاس. شرح لنا المدير العام سهيل عباسي المشاريع الجارية واحتياجات اللاجئين وكيف تدير كاريتاس تلبية طلباتهم. كان النشاط الأكثر إثارة للاهتمام والعاطفة يسمى "الزيارة الميدانية" وكان يتألف من زيارة الأسر السورية المستقرة في المجتمعات المضيفة لفهم وضعهم بشكل أفضل. لا أستطيع التظاهر بأنها كانت مهمة سهلة، لأن هذه الأنواع من المقابلات أصبحت بلا شك

شخصية وحميمية أكثر، وشعورك بالحرَج والعجز يصبح جزءًا ثابتًا من رحلتك. كانت العائلة الأولى التي تحدثت إليها مكونة من أم وأب و ثلاثة أشقاء ذكور. بينما التحق الطفلان الصغيران بالمدرسة ، كان الابن الأكبر يعمل بشكل غير قانوني في شركة بناء؛ ولسوء الحظ ، وجدت هذه الحالة في عائلات أخرى، حيث لا يمتلك الأب تصريح عمل ويكون خطر الإصابة عالياً بالنسبة إليه ، أو عندما يكون الدخل غير كافٍ للعناية بالعائلة ، لذا يجب على الابن الأكبر العمل.

عندما عدت إلى إيطاليا، قررت العودة إلى الأردن مجدداً في أقرب وقت ممكن. من سبتمبر 2018 إلى يناير 2019 ، التحقت بدورة مكثفة للغة العربية في الجامعة الأردنية وفي الوقت نفسه واصلت تعاوني مع كاريتاس. على وجه الخصوص، في يوم السلام العالمي، الذي وقع في يوم 21 سبتمبر 2018 ، ذهبت مع متطوعي كاريتاس إلى مستوطنة غير رسمية ، تسمى بشكل غير رسمي معسكر أبو علي ، باسم رئيس المخيم. لم تكن هذه هي المرة الأولى التي أذهب فيها إلى المخيم ، لكن في تلك المناسبة ، أتيت لي الفرصة للمساعدة والاستماع للمقابلات التي أجرتها كاريتاس والتي ركزت على احتياجات اللاجئين وما ينقصهم والمشاكل الرئيسية التي يواجهونها. كنت سعيدة لسماع أن غالبية الأطفال والمراهقين شاركوا في البرامج التعليمية ، سواء كانت رسمية أو غير رسمية ، وأن السكان يحصلون على المياه والكهرباء. تم بناء المخيم في أبريل 2013 من قبل 70 لاجئاً قادمًا من شرق الغوطة، حيث قام جورج الفار، مالك الأرض مسيحي الديانة وأستاذ فلسفة ، باستئجار قطعة من أرضه في المفرق. وهناك ، بنى اللاجئون منازلهم الخاصة ، بمساعدة بعض المنظمات الخيرية التي توفر المواد. يوجد حاليًا 24 أسرة في المخيم ، وكان من دواعي سروري أن تتم دعوتي لحضور حفل زفاف أيضاً.

قررت أن أكتب أطروحتي عن اللاجئين السوريين في الأردن بعد أول مرة في مخيم أبو علي ؛ أولاً ، لأنهم جعلوني أشعر أنني في منزلي وهو أمر غريب لأنهم لا يعدونه منزلهم.

ثانياً ، لقد انجذبت وأعجبت برغبتهم في سرد قصصهم ، والاعتراف بهم كأفراد كقصتهم الخاصة ، وليس جزءاً من مجموعة لاجئين أكبر بكثير.

لذا ، اعتقدت أنه إذا أردت الكتابة عن هذا الموضوع ، كنت سأحتاج إلى معرفة وجهات نظر وآراء مختلفة. لهذا السبب ، اتصلت بمكتب مفوضية الأمم المتحدة لشؤون اللاجئين في عمان وأجريت مقابلة مع فرانثيسكو بيرت ، كبير مسؤولي العلاقات الخارجية ومساعدته نيذا ياسين التي قدمت لي المجالات الرئيسية التي تعمل فيها المفوضية والخدمات التي تقدمها. بعد ذلك ، قمت بترتيب لقاء مع يومي ماسودا، رئيس التخطيط والمراقبة والتقييم في مكتب اليونيسف في عمان الذي شرح التحديات الرئيسية المرتبطة بالأطفال والمراهقين في الأردن، مثل عمالة الأطفال والزواج المبكر، بالإضافة إلى عرض المشاريع التي ترعاها اليونيسف من أجل محاربة هذا الظلم. لقد ساعدني موظفو الوكالتين حقاً في فهم النقاط المهمة والعقبات الكبرى التي يواجهونها في التعامل مع أزمة اللاجئين السوريين. بالرغم من ذلك، لاحظت موضوعاً رئيسياً واحداً يحاول الناس تجنبه: وهو الحكومة، أو بالأحرى، افتقار وجودها في إدارة الأزمة. كان من شبه المستحيل الخوض في عمق الموضوع ، لأن الأشخاص الذين قابلتهم لم يجدوا أي مشاكل مع السلطات الأردنية. رغبتني في تحليل الوضع بشكل أفضل دفعتني إلى مقابلة الدكتور صالح الكيلاني ، رئيس مكتب تنسيق شؤون اللاجئين في وزارة الداخلية بالمملكة الأردنية الهاشمية الذي ساعدني في فهم السياسات والمشاريع الحالية التي قامت بها الحكومة.

في الختام ، قدمت لنفسي سببين محتملين لهذا السلوك المراوغ لموظفي وكالات الأمم المتحدة: أولاً، النتيجة المرتبطة برفض الأردن على توقيع على اتفاقية جنيف بشأن وضع اللاجئين هي أن الحكومة هي الهيئة الرائدة عندما يتعلق الأمر بسياسة اللجوء، وبالتالي يجب على مفوضية الأمم المتحدة لشؤون اللاجئين والوكالات الأخرى احترام دورها الثانوي وبالتالي تجنب النقاد أو الرفض الشديد. ثانياً، من منظور أكثر إيجابية، على الرغم من أن الأردن أحد الدول التي لم توقع على اتفاقية جنيف، إلا أن هذا البلد رائع حقاً في جهوده للترحيب بعدد اللاجئين الضخم داخل حدوده وتزويدهم بخدمات متنوعة.

في ديسمبر 2018 ، سنحت لي الفرصة أن أطرح بعض الأسئلة على هوفيج إتيميزيان ، مدير مخيم الزعتري للاجئين من عام 2014 إلى عام 2016. وخلال المقابلة ، صرح بأن الأردن ، على عكس أوروبا على سبيل المثال ، نجحت في الحفاظ على الإستقرار الداخلي و الترحيب باللاجئين وتزويدهم بحلول مستديمة. تحولت تلك المحادثة إلى نقطة أخرى أردت التركيز عليها وتحليلها في أطروحتي: خلال بحثي، قرأت العديد من الوثائق والأطروحات التي انتقدت بشدة تعامل الأردن مع اللاجئين. في الواقع ، هناك العديد من الثغرات فيما قرأت، لكن من الضروري أن نتذكر أن الأردن هي إحدى الدول الأكثر تضرراً من الأزمة السورية ، حيث يحتل المرتبة الثانية من حيث عدد اللاجئين مقارنة بسكانه في العالم ، 89 لاجئ لكل 1000 نسمة. كما ذكرت مفوضية الأمم المتحدة لشؤون اللاجئين، التي تضم فقط اللاجئين المسجلين، يستضيف الأردن حالياً 67,600 عراقي و 670,238 سورياً و 11,447 يمنيًا و 4,211 من السودان و 2,470 من دول أخرى. علاوة على ذلك ، فإن الأردن لديها موارد محدودة للغاية مقارنة بعدد سكانها وحدود أراضيها. ومع ذلك ، على الرغم من هذه العوامل، دائماً ما وافقت الأردن دائماً على مساعدة اللاجئين من الدول المجاورة، وفي الوقت نفسه تمكنت من تجنب الاحتجاجات أو استياء سكانها ضد اللاجئين، مع الحفاظ على استقرار داخلي متوازن.

تهدف الأطروحة إلى فهم كيفية تعامل الأردن مع مثل هذه الأعداد الهائلة دون أن يؤدي ذلك إلى زعزعة الأمن الداخلي، مع التركيز على أهم الخطط والمشاريع الجارية، وإلى من توجه هذه المشاريع، والإنجازات التي حصلت عليها الأردن.

تنقسم هذه الدراسة إلى أربعة فصول: الفصل الأول يتحدث عن الخلفية التاريخية بين البلدين ، سوريا والأردن، التي تتميز بلحظات متبادلة من التنافس والتعاون، ويعود التعاون في الغالب إلى عوامل اقتصادية.

يبحث الفصل الثاني في المجال القانوني الذي تعمل فيه الأردن: على سبيل المثال ، لم توقع الدولة على بروتوكول أو اتفاقية جنيف، لكنها تبنت على اتفاقية مع مفوضية الأمم المتحدة السامية لشؤون اللاجئين تسمى مذكرة التفاهم التي تحدد معالم التعاون والمبادئ الرئيسية

للحماية الدولية . سيبرز التحليل سيبرز حالة اللاجئين السوريين بشكل خاص، ويناقد على سبيل المثال عملية التسجيل، والفرق بين الخدمات المقدمة في المخيمات وفي المجتمعات المضيفة.

يشهد الفصل الثالث على دراسة أعمق عن قطاع العمل في الأردن، والتغيرات التي أحدثتها أزمة اللاجئين السوريين على سوق العمل الأردني والاقتصاد العام. من المهم التمييز بين الآثار الناجمة عن الأزمة السورية نفسها والآثار التي خرجت من أزمة اللاجئين السوريين، وهذا يعني تدفق السكان في البلاد؛ لفهم التمييز بشكل أفضل، تدرس الأطروحة المشكلات التي كانت تؤثر على السوق الأردني قبل فرار اللاجئين إلى المملكة الهاشمية. يختتم الفصل بدراسة حول الجهود التي تبذلها الحكومة من أجل تلبية احتياجات اللاجئين المقيمين في الأردن، بالإضافة إلى الفئات الأكثر ضعفاً بين السكان الأردنيين.

أخيراً، يركز الفصل الرابع على المجال التعليمي بدءاً من نظرة عامة على القوانين الوطنية والدولية التي اعتمدها الأردن في مجال التعليم. تشرح الدراسة بعد ذلك النظام التعليمي الحالي في الأردن بما في ذلك أحدث المستجدات التي قامت بها الحكومة بالإضافة إلى المشاكل الرئيسية التي لا تزال تؤثر على القطاع والتي تفاقت بسبب تدفق اللاجئين السوريين. نفذت وزارة التعليم مع اليونيسف سلسلة من البرامج لتعزيز الالتحاق بالمدارس بين اللاجئين السوريين، وأيضاً لتشجيع بيئة تعليمية إيجابية وغير عنيفة. يستمر الفصل في تحليل السبب الرئيسي الذي يدفع السوريين إلى عدم التحاقهم بالمدارس، ومن بينها عمالة الأطفال التي اكتشفت أنها تحظى بشعبية كبيرة في المجتمعات السورية، لأن في معظم الحالات يعد راتب الطفل هو الدخل الوحيد للعائلة. وفي النهاية، يختتم هذا القسم بشرح موجز للبرامج التي نفذتها الحكومة من أجل مكافحة تشغيل الشباب.

Introduction

This dissertation was written during my stay in Jordan where I first went in July 2018, in collaboration with the Italian association Non Dalla Guerra and Caritas Jordan. The project was a 2-week voluntary service with Iraqi and Syrian refugees and included different activities. For instance, while assisting the teachers in their lessons addressed to Syrian kids, I noticed that most of the schools have adopted the double shift program hosting Syrian children in the afternoon while Jordanians in the morning; however, in summer, some schools are available for Syrians all day long and organize classes, as well as educational activities: for example, the school in which I did voluntary service offered Arabic and English class in the morning and workshops in the afternoon. As I was one of the very few people in the group that knew Arabic, I attended the *fushá* course and I was disconcerted by the fact that not only kids, but also female adults, did not know how to write in Arabic. Moreover, the students' level of English was incredibly under the average. The workshops in the afternoon were held by local charity organizations and young volunteers and were about integration, self-confidence, problem solving and eventually games and dances.

We also had the chance to visit Caritas Centre in Zarqa and witness registration processes at the office as well as applications for the services and support provided by Caritas. The General Director, Suheil Abbasi, explained us the ongoing projects, the needs of the refugees and how Caritas is managing to meet their requests. The most interesting and sentimentally engaging activity was called “field visit” and it consisted in visiting Syrian families settled in host communities to better understand their situation. I cannot pretend it was an easy task, as these types of interview unavoidably become more and more personal and intimate, and your feeling of awkwardness and helplessness becomes a constant part of your journey. The first family I talked to was a mum, dad and 3-male-siblings nucleus; whereas the two little kids were enrolled in school, the oldest son was working illegally for a construction company; unfortunately I found this similarity in other stories, where the dad does not possess a working permit and the risk of injury is

high, or where the income is not enough to take care of the family so the oldest son has to work.

When I came home after these 2 weeks I decided to go back to Jordan, and so I did. From September 2018 till January 2019 I was enrolled in an intensive course of Arabic language at the University of Jordan and in the meantime, I continued my collaboration with Caritas. In particular, on the International Peace Day, occurred the 21st of September 2018 I went with Caritas Volunteers to an Informal Tented Settlement, informally called Abu Ali's camp, after the name of the head of the camp. It was not the first time for me to go there, but in that occasion, I had the chance to assist at the interviews conducted by Caritas that focused on refugees' needs, lacks and main problems. I was happy to hear that the majority of the kids and teenagers were involved in education programs, whether formal or informal, and that the inhabitants have water and electricity access. The camp was built in April 2013 by 70 refugees coming from eastern Ghouta to whom George Al-Far, Christian land owner and philosophy professor, rent his piece of land in Mafraq. There, the refugees built their own houses, with the help of some charity organizations providing the material. There are currently 24 families in the camp, and I had the pleasure to be invited at a wedding too.

I decided to write my dissertation about Syrian refugees in Jordan after the first time in Abu Ali's Camp; first, because they made me feel at home which is curious because they themselves don't call it home. Secondly, I was attracted and surprised by their willingness of telling their stories, being recognized as a single person, a single story, and not a part of a much bigger group.

Thus, I thought that if I wanted to write about this topic, I would have needed to know different perspectives and points of view. For this reason, I contacted the UNHCR office in Amman and interviewed Francesco Bert, Senior External Relations Officer and his Assistant Nida Yassin who introduced to me the main fields in which UNHCR operates and the services that it provides. Then, I arranged a meeting with Yumi Matsuda the Chief, Planning, Monitoring and Evaluation of UNICEF office in Amman who explained the main challenges linked to kids and teenagers in Jordan, such as child labor and early marriage and the projects sponsored by UNICEF in order to fight these injustices. The personnel of the two agencies really helped me to understand the strong points and the

biggest obstacles that they are facing in dealing with the Syrian refugees' crisis. Though, I have noticed one main topic that people were trying to avoid: the Government, or better, its lacks in managing the crisis. It was almost impossible to deepen the topic, as the people I interviewed did not find any problems with Jordanian authorities. My willing to better analyze the situation brought me to interview Dr. Saleh Al-Kilani, head of the Refugee Affairs Coordination Office at the Ministry of interior of the Hashemite Kingdom of Jordan who helped me understand the current policies and projects that the Government has undertaken.

In conclusion, I gave myself two possible reasons for this evasive behavior of UN agencies' employees: a result connected to Jordan's refusal to sign the Geneva Convention on the status of refugees is that the Government is the leading body when it comes to refuge policy, thus UNHCR and other agencies have to respect their subordinate role and so avoid deep critics or disapprovals. In a more positive perspective, although Jordan is one of the states that did not sign the Geneva Convention, the country is indeed admirable for its efforts in welcoming the huge number of refugees within its borders and providing them with various services.

In December 2018, I had the pleasure to pose some questions to Hovig Etyemezian, the Camp Manager of Za'tarī refugee camp from 2014 to 2016. During the interview he stated that Jordan, in contrast to Europe for instance, has succeeded in maintaining internal stability while welcoming refugees and provide them with durable solution plans. That moment turned into a further step toward the precise field I wanted to analyze in my dissertation: during my research I have read many documents or thesis that strongly criticized Jordan's lacks in dealing with refugees. Indeed, there are several lacunas, but it is necessary to remember that Jordan is one of the countries most affected by the Syria crisis, with the second highest share of refugees compared to its population in the world, 89 refugees per 1,000 inhabitants.

As stated by UNHCR, that includes only registered refugees, Jordan is currently hosting 67,600 Iraqi, 670,238 Syrian, 11,447 Yemeni, 4,211 from Sudan and 2,470 from other countries. Moreover, Jordan has extremely limited resources compared to its population and a reduced territorial extension. However, despite these factors, Jordan has always accepted to help refugees from its neighbours' countries and at the same time has

managed to avoid protests or the discontent of its population, maintaining a balanced internal stability.

The dissertation aims at understanding how Jordan is admirably managing to deal with such huge numbers without leading to an internal subversion, focusing on which are the most significant ongoing plans and projects, who they are addressed to and the achievements they have obtained.

This study is divided in four chapters: the first one is useful to better understand the historical background between the two countries in question, Syria and Jordan, which is characterized of alternating moments of rivalry and cooperation, the latter mostly due to economic factors.

The second chapter examines the juridical area in which Jordan operates: for instance, the country has not signed the Geneva Convention nor its Protocol but has ratified an agreement with UNHCR called Memorandum of Understanding which outlines the parameters for cooperation and the major principles of international protection. The analysis of Jordan's refugee policy then lingers over the specific case of Syrian refugees, discussing for example the registration process, the difference between services delivered in camps and in host communities.

The third chapter witnesses a deeper study on the working sector in Jordan, the changes that the Syrian refugee's crisis caused to Jordan's labour market and overall economy. It is important to distinguish the effects produced by the Syrian crisis itself and the ones that came out of the Syrian refugees' crisis, meaning the flow of population in the country; to better comprehend the distinction, the dissertation studies the problems that were affecting Jordan market before the refugees fled into the Hashemite Kingdom. Finally, the chapter concludes with a study on the Government's effort in order to meet the needs of not only the refugees settled in Jordan, but also the most vulnerable classes among the Jordanian population.

In conclusion, the fourth chapter focuses on the educational sphere starting with an overview on the national and international laws that Jordan has adopted concerning education. The study then explains the current educational system in Jordan including the latest reforms carried out by the Government as well as the main problems that are still

affecting the sector and which have been exacerbated by the influx of Syrian refugees. The Ministry of Education, together with UNICEF, has implemented a series of programs to promote not only school attendance among Syrian refugees but also to encourage a positive and nonviolent educational environment, as many children have been subjected to violent behaviours. The chapter continues analysing the main reason that bring Syrians to unenrolment in school, among them child labour revealed to be very popular in Syrian communities as in many cases, child's salary is the only income for the family. Finally, the section concludes with a brief explanation of the programs that the Government has undertaken in order to combat the employment of young people.

Chapter 1: History of Jordanian-Syrian diplomatic relationship

1.1 Jordan and Syria: two opposite states

Till the end of the Ottoman period, the territories that later formed Syria and Jordan shared a lot in common, from geography to economics and linguistics. The historical and administrative concept of Greater Syria, in Arabic Al-Sūriyyah al-Kubrā, furthermore, usually included most of Transjordan. At the same time, however, these two areas also differed from each other in several social aspects and in levels of local cohesion. The Greater Syria, also called Bilād aš-Šām, was the historical region under the Ottoman Empire which extended in the north of the Arab Peninsula and included the modern Syria, Lebanon, Jordan and Israel/Palestine.¹ The Ottoman Empire was dismantled at the end of the First World War as the conflict ended in favour of the Triple Entente: Russia, France and Great Britain, which took the lead in the partition processes. The first step made by Great Britain was supporting the Arab riot against the Ottoman Empire in 1915 and 1916 with the collaboration of Ḥussein Bin ‘Alī, the Sharif and Emir of Mecca of Hashemite dynasty.

Undertaking a more diplomatic approach, the two European countries signed the Sykes-Picot agreement in 1916 which divided the Empire’s territory into French and English spheres of influence: Mersin and Alexandretta district in addition to Damascus, Homs, Hama and Alep were under France, whereas Mesopotamia was under the British side. So, in April 1920 the Greater Syria had come to an end and gave way to the birth of different and independent nation states.

¹ E. Rogan, *The emergence of the Middle East into the Modern State System*, in Fawcett L. (ed.), *International Relations of the Middle East*, Oxford University press, Oxford 2005, p. 20.

Among all the Arab states, the Jordanian-Syrian relation has been one of the most tumultuous as it has often been marked by mutable degrees of hostility and even violence. These periods of antagonism have been so frequent that the relation between the two states has been compared to a sort of local Cold War², among many other conflicts in the region. The Arab Cold War is usually linked to the era of Egyptian President Gamāl ‘ Abd al-Nāṣir and characterised by the presence and contrast between pro-Western monarchies and more radical, revolutionary republics.

For instance, at both global and regional levels, the two countries had built identities that stood in contrast to one another. Jordan under king Ḥusayn became a cautious and conservative monarchy, moderate in its policies toward Israel and an ally of Western powers. In contrast, Syria remained in its anti-colonial and anti-monarchist position, revolutionary and radical and built an impressive military force with the ambition of becoming a leading Middle Eastern power. It was led by a various number of colonels and generals following a series of coups d’état until the 1970 coup, in which Ḥāfez al-Asad took the power and established his Ba‘atist authoritarian regime. Jordan also developed an efficient professional army but one designated to preserve the stability of the regime and defend the country rather than to back an aggressive regional and foreign policy. Indeed, the two states really differed from one another due to the changing military balance. Jordan's Arab Legion was trained and commanded by the British, it was a professional standing army considered as the best Arab force. Its success in the 1948 war with Israel, which permitted ‘ Abd Allāh to annex the West Bank, contributed to its reputation. Inferior to the Legion in its quality, possibility and military experience, the Syrian army in 1948 also had meagre achievements in comparison.

The military gap was progressively narrowed during the 1950s, and the balance began changing in favour of Syria. The turning point came in 1958, when the Hashemite regime in Iraq was eliminated and on the other side, Syria entered the United Arab Republic

² C. Ryan, *The Odd Couple: Ending the Jordanian-Syrian “Cold War”*, “Middle East Journal” 2006, p. 33.

Union with Egypt. The fear of Syrian military power became, since the late 1960s, a dominant factor that influenced Jordan's attitude towards its neighbour.³

On an international level, while the network of Syrian global and regional alliances has shown a tendency to prefer the Soviet bloc and the radical Arab regimes, Jordan has continued in its preferences for a pro-Western orientation allying itself close to the US.

These differences between the two states have led to frequent vacillations of their mutual relation. On several occasions, they attempted to merge into one political identity but on the other hand their diplomatic relations have been in conflict.

1.2 Jordanian-Syrian Cold War

To give a deep analysis of the Jordanian-Syrian relationship, it is necessary to take in consideration the geo-political context and the episodes that occurred in the area. For instance, the United Arab Republic (UAR, in Arabic *al-Jumhūrīyah al-'Arabīyah al-Muttaḥidah*), the role of the Palestine Liberation Organization (PLO, in Arabic *Munazzamah al-Tahrīr al-Filasṭīniyya*), the presence of Israel, Iraq's behaviour towards Iran first and Kuwait after are some of the regional players which had a significant influence on the decision taken by Jordan and Syria. In addition, it is essential to consider the economic aspects, fundamental to understand Jordan's and Syrian's policies.

Jordanian interest in Syria dates from the beginning of the Hashemite rule in Amman in 1921 with the arrival of 'Abd Allāh Ibn al-Ḥusayn, the founder of the Emirate of Transjordan and its ruler for thirty years. After the outbreak of the World War II 'Abd Allāh started his propaganda of the Greater Syria which supported the unification of Syria, Lebanon, Transjordan and Palestine under his throne. He focused all his diplomatic efforts on this purpose and, despite the heavy opposition of almost all the parties concerned, he followed his territorial goals until his assassination in July 1951. The annexation of Arab Palestine in 1948 was his only achievement and it was described as

³ J. Nevo, *Syria and Jordan: The Politics of Subversion*, in M. Ma'oz e A. Yaniv (eds.) *Syria under Assad. Domestic Constraints and Regional Risks*, Routledge Library Editions, London 2013, p. 160.

the fulfilment of the first step of the Greater Syria scheme. In 1946, when both Syria and Transjordan gained their independence, ‘Abd Allāh's tactics mainly consisted in his intervention in Syria's domestic affairs. Syria replied by advancing a complaint to the Arab League, launching a propaganda campaign and granting political asylum to opposition activists from Amman; finally, Jordan reacted by closing his consulate in Damascus.

‘Abd Allāh's assassination in 1951 marked the end of a chapter in Jordan's history and therefore a new area in its relations with Syria. The cautious and moderate conduct of the new king, Ḥusayn Ibn Ṭalāl, permitted Syria to gradually become the dominant player in their bilateral relation. Jordan's position as the 'junior partner' was maintained since it was ruled by the same man; in contrast, Syria experienced frequent internal political changes, with each ruler seeking to demonstrate that he was not a lesser patriot or Arab activist than his predecessor.⁴ The first years of Ḥusayn's rule showed a deterioration of the relation with Syria and the peak of this decline came in April 1957 when some Jordanian army officers led a coup d'état which was defeated and led to the dismissal of Jordan's Prime Minister; although Syria was not an active part of the plot, it was sympathetic to the conspirators and provided political asylum to the army officers and civilian politicians who escaped from Jordan. The same year their common border was closed, and their diplomatic relations were broken off.

The situation further worsened in 1958 with the emergence of pan-Arab projects which were promoting the creation of state federations: the first two states which supported this idea were Egypt ruled by Nāṣir and Syria ruled by al-Quwatlī, merging into a union that lasted just over three years under the name of the United Arab Republic. As a response to this union, the two Hashemite monarchies of Jordan and Iraq formed a similar alliance that eventually couldn't be established due to the Iraqi coup d'état which happened the same year, a moment that witnessed the triumph of ‘Abd al-Karīm Qāsim and the final end of the Hashemite monarchy of Iraq.

Jordan found herself in an isolated position in the middle of these dynamics and it was constantly a victim of threats and attacks of armed groups for subversive activities trained

⁴ J. Nevo, *Op. cit.*, p. 143.

in Syria and infiltrated into Jordan. In November of the same year, Syrian Migs intercepted Ḥusayn's private jet directed to Europe and forced him to return to Amman. Terrorist attacks from Syria against Jordanian targets continued, reaching a peak in August 1960 with the assassination of the Prime Minister, *Hazza' Al-Majāhī* in which occasion Jordan attributed the crime to the UAR intelligence services. Despite the equal position of the two states of the UAR behind these attacks, Jordan demonstrated its hostility only towards Egypt and, at the same time, its propaganda was aimed to a reconciliation with Syria where an essential part was to transmit a negative image of Egypt, often accused to benefit from the UAR framework to oppress Syria and its power. Thus, upon the dissolution of the UAR in 1961 Jordan was the first country to recognise Syria and to offer its support against political attacks from other Arab states for having broken an 'historical union' and having become an isolationist. These improvements, however, lasted for a short period of time, as Ba'atist revolution in 1963 widened the ideological gap between the two countries. Syria's rapprochement to Egypt and Iraq was the prime mark of its propaganda and led to a new Jordanian isolation.

A modest improvement in Jordanian-Syrian bilateral relations in 1964-5 was soon tested by the establishment of the PLO, with the support of the inter-Arab system. Syria developed the idea of a popular war of liberation against Israel whereas Jordan was not content about the concept of a Palestinian renaissance as it was administrating the West Bank and feared that this new organization could have reverberated in the whole Jordanian territory. Therefore, the split between Jordan and the PLO in 1996 placed further strain on already tense Jordanian-Syrian relations. Syria and Jordan were on the edge of an open conflict and it might be assumed that the outbreak of the Six Day war prevented the escalation into stronger hostilities and eventually gave Jordan the possibility to demonstrate its support to the Arab states fighting against Israel.

Despite the narrow escape, recriminations between the two countries were particularly harsh after the 1967 War when Israel launched a surprise attack and, within six days, it destroyed the air forces and the armies of Egypt, Syria and Jordan. This defeat included the loss of the Gaza Strip and the Sinai Peninsula for Egypt, Golan Heights for Syria, and the West Bank including East Jerusalem for Jordan.

The peak of the tension came in September 1970 when various Palestinian popular fronts tried to overthrow King Ḥusayn's regime as they were convinced that the subversion of the conservative Arab regimes was a precondition for an assault on Israel.⁵

This situation exploded in a Civil War, known as Black September, between the Hashemite armies of King Ḥusayn and the Palestinian militant forces with an enormous number of victims, especially from the second faction. It must be noticed that even in this occasion the Cold War between the two states was fiercely present: Syria showed a large dissent toward the Hashemite Kingdom and supported the PLO by sending a division into Jordanian territory. Syrian moves created a destabilization of the border: despite the brevity of the conflict, as the Syrian tanks were eventually defeated by the Jordanian air forces, Syria invaded a part of the Jordanian territory and remained there till 2005, when the occupied area has extended up to 125 km². In response, Jordan immediately entered a part of the Syrian land, although it was just 2,5 km².⁶ The territories invaded by Jordan were uninhabited and extended in the desert area near the border with Iraq and only in 2005 the two countries agreed on their retreat, stabilizing the 1931 borders.

Finally, the outbreak of the Yom Kippur war in 1973 found both countries during a gradual and cautious rapprochement.⁷ During the war, Jordanian army refused to open a third front against Israel but did send minimal forces to defend Syria on the Golan. Very quickly, however, Jordan's period of inter-Arab isolation, from 1970 to 1973, shifted in the post-war period to a progressively warming relationship with Syria.

⁵ C. Smith, *The Arab-Israeli Conflict*, in L. Fawcett (ed.), *International Relations of the Middle East*, Oxford University press, Oxford 2005, p. 277.

⁶ D. M. Kakish, *The Invention of the Transjordanian-Syrian Border: 1915-1932*, San Diego State University 2013, p. 49.

⁷ J. Nevo, *Op. cit.*, p. 145.

1.3 Ending of the Jordanian-Syrian Cold War

After the 1973 October War, Jordan tried to capitalize on its limited involvement in that conflict as a means to re-enter the normal of Arab regional politics. For its part, Syria proved to be especially opened to Jordan's attempt at an inter-Arab reconciliation. Syria's Defence Minister Ḥāfeẓ al-Asad seized power in a military coup and launched his so called corrective movement, in arabic *al-ḥarakah al-taṣḥīḥiyyah*, which aimed to restore the original socialist principles that gave birth to the Ba‘aṭ party. Initially, this new politic figure encouraged the reconciliation between the two countries, achieved through various diplomatic meeting which generated economic agreements as well as the cooperation in defence and external security affairs. The Syrian-Jordanian alignment, while mainly focused on economic and political cooperation, did include some external security and defence issues: Syrian military planners began to include defence of the Irbid Heights in northwest Jordan, as a link to the Golan Heights and as a possible way to outflank Israeli forces in a future conflict.

1.3.1 Diplomatic Affairs

The most influential player within the Jordanian diplomacy was the Prime Minister Zaid al-Rifā‘ī who developed solid pro-Syrian sympathies. Indeed, the first concrete step was made by al-Rifā‘ī with a visit to Damascus, in March 1975, where he met President al-Asad for a series of talks that concerned regional issues and bi-lateral relations, especially in the field of economic cooperation and commercial exchange. This meetings led to the establishment of a joint committee, the first of its kind set up between two Arab countries, considered a move that had set the basis for future inter-Arab economic relations. The committee was decided to alternate its meetings between Amman and Damascus and have several, specialized branch committees: industrial cooperation, economic and trade affairs, transport and communications, electricity concerns and the Yarmuk (to deal with the longstanding project for joint exploitation of the Yarmuk river

waters).⁸ The Prime Minister's successful trip to Damascus was followed by an official state visit to the Syrian capital by King Ḥusayn in April of the same year. Once again, the development of a Jordanian-Syrian cooperation was making good progress as the two heads of state signed a bilateral trade agreement. The situation accelerated in June 1975 with a visit of President al-Asad to Amman; in this occasion the Joint Higher Committee was created, moving far beyond the economic issues, since it included diplomatic and political coordination as well. Moreover, the co-chairs of the committee were the Jordanian and Syrian Prime Ministers themselves.⁹ The first meeting of the Higher Joint Committee in July 1975 addressed a variety of economic and commercial topics, cultural, educational, and information cooperation, as well as matters related to the possibility of a joint diplomatic representation.

This earlier attempt to end the Jordanian-Syrian Cold War and to create an alliance was based mainly in domestic alarms for the political economy of regime security but it was even influenced by changes in external regional politics.

The main external and regional reason for the new alignment was linked to the results of the Yom Kippur War which caused a growing distance between Syria and Egypt, the al-Asad regime believed that al-Sādāt had essentially abandoned Syria during the war itself. Furthermore, al-Asad mistrusted the Egyptian President's motives, considered as an unreliable ally, suspected of planning a separate peace with Israel.

As the distance grew between Cairo and Damascus, so did the rupture between Egypt and Jordan: ùfostered by al-Sādāt's anger at Jordan's failure to open a third front against Israel. While the Egyptian President publicly denounced Jordan after the war, policy-makers within the Hashemite regime argued that his intentions were not really for the good of the Arab Cause but were characterized rather by the aim of maintaining his control in his Sinai territories. It was indeed clear that Jordan and Syria had a similar type of rift between themselves and the Sadat regime in Cairo.

⁸ L. Brand, *Jordan's Inter-Arab Relations: The Political Economy of Alliance-Making*, Columbia University Press, New York 1994, p. 396.

⁹ C. Ryan, *Op. cit.*, p. 39.

Bilateral meetings continued through 1976 as relations grew progressively close. By January 1977, several meetings were held, and they appeared to preview a political federation between the two countries. A federal planning committee, with Jordanian and Syrian representatives, met in Amman in 1977 and agreed to hold joint seminars and form joint specialized committees in the field of planning. Moreover, the two states also shared a strong economic incentive to assuage Saudi Arabia, with the idea of gaining better access to financial aid from the Saudi regime.

The Syrian-Jordanian alignment, while mainly focused on economic and political cooperation, included some external security and defence issues: Syrian military planners began to adjust their strategic tactics to include defence of the Irbid Heights in north west of Jordan, as a link to the Golan Heights and as a possible way to attack Israeli forces in an eventual conflict. Coordination along these lines developed to include joint military manoeuvres and exercises.

In a more active political term, Jordan declared its support to Syria in its 1976 intervention in the Lebanese Civil War. Even though this war was not an external cause that influenced the initial alignment, it indeed reinforced the rapprochement between Syria and Jordan, as the latter immediately made clear its support to Syria.

A second crisis in regional affairs that empowered Jordanian-Syrian alliance was the growing hostility between the regimes in Damascus and Baghdad which was unearthed by the Lebanese War and led to a renewed political conflict. As Iraq was becoming more belligerent toward Syria, Jordan redeployed its troops in its eastern border with Iraq, clarifying that in case of an Iraqi invasion of Syria, Jordan would support the latter.

In addition to the strategic considerations noted above, the development of the alignment between the two states was also influenced by domestic political factors including the presence of a core constituency within Jordan, which considered closer alignments to Syria as a necessary measure to guarantee more permanent stability and security for the Kingdom. Even though a massive part of the elites within the Hashemite regime was cynical about a rapprochement with Damascus as the 1970 invasion was still an open wound, the pro-Syrian factions argued that the present regime in Damascus was different from the previous more hostile ones and that Assad refused to support that invasion.

1.3.2 Economic Reasons

Beyond both the regional-strategic and domestic political factors discussed above, economic incentives appear to have been the principle factors in the Jordanian-Syrian rapprochement and the development of close relations.

Due to political and geographical restrictions, and particularly the lack of presence of a direct outlet to the Mediterranean, most Jordan's links to Europe have passed through Syrian land or air space imposing Jordan to be significantly economically dependent on its neighbour which has affected bilateral relations, reinforcing Syrian dominance. Whenever a deterioration in relations led to conflict, Syria did not hesitate to take advantage of Jordan's dependency by closing the border. For its part, Jordan tried to reduce the negative consequences of such situations by providing special inducement for the use of the port of Aqaba and increasing its maritime communications with Europe via the Suez Canal. However, with the closure of the Canal in 1967, Jordan found itself with no choice rather than admit its growing dependence upon Syria. Syria did not hesitate to take advantage of the situation when it closed the border with Jordan between July 1971 and December 1972.

Jordan's dependence was not limited only to economic boundaries, but it certainly had political implications that were, at times, humiliating for the Hashemite Kingdom.¹⁰ For instance, in July 1958, after the coup d'états in Iraq, British troops were sent to Amman to protect Ḥusayn's regime from any potential aggression. However, because of Syria's hostile attitude, the only possible flight course from British bases in Europe and Cyprus was through Israel's air space which eventually consented and Ḥusayn was forced to agree. The King experienced the same situation few months later, when Jordan's oil supply which had come by truck from Lebanon was cut off by Damascus. Neither Iraqi nor Saudi Arabia would allow shipments from the Gulf to be flown over their land. Once again, the Americans obtained permission to fly oil to Jordan through Israel's air space. In 1975 Jordan and Syria took steps to unify their customs charges. The recommendations referred to customs fees on primary local products used in production in forty-four

¹⁰ J. Nevo, *Op. cit.*, p. 161.

comparable industries in the two countries. Both sides recommended total exemption, not just from customs duties, but from all charges and taxes. In February 1976, the Joint Committee took in consideration a free-trade area, dual tourism projects, and the unification of customs charges on primary domestic products in local and similar industries. Syrian Commercial Delegation visited Amman at the end of June 1976 to discuss about cooperation between the Jordanian and Syrian private sectors and about the possibility to open the way for trade between the two. On the same day an open meeting between members of the Syrian Delegation with several Jordanian merchants and businessmen at the Jordanian Chamber of Commerce was held, during which they discussed an increasing commercial trade and exchange.¹¹

In March 1975, other meetings were seized and led to an agreement upon exchanging expertise in order to prepare and implement a program of development that would include joint industrial projects. In August 1975, a complete and formal industrial cooperation agreement was signed, according to which the principle of economic integration was considered as the basis for cooperation on projects in both Jordan and Syria in which the fixed capital exceeded two million Jordanian Dinars. In addition, joint land and sea transport companies were created and a formal agreement for a free zone, the first of its kind in the Arab world, was established.

The Jordanian-Syrian economic collaboration has always been supported by the respective élites. Indeed, in the history of this dual relation, due to the proximity of Damascus and Amman and the various business connections between the two capitals, business élites from both sides have always conducted economic relations even in periods of hostility. Moreover, any hint of warmer relation between the two countries has always been immediately supported by their private and public sectors. These élites pressed for bilateral agreements aimed to lower economic barriers and thereby facilitate cooperation in profit-making projects; therefore, Jordan and Syria signed a series of agreements designed to remove all tariff barriers between them, to coordinate customs charges and restrictions, and to collaborate on tourism. In addition, several joint economic projects

¹¹ L. Brand, *Economics and Shifting Alliances: Jordan's Relations with Syria and Iraq, 1975-81*, "International Journal of Middle East Studies", 1994, Vol. 26, p. 398.

were established, including companies involved in food production and textile manufacturing, as well as land and sea transportation.¹²

As the kingdom emerged from relative isolation after its 1970-71 suppression on the Palestinian resistance, one of its primary concerns was Gulf-state financial assistance -Amman lost the Kuwaiti and Libyan aid promised in 1967 because of the events of 1970-. Thus, one of the motivations behind the alignment was the urge need of the two states to create a front-line in demanding for aid to the wealthier Gulf States which promised Syria and Jordan considerable aid at the 1974 Rabat Summit of the Arab League, but the commitments then failed to materialize. Jordanian policy makers believed that by cooperating in the form of a united front they would have been able to pressure the Gulf states to follow through with their financial pledges. In January 1997, the Saudis convened a meeting of Gulf States and Confrontation States (Jordan, Syria, Egypt, and the PLO) to resolve the Rabat aid issue. Two months after, it was claimed that federal unity between Syria and Jordan was expected to be announced imminently. However, according to one source, Saudi Arabia had conditioned further aid to Jordan upon a Jordanian-Syrian political disengagement.¹³

The Jordanian purpose of the economic integration was not only for short term profitability, but also to create a more solid system that would have continued in the case of future crisis in which, as it happened in the past, Syria would be able to close the border and have immediate repercussions for Jordan. Border closures had invariably carried economic costs, due to the reliance of much of Jordanian trade and transport on Syrian routes to Turkey and Europe.¹⁴ For instance, Syria did impose an economic blockade in 1958, when Jordan was geographically and politically isolated; a second blockade was inflicted in 1971, immediately after al- Asad assumed power. He was eager to demonstrate his resoluteness and commitment to the Palestinian cause but he also wanted to take

¹² L. Brand, *Jordan's Inter-Arab Relations: The Political Economy of Alliance-Making*, Columbia University Press, New York 1994, p. 182.

¹³ L. Brand, *Economics and Shifting Alliances: Jordan's Relations with Syria and Iraq, 1975-81*, "International Journal of Middle East Studies", 1994, p. 397.

¹⁴ M. E. Morris, *New Political Realities and the Gulf: Egypt, Syria and Jordan*, RAND publication, Santa Monica, 1993, p. 149.

revenge on the Jordanians for their successful resistance of the Syrian invasion less than a year before.

1.4 The collapse of the alliance

Political unity, security cooperation, and even economic integration were all rapidly becoming a reality for Jordanian-Syrian relations in the second half of the 1970s, but after only four years this moment of unity would leave room to mutual suspicion, mistrust, and hostility by the close of the decade.¹⁵

In 1976, a new dispute had risen over oil-transit royalties, as Iraq suspended its oil pumping through Syria. Iraq closed its border with Syria and increased the presence of heavily armed units which determined a new stage in the deterioration of relations between Syria and Iraq. In response, Damascus became involved in supporting a new series of Kurdish anti-Iraqi guerrilla activity. For its part, Jordan accused Iraq of complicity in the November 1976 paramilitary attack on the Amman Intercontinental Hotel, although this did not evolve into an open clash between the two.

The front line organised by Jordan and Syria turned out to be an unsuccessful pressure to the Gulf and in 1978 a part of the insured funds was proceeded. In the same year a new player, Iraq, appeared in the regional context and unavoidably affected the serene relationship between Amman and Damascus. The intensive effort by Iraq, Syria's ideological and political arch-enemy, to include Jordan in its orbit, was viewed with hostility by Damascus and came in a contest of severe a domestic and regional insecurity for al-Asad regime.

Yet, Syrian hostility to Jordan's warming relations with Baghdad came after Syria's own unsuccessful unification project with the latter in 1978. In the same year, Baghdad not only hosted the summits in which the oil producer states renewed their commitment taken some years before, but also managed to adjust incomplete amounts paid by the Gulf.¹⁶

¹⁵ C. Ryan, *Op. cit.*, p. 42

¹⁶ L. Brand, *Economics and Shifting Alliances: Jordan's Relations with Syria and Iraq, 1975-81*, "International Journal of Middle East Studies", 1994, Vol. 26, p. 399.

In the meanwhile, internal conflicts were taking place in Syria, especially supported by the Muslim Brothers whose cells managed to infiltrate the country. On the other hand, the attempt of a coup d'état in Iraq was planned in order to depose the neo-president Ṣaddām Ḥusayn and Syria was believed to be the author.¹⁷

Jordanian regime, for its part, was not enthusiastic about the prospect of such a powerful union and therefore, Jordanian policy-makers hoped to increase their links to Iraq while also preserving their alignment with Syria. When Iraqi-Syrian relations proved to be a failure it became clear that Jordan would shortly be faced with a choice between the two states and eventually, Jordan gravitated closer toward Iraq, accelerating the final collapse of the Jordanian-Syrian alignment.

This charge led to new tensions in December 1980, when Jordan and Syria came very close to a violent confrontation as the military forces of both sides were deployed along the border. Thanks to several weeks of Saudi intervention and mediation, the confrontation was prevented; however tensions reappeared when Jordan accused Syria of being involved in the kidnapping of the Jordanian military attaché in Beirut and blamed Rifāt al-Asad, President al-Asad's brother, with conceiving a plot with the aim of assassinating the Jordanian Prime Minister.

The civil war in Lebanon in 1982 only worsen the already critical situation: the unclear future of the PLO, after having lost its territorial base in Beirut, sharply showed the discrepancy of opinions between Jordan and Syria regarding that organization and the Palestinian question in general. Syria feared that 'Arafāt's weakened position would have produced a rapprochement between him and Ḥusayn and would have given Jordan the mandate to negotiate a political settlement; such possibilities placed Syria's vital interests and ideological canons at risk. In 1983, Ḥusayn and 'Arafāt started a sequence of meetings followed by extreme Syrian pressure on both sides in order to hinder the dialogue, by organizing a series of attempts on Jordanian diplomats and encouraging the split within the PLO and the challenge to 'Arafāt's leadership. In fact, respective reactions to the internal struggles of the PLO somewhat reflected Syrian-Jordanian relations in general: Syria made considerable efforts to replace or at least limit 'Arafāt, and thus guarantee a pro-Syrian obedient organization; Jordan remained ostensibly passive,

¹⁷ J. Nevo, *Op. cit.*, p. 144.

waiting for ‘Arafāt to make the next move: indeed, most of the events that either fostered advancement or caused regression in their bilateral relations originated from Syria.¹⁸

By the end of the decade hostilities widened due to the Iraq-Iran War, as Syria and Jordan took opposite positions: the first supported the new-born Islamic Republic of Iran while the second aligned itself with Iraq. In November 1980, Amman fruitlessly strained to collect the Arab countries in the Arab League Summit, in which occasion King Ḥusayn’s intentions were focused on assembling an Arab Union in order to provide a united front against revolutionary Iran, but it was hardly challenged by the peace agreement between Egypt and Israel in 1979 -not obstructed by King Ḥusayn but which found an extreme opposition by Ḥāfez al-Asad.

Syria not only refused to attend the Amman meeting, but also organized a boycott which came to include Algeria, Libya, Lebanon, the PLO, and South Yemen. More generally, Arab positions regarding the outbreak of war between Iran and Iraq marked the line of demarcation in this inter-Arab divergence and bolstered an atmosphere of recriminations and accusations between themselves.¹⁹

The contrast between Jordan and Syria did not stop and was particularly evident in 1990, in occasion of the Iraqi invasion of Kuwait: Syria, still under the influence of the Soviet Union, joined the American coalition in cooperation with the Gulf countries against the aggressor, while Jordan chose for an attempt to mediate between the antagonists while calling for an inter-Arab resolution rather than foreign intervention but its effort revealed itself to be a failure. Jordan position was indeed the result of a balanced policy: neither sending troops to defend Iraq, nor joining the US-led military coalition.

Three years after the Gulf War in 1994, Jordan signed its peace treaty with Israel, and more than a decade later, Israeli-Syrian relations remained coldly hostile.

In sum, the 1975-79 alignment between Jordan and Syria ultimately collapsed and prefigured the return of the Cold War between the two states. Their incompatibility lasted throughout the 1980s and 1990s, years in which there was no sign of reconciliation; however, economic issues encouraged them to find a dialogue even in the case of lack of political relationships. For instance, Syria in 1985 was already showing a discontent

¹⁸ A. Al-Fawwaz, M. Al-Aballat and A. K. Al-Afef, *The political history of the Jordanian Syrian relations within the Israeli Arab conflict*, Al-Balqa University, Amman, March 2012, p. 146.

¹⁹ C. Ryan, *Op. cit.*, p. 43.

toward oil suppliers from Teheran as they started to apply very high taxes; this was enough to improve the tie with Jordan and to leave apart its indignation for the reinstatement of Jordanian-Egyptian relations.²⁰

1.5 A new phase of Jordanian-Syrian relations

Ḥāfeẓ al-Asad and King Ḥusayn were rivals for most of their respective mandates, punctually influenced by opposing factors that led them to clash.

In February 1999, King Ḥusayn of Jordan died after a long struggle with cancer. Few weeks before his death, however, Ḥusayn had left his medical treatment in the United States, went back to Jordan, and changed the order of succession from his brother, Prince Ḥassan Bin Ṭalāl, to his eldest son King ‘Abd Allāh II. The change was shocking, since Ḥassan had served as Crown Prince and supposed successor and had been groomed to be king for 34 years.

In June 2000, just over a year later, President Ḥāfeẓ al-Asad died in Damascus, after ruling for 30 years as head of the Ba'atist regime in Syria. Even though Syria, unlike Jordan, was a republic, Ḥāfeẓ elected his son Bašār al-Asad as the successor.

In addition to their personal dislike for one another, Ḥāfeẓ al-Asad and King Ḥusayn had been influenced by the local and global cold wars and had frequently taken opposite positions regarding different topics such as the PLO, the Iraq-Iran War and especially the Arab-Israeli conflict and peace process. Indeed, when King Ḥusayn passed away in 1999, he and President al-Asad had never really reconciled. Yet, the Syrian President surprised the world, by arriving with most top Syrian officials, to march in King Ḥusayn's funeral.

Unlike the fathers, the two new rulers started a more cordial relation which was possible thanks to their several similarities: both were in their thirties, both interested in computers and communications and changing their societies, and both succeeded a long-lasting leader, popular within the masses. They did not have the priority to unify the two nations

²⁰ L. Brand, *Jordan's Inter-Arab Relations: The Political Economy of Alliance-Making*, Columbia University Press, New York 1994, p. 177.

as it was before, but rather to adopt a common line in facing regional the new issues that were threatening the region: the condemn of Israeli violence, opposition to terrorist attacks, condemn of the western indifference towards Palestinian rights and rejection of the penalties conferred to Iraq.

However, the thaw in Jordanian-Syrian relations began more directly as the result of the Jordanian, rather than the Syrian, succession. King Ḥusayn died more than a year before the Syrian President al-Asad had made clear his willing for a warmer relation through his gesture of travelling to Jordan for the king's funeral. Shortly after the end of the mourning period King 'Abd Allāh hastened in attempting to build new ties not only with Syria, but also with other key Arab states from Morocco to Egypt to the Gulf monarchies.

Following the succession in Damascus, President Bašār al-Asad also seemed to embrace the idea of active rapprochement and even of emerging alignment with Jordan.

As it had been in the past, also in this more recent era, economy played a fundamental role in approaching the two nations. Indeed, the great majority of agreements signed between the two states, that marked the beginning of their rapidly increasing cooperation, were explicitly about economic concerns. In August 1999, Jordan and Syria signed a trade agreement removing tariffs on selected products in bilateral trade and in October 2001, the two countries pushed this process much further by formalizing a Free Trade Agreement (FTA) between them. The Jordanian-Syrian FTA entered into force in 2002 and lifted tariffs on the majority of goods exported from either country to the other.

Both countries have been undergoing processes of economic restructuring and adjustment in recent years in varying degrees. 'Abd Allāh II focused on the country's development beginning the adjustment in 1989 when he was forced to turn to the International Monetary Fund (IMF) for economic aid as Jordan was not able to meet its debt obligations.

Since that time, the Jordanian Government has implemented a sequence of IMF programs, every time triggering political disorders. Thus, Jordan's economic and political liberalization has been tumultuous from time to time and since the late 1990s has shown signs of an increasing shifting between the political and the economic sides of the same project. Political liberalization has often stopped or slid backwards, precisely because economic adjustment has proceeded rapidly with corresponding political discontent. Indeed, Jordan seemed to be obsessive about achieving economic agreements. While

Syria has been more reluctant, the Jordanian Government has embraced entirely the Bretton Woods institutions (the IME, World Bank, and the World Trade Organization), and pressed for a Free Trade Agreement with the United States. The intent of King ‘Abd Allāh was securing the US Jordanian FTA, as a key economic factor solidifying Jordan's political and military alliance with the United States.

Notwithstanding its limitations, however, the Jordanian reform process has gone much further than that in Syria: despite very high expectations for political liberalization upon the accession of Bašār al-Asad to the presidency, Syria seemed to conduct business as usual in its essentially authoritarian way; Bašār was very cautious in introducing any new reform as the power structures remained in the hands of the old guard and Syrian economic liberalization has been slow and limited, but it has made progresses since the early 1990s. In this context of liberalization, privatization and freer movement of goods business elites in both countries have been increasing transnational links across the Jordanian-Syrian border.

Another key concerning of both Jordan and Syria is the issue of water. Both countries experienced numerous years of droughts in the second half of the 1990s. The problem was bigger for Jordan, where droughts presented for seven consecutive summers engraving the already significantly meagre resources. Jordan was already forced to ask Syria to supplement its water supplies in 1999 and 2000. The next year, the two countries established a new water agreement which increased the flow of Yarmouk river water directed to Jordan. In addition, this agreement revived an earlier plan signed by Jordan and Syria in 1987 which included a collaboration in creating the Al-Weḥda Dam, with the purpose of generating a reservoir along the Yarmouk river basin. In the meantime, Syria continued to divert water to help alleviate Jordan's chronic drought problem.²¹

However, besides the economic incentives for a closer cooperation between Amman and Damascus, some of the most remarkable results of the rapprochement have been more strictly political. Jordan had been welcoming Syrian opposition exiles for decades, especially those allied with the Muslim Brotherhood. However, when Bašār al-Asad

²¹ Saad G. Hattar and Dana Charkasi, *Jordan asks Syria to Hike Flow of Yarmouk*, “Jordan Times”, 19 April 2001.

assumed power in 2000, and in the context of warming Jordanian-Syrian relations, the Kingdom deported several Syrian Muslim Brotherhood's leading members and in 1982 the Syrian state used its most extreme force in destroying the Muslim Brotherhood opposition. In contrast to the role played by the reciprocal intelligence -in Arabic *muḥābarāt*- during the Cold War, Jordan and Syria seemed to move towards a cooperation. While Jordan has committed to expel Syrian dissident, Syria agreed to a media pluralism allowing Jordanian newspaper to circulate in Syrian territory for the first time in the last twenty years.

Thus, having abandoned supporting the counterpart's opposition and having instead settled a series of agreements, after the arrival and the policies of the two new leaders, the Jordanian-Syrian Cold War had come to an end.

However, regional and global crises challenged their rapprochement almost immediately: the first among them was the second Intifada in the Palestinian territories; followed by the 11th September 2001 attacks against the US, the consequential US military campaign in Afghanistan and its global campaign against terrorism; and finally, the 2003 US invasion of Iraq.

Having stated the intensity of regional crisis, one may expect that, due to the differences between the two countries over politics issues, Jordan and Syria would face a new hostile moment, especially concerning the Arab-Israeli conflict and peace process or the relations with the Gulf states. But, even in these case, the two states were pursuing their policy in the same direction: Jordan had re-achieved its relations before the Gulf War with all of the Arab Gulf monarchies, whereas Syria became even a more officially ally with these countries through the Damascus Declaration Alignment, which emerged in 1991 in the aftermath of the second Gulf War, and consisted on a framework linking Syria and Egypt to the six states of the Gulf Cooperation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates).²² Secondly, despite differences regarding relations with Israel, both states support the Palestinian Intifada, both oppose Israel's violent suppression of that uprising.

A key point is that this context is not included in the Cold War period anymore which stressed the clear opposition between conservative monarchies and radical republics;

²² Ryan. *Op. cit.*, p. 56.

Jordan and Syria might still fit in these categories, but they are now closely linked and heading to the same willingness of cooperation.

More importantly, the distinction made by American policy-makers between moderate and non-moderate Arab states does not seem to be still applicable to the two countries in this context. For instance, Syria has made clear its opposition to terrorist attacks in the US, while also accusing US and Europe for their disinterest toward Palestinian rights. But this is not just the position of Syria, rather, it is shared by Jordan, Egypt, the Gulf states and indeed most Arab countries. For instance, both Syria and Jordan agreed further that the sanctions punished the Iraqi people and not the regime.

Even on the thorny issue of terrorism, Syria was not the only one that objected to the US and the United Nations condemning terrorism without any distinction between *Al-Qā'ida* and national liberation movements which includes Hizb Allāh in Lebanon as well as Palestinian resistance groups from Hamas to the Popular Front for the Liberation of Palestine (PELP).

In those years, Syria was the object of the Bush Administration, threats that were fiercely condemned by the other Arab states. Indeed Syria, unlike Iraq, is directly allied not only to countries that the American government opposes, such as Iran, but also to major US allies, such as Egypt and all six Arab Gulf monarchies. Syria's position was deteriorating at the beginning of the 21st century: the US invasion of Iraq led to an extensive insurgency and the rise of routine terrorism within the latter. Even though foreign Islamist fighters that crossed into Iraq to join the fight against the US occupation were from different neighbour countries, Bush Administration focused on Syria precisely, charging Damascus support in helping such crossing and endorsing the rebellion. Despite that the Syrian government strongly denied these linkages, military attacks from the US began to focus on towns on the Syrian-Iraqi border, while the Administration continued to threaten the use of force against Syria.²³

Tensions grew stronger when Lebanese Prime Minister *Rafiq al-Hariri* was assassinated by a car bomb in Beirut on the 14th of February 2005 and Lebanese suspicion immediately focused on Syria. In October 2005 the first of a series of UN investigative reports charged Lebanese and Syrian intelligence agencies with complicity in *al-Hariri's* murder and finally obliged the latter to withdraw its remaining military forces from Lebanon, decision

²³ C. Ryan, *Op. cit.*, p. 49.

that found Jordan's support. Jordan was still pursuing its relations with Damascus, however, due to the growing tension and series of crisis within Syria, Jordan preferred not to form any real alignment or alliance between the two.

1.6 Jordanian-Syrian ties During Syria Civil War

The Arab Cold-War which was at the centre of Jordanian-Syrian relations slowly came to an end with the ascent of the two new rulers, 'Abd Allāh II and Bašār al-Asad. Their rapport has been stable and characterized by a series of political and economic agreements. However, at the outbreak of the Syrian Civil War in 2011, the two countries have come through an impasse.

1.6.1 Jordan's policy at the outbreak of the Civil War

With the end of the first quarter of 2011, Syria became the scene for a wave of mass protests calling for rights and freedoms such as the abolition of the emergency law in force since 1963, as well as condemning corruption and many of the Syrian Government's practice. The protest began in February 2011 in Dar'ā and rapidly widened throughout the country: Ḥamāh, Ḥims, Lādhiqīyah, Dūmā, Dar'ā, Idlib, Deiy az-Zūr Damascus and Aleppo were the most involved cities, where at times the army responded with a violent shooting towards the civilians.²⁴

Although this conflict is now in its ninth year, we don't dispose yet of official and authorised voices concerning the current relationship between the two countries. Besides, Jordan has taken balanced and cautious positions and conducted moves to protect the its interests, while resisting substantial pressure from both regional and international levels for a profounder involvement in the Syrian Civil War. It is indeed in Jordan's interest to

²⁴ L. Trombetta, *Siria. Dagli ottomani agli Asad e oltre*, Mondadori, Milano 2013, p.226.

end the Syrian crisis peacefully and rapidly as a new stable neighbour government means a new era of diplomatic relations and cooperation between the two countries.

Except for the military fire exchange between the two national military forces that happens at times on the border, which the Jordanian troops claims that they are only for providing secure converge for the refugees chased by the Syrian army, there has not been the occasion of an actual clash between the two countries' military troops.

Despite that, in April 2013, Jordan accepted a slight changing in its initial neutral stand when it agreed to lead a covert operation of providing arms to the Free Army in Syria together with Qatar, and Saudi Arabia, other Western governments, such as America and France. This change in Jordanian policy was a consequence of fears due to the rising powers of terrorist groups linked to *Al-Qā'ida* in Southern Syria which created an increasing global threat. With this strategy, Jordan aimed to end the civil war in Syria before it would have harmed its economy or even boosted powerful terrorist groups into its territory.

In fact, Jordan agreed on the American-led intervention in Syria, an active military involvement started in 2014, led by the United States against the Islamic State of Iraq and the Levant (ISIL) and *Al-Nusra Front*.

Even though Jordan decided to expel the Syrian Ambassador Bahjat Sulāymān the 28th of May 2014, the Jordanian Minister of Foreign Affairs Nāṣir Jūdeh underlined that the decision was strictly regarding the ambassador and had nothing to do with Jordanian policy toward Syria, as it was not a mean to dare the relation between Damascus and Amman. The ambassador was expelled after the envoy continued his insults and critical statements against Jordan, Jordanian political figures, national institutions and citizens.²⁵ Indeed, Bahjat Sulāymān had harshly criticized Jordan's Syrian policies and in several occasions, he insulted deputies and journalists who didn't share Bašār al-Asad's positions. In conclusion, it seems that Jordan's interest is avoiding increasing the tensions with Syria nor interfering in its affairs. Having considered the delicate context for its internal balance, the Hashemite Kingdom was and still is trying to maintain a harmonious

²⁵ Al-Sharif (2014), *Jordan maintains Syrian ties despite envoy's expulsion*, Available at: <https://www.al-monitor.com/pulse/originals/2014/05/jordan-expulsion-ambassador-syria-suleiman-amman.html> (Accessed: 30.01.2019)

relationship at both regional and international level not to compromise its internal security and the political, economic and social stability.

1.6.2 Jordan-Syria current relationship

Jordan has still not changed its moderate and cautious position toward Syria, considering as a first need its economic interests and the maintenance of moderately peaceful relation with al-Asad's state. However, after several years of tension and diplomatic face-offs, both countries are timidly moving towards restoring normal ties.²⁶

Thus, on the 15th of October 2018, the two countries reopened the strategic Nasib border crossing which had been closed in the last three years.

The crossing point was a constant stream of trucks from Syria, Turkey, and Lebanon or coming the other way with cargo from Jordan, Egypt, and the Gulf states. It also included a border-straddling free trade zone in which transit companies and industrialists had been allowed to build shop under very favourable terms. Before the Civil War began, the crossing boasted a great commercial importance: it is said to have handled 1.5 billion dollars' worth of trade per year (though by 2014 that sum had dropped to 400 million dollars). Economic observers said the border passage generated nearly 600 million dollars in trade yearly before war in Syria began, more than 7,000 trucks were estimated to have crossed between the two countries daily.

The closure of the crossing clearly affected the economy of the countries that gravitated around it. Among them, Syrian economy was extremely damaged, especially since it had lost control over the Al-Tanf border into Iraq. As a consequence, Damascus was left without any overland access to Jordan or Iraq, and so to Iran, Egypt and the Arab Gulf. Same negative results happened to Jordan which had still open borders with Israel and Saudi Arabia, but whose foreign trade registered significant dips.

²⁶ O. Al-Sharif, *How Jordan and Syria are making shy moves towards normal ties*, Gulf News. Available at: <https://gulfnews.com/opinion/op-eds/how-jordan-and-syria-are-making-shy-moves-towards-normal-ties-1.2294134> (Accessed 23.11.2018)

In 2015, the Nasib border was detained by anti-Assad rebels, whose operation was initially supported by Jordan and the United States with its allies; unfortunately, Jordan ended up closing the border with Syria since the control of the crossing was successively occupied by terrorist groups causing the infiltration of extremist cells in Jordan and episodes of violence in the border surrounding countryside villages, elements that could have directly destabilised the Kingdom. Indeed, Amman was fearful of the spread of militant jihadist forces, including a significant Jordanian contingent, which could have eventually chosen Jordan. At the same time, the Hashemite monarchy concerned about the fact that the increasing strength of the Syrian Muslim Brotherhood might have boosted its own Brotherhood branch, the Islamic Action Front, which had already been the country's dominant opposition party.²⁷

As said, the border remained closed for three years due to political disorders. The first hints of a possible reopening happened in November 2017 when the United States, Russia and Jordan announced the realization of an agreement on a de-escalation zone in southern Syria. The de-escalation's three guarantors meant to stop the violence in a Syrian area which was both extremely sensitive geopolitically and, relative to the rest of the country, more manageable since the south west was already mostly dormant militarily. Moreover, Jordan had managed to minimise the influence of unruly jihadists by exerting tight control over its border.²⁸

As a consequent part of this campaign, on the 29th of October 2018 Jordan authorities announced the reopening of the Nasib Border, after the Syrian government had impounded the area with the help of Russian airstrikes and had made the zone securely controlled. Syria celebrated the liberation of most of south-western Syria from rebel groups as a major victory in the Civil War hoping that the reopening of the borders with the Hashemite Kingdom would be seen as recognition by Syria's neighbours of the legitimacy of the regime and as a step towards restoring full political ties- but Amman

²⁷ A. Lund, *Opening Soon: The Story of a Syrian-Jordanian Border Crossing*, "The Century Foundation". Available at: <https://tcf.org/content/commentary/opening-soon-story-syrian-jordanian-border-crossing/> (Accessed: 04.12.2018)

²⁸ Middle East Report No. 187, *Keeping the Calm in Southern Syria*, 21 June 2018.

was hesitant to give the move a symbolic political meaning. For Jordan's part, the reopening of the border meant the possibility to reach Lebanon, Turkey and EU markets. Moreover, Jordan's private sector hopes that the reopening of the borders will give the Kingdom a considerable share in the future reconstruction of Syria. As regards the Jordanian Government, the move will also be a possibility for refugees to choose to return voluntarily to Syria; however, despite Jordan's willing, according to the latest statistics released by the UNHCR only 9,195 Syrian refugees returned to Syria after the opening of the border.

After all, considering UNHCR's survey on Syrian refugees' perceptions and intentions on return to Syria, the main obstacles in returning to Syria the lack of predictable and sustainable physical safety in Syria is the primary factor influencing refugees' plans for the future which includes military service, conscription or recruitment for them or their children, fear of arrest and detention and retaliation upon return but also the lack of an amnesty for military desertion and military evasion. Moreover, the majority of Syrian refugees have declared that their properties are either destroyed or uninhabitable. Finally, the conflict has had severe impact on livelihoods in Syria, and has caused increased levels of poverty and unemployment. Access to, or lack of, livelihoods opportunities upon return in Syria was regarded in particular as a determining factor influencing decisions on return as it is essential to provide the resources required for a successful reintegration.²⁹

²⁹ UNHCR Survey: *Fourth regional survey on Syrian refugees' perceptions and intentions on return to Syria*, Conducted by UNHCR Country Operations in Egypt, Iraq, Jordan, and Lebanon, 2018.

Chapter 2 - The refugee status

2.1 First hints toward refugees' protection

In the aftermath of the First World War, officially ended the 11th of November 1918 after over four years of conflict, millions of people were forced to escape from their native lands and to seek for a shelter. These people are considered the first refugees of the 20th century and, at that time, due to the lack of regulations managing the flows of people, authorities of the involved countries had to elaborate a series of international conventions in order to face these enormous migratory waves and to release travel documents. In this context, thousands of Belgians, Serbians and most of all Armenians, which population was decimated in the so called first genocide of the 20th century, were forced to the exodus.³⁰ Consequently, the international community, under the lead of The League of Nations³¹ felt the need to elaborate a series of guidelines and laws, especially after the Russian revolution and the fall of the Ottoman Empire. The aim of The League of Nations was to offer refugees an appropriate treatment, in full compliance with human rights. The League nominated Fridtjof Nansen as High Commissioner for Russian Refugees and assigned him the task to define the refugee's legal status, and to either organize an eventual repatriation or find a possible relocation in another country. Hereafter, the mandate conferred to Nansen was extended to other ethnicity such as Armenians, Assyrians, Assyrian-Chaldeans, and Turks. In addition, in 1938 The Intergovernmental Commissioner for Refugees was created and was designated to manage the involuntary or forced migration of refugees from Germany and Austria.

The scholar James Hathaway describes this phase (1920-1935) a juridical definition process of the refugee's figure, which consists in the attempt of arranging the topic on an

³⁰ Convention and Protocol Relating to the Status of Refugees, 1951.

³¹ The League of Nations was an intergovernmental organisation established on the 10th of January 1920, as a result of the Paris Peace Conference at the end of the First World War.

international level, providing the refugees a certification similar to a passport.³² Thus, the Nansen passport was an identification document that allowed refugees to travel over their country's border, however it was not offering a clear definition of the term "refugee" nor was conferring people their citizenship rights. Promptly, the governments agreed on adopting this system and on releasing the document, since it was not endangering the state sovereignty.³³

The following term is called individualistic period as it does not recognize the refugee as part of a group but as a single person who escapes from a situation of injustice and incompatibility with his state.³⁴ This phase emerged in conjunction with the Second World War (1939-1945) which caused the migration and the deportation of millions of refugees from one state to the other. It is estimated that, by the end of the conflict, there were more than 40 million internal displaced persons (IDP) and refugees only in Europe. Therefore, the enormous dimension of the disaster led to an urgent need to create international organizations to cope with the emergency.

Thus, the United Nations Relief and Rehabilitation Administration was established in 1943 and was given the duty to help the IDP returning to their region. However, most refugees refused to be repatriated to their native countries in which did not feel safe. The reluctance of refugees to come back underlined, for the first time, the presence of much wider problematics linked to the concept of asylum and shelter; such issues became one of the focal points on the agenda of the first meeting of the United Nations General Assembly in 1945. All the countries were asked to discuss such topics with a broader standpoint and an international perspective. Substantially, the right of asylum could no longer be the prerogative of single state discipline, but it had to be considered a common theme shared by all countries as well as an inviolable human right.³⁵

³² J. C. Hathaway, *The Law of Refugee Status*, Cambridge University Press, Cambridge 1991, p. 15.

³³ Fitzmaurice P., *Anniversary of the forgotten Convention: The 1933 Refugee Convention and the search for protection between the world wars*, 2013. Available at: <https://www.legalaidboard.ie/en/about-the-board/press-publications/newsletters/anniversary-of-the-forgotten-convention-the-1933-refugee-convention-and-the-search-for-protection-between-the-world-wars.html> (Accessed: 05.11.2018)

³⁴ *Convention and Protocol Relating to the Status of Refugees*, 1951.

³⁵ S. Masiello, *Punti di fuga. Prospettive sociologiche sul diritto d'asilo e i rifugiati*, Liguori, Napoli 2007.

Indeed, in this period, the first agencies on refugees' issue were born: The Intergovernmental Committee on Refugees created in 1938 to administer intergovernmental efforts to resettle refugees from Nazi Germany and in 1943 its action was expanded to cover all European refugees. The Committee ended in 1947, replaced by the International Refugee Organization. In December 1944, the United Nations Relief and Rehabilitation Administration (UNRRA) was created and was dealing with assistance and the repatriation of over 6 million displaced people, until August 1947.

The International Refugee Organization (IRO), which succeeded the Intergovernmental Committee on Refugees, was established in 1946 and continued its activities till 1951. The Organization dealt with 1,600,000 European refugees, most of them welcomed in Austria, German and Italian refugee camps, as well as it organized both the settlement of over a million refugees in new welcoming countries and the repatriation of 73,000 refugees.³⁶

The United Nations Relief and Work Agency for Palestine Refugees (UNRWA) was created in December 1949 in order to guarantee protection and material assistance to the thousands of Palestinian refugees who abandoned their country after the foundation of the state of Israel in May 1948. This agency is still working as the Palestinian-Israeli issue has not come to an end yet. Finally, the United Nations Korean Reconstruction Agency (UNKRA) was created in 1950 and remained operative until 1961.

The International Refugee Organization was the very first body dealing with the influx of refugees as well as the registration of their personal information, the declaration, or its lack, of their status of refugee and finally the possible return to their homeland or the settlement in a new territory. At the same time the Committee also offered a political-juridical consultation to displaced persons. Despite the efficient job the IRO was pursuing, it was established in a specific historical moment in which the tensions between eastern and western Europe had reached the peak. For this reason, it was highly criticized by those countries against the refugees' settlement in a new state and more inclined for forced repatriation. Furthermore, the very high costs of this activity were entirely supported only by only 18 of the 54 members of the United Nations.

³⁶ G. Ferrari, *La convenzione sullo status dei rifugiati aspetti storici*, 2004, p.18.

In the same context the United Nations High Commissioner for Refugees (UNHCR) was created as the result of a compromise between those states that considered a unified international position toward the matter as necessary and indispensable, and other states that rejected the idea of an organization with such wide powers. The UNHCR, which eventually substituted the IRO, was established by the article 22 from The Charter of the United Nations as a subsidiary agency, and it was given a three years temporary mandate of international protection, starting from the 1st of January 1951. The statute of the agency declared that it is directly connected to the 1951 Convention and that its mission would have been covering only Europe. However, the conflicts happened after the UNHCR establishment and the harmful process of decolonization that was taking place in the African continent led to an extension of the mandate. The High Commissioner was, and still is, nominated by the Secretary-General and elected from the Assembly which gives it the guidelines and the behaviour directives.

The idea of protecting the categories automatically excluded from the geographical sphere of the Geneva Convention is to attribute to UNHCR whose idea ended with the 1967 Protocol.³⁷ UNHCR launched its action on refugees' protection with a staff of 33 people and a 30,000 dollars budget; it has now 68 years of history and it is composed by 11,500 employees and has a found of two billion dollars.

2.2 The Geneva Convention

The League of Nations represented the first attempt to establish an international institution with general political aims to guarantee peace. However, the hope of a new international order founded on the respect of law, on cooperation and on the ability to solve hostilities without resorting to war, failed in the aftermath of the Second World War, during which the foundation for a new organization was laid.³⁸ The reasons of the

³⁷ E. Feller, *The Evolution of the International Refugee Protection Regime*, "Washington University Journal of Law & Policy", 2001, p. 132.

³⁸ A. Bucci, *Comparazione e rapporti tra Comunità Europea e Mercosur*, Editura Serafica, Roman 2005, p. 113.

League of Nations' failure are not only linked to the outbreak of the war but they are indeed connected to a series of historical events happened between the two wars: first, the weakness of the League itself that excluded important nation from participating, the Italian invasion of Ethiopia, condemned by the League, and finally the colonial actions of many states which did not match the principles of the League at all.

So, between 1942 and 1945 the United Nations was created and came to substitute its predecessor, the League of Nations.³⁹ In 1948, after horrible violations of personality and population rights, the UN promoted the Universal Declaration of Human Rights as the result of a long philosophical, juridical and political gestation,⁴⁰ whose principle rations were at the base of the Geneva Convention in 1951. As said, the Universal Declaration was adopted by the General Assembly of the UN on the 10th of December 1948, motivated by the experiences of the previous world wars, for the first time, countries agreed on a comprehensive statement of inalienable human rights.

The Declaration starts recognising that 'The inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world'⁴¹. It declares that human rights are universal – to be enjoyed by all people, without any kind of distinction. It includes civil and political rights (the right to life, liberty, free speech and privacy) but also economic, social and cultural rights (the right to social security, health and education.) Although the Declaration is not binding, and states are not forced to respect its principle, it is an expression of the fundamental values, shared by all members of the international community and it has indeed a great influence on the development of human rights law.

Unfortunately, despite the universal decisions of the UN, many Arab states refused to adopt them in their legislation, mainly due to the fact that The Universal Declaration of Human Rights was born in western societies and was mostly codified by western states

³⁹ L. M. Goodrich, *From League of Nations to United Nations*, International Organization, Vol. 1, University of Wisconsin Press, Wisconsin 1947, p. 20.

⁴⁰ M. Nordio, *Diritti umani e scontri di civiltà*, in M. Nordio and G. Vercellin (ed.), *Islam e diritti umani: un (falso?) problema*, Diabasis, Reggio Emilia 2005, p. 145.

⁴¹ Universal Declaration of Human Rights, 1948.

or NGOs.⁴² Its norms represent the secularization of the Christian conception of natural law which arises from nature and is characterized by an exclusively rational foundation by eliminating its divine origin. The idea of a law that disregards the divine will is inconceivable for most of Muslim countries which is the reason that explains the lack of these states' support to the international decisions.⁴³

Between 1948 and 1951, the United Nations, availing itself of the services of some of its own agencies in addition to a series of ad hoc committees and a plenipotentiary conference, worked on the drafting of a Convention that could have defined the concept and, consequently, the legal status of a refugee within the international law. The result of such work was the writing of the Geneva Convention in which the definition of refugee was the outcome of a mediation between a more liberal ideology of the western Europe states, aimed to include political dissidents from the East in the category, and the more restricted line of the countries of the Soviet bloc. The solution showed how, in fact, the states of the west were able to make the final definition more according to occidental values.

The Geneva Convention was adopted the 28th of July 1951 but entered into force only the 22nd of April 1954. It was approved by a delegation of 26 countries together with Iran and Cuba which were admitted only in the role of observers, with the delegation of several agencies such as IRO, ILO and the Council of Europe⁴⁴, without the right to vote.⁴⁵

⁴² F. Halliday, *Diritti umani e Medio Oriente islamico: universalismo e relativismo*, in M. Nordio and G. Vercellin (ed.), *Islam e diritti umani: un (falso?) problema*, Diabasis, Reggio Emilia 2005, p. 127.

⁴³ S. Ferrari, *Monoteismi e diritti umani: il caso dell'Islam*, in M. Nordio and G. Vercellin (ed.), *Islam e diritti umani: un (falso?) problema*, Diabasis, Reggio Emilia 2005, p. 32.

⁴⁴ This International organization was founded with the Treaty of London the 5th of May 1949 that aimed to safeguard and promote the common heritage of ideals and the economic and social development of European countries.

⁴⁵ The Conference, (2-25 July) approved the text with 24 votes in favour and 2 abstentions. The participating States were 26: 17 Europeans (Austria, Belgium, Denmark, France, Italy, Luxembourg, Norway, Netherlands, Principality of Monaco, Federal Republic of Germany, United Kingdom of Great Britain and Northern Ireland, the Holy See, Sweden, Switzerland, Turkey, Yugoslavia), 5 Americans (Brazil, Canada, Colombia, United States, Venezuela), 2 Asians (Iraq, Israel), 1 African (Egypt) and 1 of Oceania (Australia). Two abstentions: Iraq and the United States. Once ready at the United Nations European Office in Geneva on 28 July 1951, the Convention was immediately signed by 14 States, to which other states

The Geneva Convention is based on the Article 14 of the Declaration of Human Rights, which says:

«Art.14 (1): Everyone has the right to seek and to enjoy in other countries asylum from persecution. »;

Providing that:

« Art. 14 (2): This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. »;⁴⁶

The 1951 Convention first of all offers a definition of refugee and in its 46 articles it includes norms regarding the treatment of those who meet this definition as well as all the refugee's duties and rights. The definition of refugee presents, however, geographical and historical limits:

«Art. 1A (2): As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.»⁴⁷

Indeed, within this article, two main anomalies are revealed: the first is related to a temporal limitation as this definition is extended only to those who had become refugees as a result of events that occurred before the 1st of January 1951. For its part, the geographic limitation offered the contracting states the possibility to limit the Convention's obligations to the ones who became refugees after events occurred in Europe.

would be added over the years, to reach the current number of 145 (146 are instead the States adhering to the 1967 Protocol) out of a total of 193 members countries of the United Nations Organization.

⁴⁶ Universal Declaration of Human Rights, 1948.

⁴⁷ Convention and Protocol Relating to the Status of Refugees, 1951.

These limits were indicative of those that were UN priorities in that moment, which consisted ere, first of all, in the need to establish a legal status and to connect to it a normative suitable to manage the huge flows of refugees after the two world wars.

Therefore, it soon became clear that geographic and temporal limitations of the Convention itself were widely reducing its universality: particularly, with the rise of a new forced migratory phenomenon from Africa, this definition was no longer thorough enough to face the problem.

For this reason, the Protocol relating to refugee status was adopted in 1967, and aimed at eliminating the temporal limitation for all the member states and the geographical one only for those states which had not already formulated juridical reserves before the adoption of the Protocol.⁴⁸

In the Convention there is also presented a series of clauses on the termination of the previously granted refugee's juridical status, which can be revoked.

In this sense, the person who is able to benefit again of the protection of his country is no longer under the Convention's protection; similarly, the one who has regained his citizenship or who spontaneously re-established himself in the country in which he had feared to be persecuted or the one who has acquired a new citizenship.

Moreover, the Convention recognizes the rights and duties linked to the refugee status, among them the most important is the article 33. It establishes the prohibition of expulsion or rejection of the refugee, also called the principle of non-refoulement: it forbids states to send a refugee or an asylum seeker back to the territory where there is a risk that his life or freedom may be threatened on grounds of race, religion, nationality or the belonging to a specific social group or political opinion.⁴⁹

«Art. 33 (1): No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on

⁴⁸ J. C. Hathaway, 1991, *Op. cit.*, p. 21.

⁴⁹ E. Lauterpacht, D. Bethlehem, *The scope and content of the principle of non-refoulement: Opinion*, in E. Feller, V. Türk, F. Nicholson (ed.), *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection*, Cambridge University Press, Cambridge 2003, p. 89.

account of his race, religion, nationality, membership of a particular social group or political opinion. »

«Art. 33 (2): The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country. »⁵⁰

This legislative establishment expresses the important principle for which, as a secure a concrete application to the protection of refugees, it is necessary to guarantee the entrance into a territory where they are effectively protected from the risk of being persecuted.⁵¹ However, the principle of non-refoulement is not a real right of asylum: it does strictly forbid to repulse asylum seekers to their original country of persecution but does not provide for a consequent obligation for states to admit them within their own borders. Indeed, neither in the original Convention of 1951 nor in the following Protocol of 1967, an explicit reference on the obligation to guarantee an absolute and complete right of asylum is mentioned.⁵²

The non-refoulement principle should be read not only as an obligation not to reject the refugee threatened by a danger situation but also as the need to find a lasting solution to their misfortune.⁵³

However, the Convention, in the absence of an agreement between states on their duty of welcoming the asylum seekers, indirectly attempted to remedy this lack by establishing the prohibition to adopt measures and penal sanctions against individuals entering or staying illegally in the country. In simple terms, the attempt was to circumvent the problem guaranteeing temporal margin to the refugee in order to give the receiving state the time to adequately evaluate the request. ⁵⁴

⁵⁰ Convention and Protocol Relating to the Status of Refugees, 1951.

⁵¹ J.C. Hathaway, *The Rights of Refugees under International Law*, Cambridge University Press, Cambridge 2005, p. 279.

⁵² S. Masiello, *Op. cit.*, p. 60.

⁵³ G. S. Goodwin-Gill and J. McAdam, *The Refugee in International Law*, Third Edition, Oxford University Press, Oxford 2007, p. 41.

⁵⁴ S. Masiello, *Op. cit.*, p. 60.

The Convention's principle of non-refoulement was then reclaimed in a series of successive meetings including the Convention to Regulate the Specific Aspects of Refugees in Africa in 1969 or the Organisation of African Unity (OAU) which broadened the notion of refugee beyond victims of generalized conflict and violence.

The OAU Convention was also significant in its recognition of the security implications of refugee flows, focusing the solutions on voluntary repatriation in contrast to the integration bias of the 1951 Convention and through its promotion of a burden-sharing approach to refugee assistance and protection.⁵⁵ The principle was also reclaimed in the American Convention on Human Rights in 1969, the Cartagena Protocol in 1984 and, again, by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1984.

2.2.1 Reaction to the Geneva Convention

The Convention relating to Refugee Status, despite its efforts to cover the majority of people escaping from threatening situations, is still struggling in finding a universal recognition. There are still fifty non-signatory states⁵⁶ that show their disapproval to the document.

Indeed, one of the main and most discussed lacks within the two documents is that the text of the Convention and the following Protocol does not offer a regulation for people that constantly live in danger within their own country and, for this reason, the refugee category is not applicable to them. They are called Internal Displaced Persons (IDP) who are basically refugees within their states and to whom the Geneva Convention does not confer any right or protection.

⁵⁵ E. Feller, *Op.cit.*, p. 135.

⁵⁶ Afghanistan, Andorra, Saudi Arabia, Bahrain, Bangladesh, Barbados, Bhutan, Belarus, Brunei, North Korea, Cuba, United Arab Emirates, Eritrea, Grenada, Guyana, India, Indonesia, Iraq, Comoros, Marshall Islands, Jordan, Kuwait, Laos, Lebanon, Libya, Malaysia, Maldives, Mauritius, Myanmar, Micronesia, Moldova, Mongolia, Nepal, Oman, Pakistan, Palau, Qatar, St. Kitts & Nevis, St. Lucia, San Marino, Singapore, Syria, Sri Lanka, Thailand, Trinidad and Tobago, Ukraine, Uzbekistan, Vanuatu, Vietnam.

Today, there are more than 40 million IDPs in the world which are not protected by international laws as there aren't binding deeds related to their juridical status. Indeed, there are some guiding principles on the IDP set up in 1998 by Francis Deng, Former Representative of the Secretary General for the IDPs, but the states are not obliged in any way to adopt these principles.⁵⁷

In addition, there are some parts of the Convention that can generate misunderstanding, in particular the article 1 which states:

«Art. 1 (D): This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance. »

One of the various interpretations of this article believes that some refugees, although they have all the attributes to be defined as such, cannot refer to protection.

As stated, in the introductory note to the Convention, it cannot be applied to Palestinian refugees who are under the auspices of another UN agency, UNRWA.

In accordance with UNHCR's Revised Note, the group of beneficiaries of Article 1D would be Palestinians who, according to relevant General Assembly resolutions, are part of the group of persons eligible to receive assistance from UNRWA, which are 1948 Palestine refugees and their descendants and 1967-displaced persons and their descendants.

UNRWA used the term 'Palestinian refugee' in its registration system to refer to "any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict"⁵⁸; whereas '1967-displaced persons' refers to Palestinians who do not belong to the previous group who have been unable to return to the occupied Palestinian

⁵⁷ K. Al-Madmad, *Asylum in Islam and in Modern Refugee Law*, *Refugee Survey Quarterly*, Vol. 27, 2008, p. 56.

⁵⁸ UNRWA, *The United Nations and Palestinian Refugees*, January 2007.

territories.⁵⁹ There is finally a third group, whose members do not belong to the two groups mentioned above, but who are equally outside the Palestinian territories occupied by Israel from 1967 and do not want to return; for these people the validity of article 1A remains in force so they can use the refugee title, as stipulated by the Geneva Convention. The normative chaos of the Convention is the reason why many states have ratified only one of the two versions, for instance the United States, a Western democracy that ratified exclusively the 1967 Protocol.

Many other states have ratified expressing reservation about some articles, especially article 12, that was not signed by countries like Spain, Israel, Sweden and Egypt which declared that the principle is in contrast with the domestic law.

The article establishes that the personal status of the refugee is governed by the law of the country of residence:

«Art. 12 (1): The personal status of a refugee shall be governed by the law of the country of his domicile or, if he has no domicile, by the law of the country of his residence. »;

«Art. 12 (2): Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become a refugee. »

Moreover, in order to guarantee international protection to refugees, the Convention approved two fundamental regulations: the asylum and the burden-sharing principle.

Asylum means providing protection to refugees who reach a new country and burden-sharing means contributing, through resettlement or financial contributions, to the protection of refugees who are on the territory of another state.

In the case of asylum, the refugee regime sets out a strong normative and legal framework, supported by the non-refoulement principle, where states cannot send a refugee back to a

⁵⁹ S. Akram, *Palestinians who fall under the 1951 Convention, Rights in Exile Program*. Available at: <http://www.refugeelegalaidinformation.org/palestinians-who-fall-under-1951-convention>. (Accessed: 04.01.2019)

place in which his life is threatened. In contrast, in the case of burden-sharing, the regime provides a very weak normative, formulating few norms, rules, principles, or decision-making procedures which have not a binding force.

Specifically focusing on the Arab-Muslim countries in the MENA region (Middle East North Africa), it is possible to find some main reasons that explain the refusal of these states, members of the United Nations, to sign the Convention. In addition to the previously mentioned normative chaos and the interference with the states' domestic law, the international system on refugees is indeed a product of the European political and social culture; the norms are codified by western countries or NGOs, which does not relate law to divinity.

Finally, it is possible to say that the Arab states' refusal to sign was also due to the lack of conciliation with the neo-liberal occidental rhetoric at the basis of the Convention, according to which the international refugee regime was intended to share equally responsibility and costs.⁶⁰

In 1951 as well as in 1967, the ratification of the Convention according to countries such Syria or Jordan would have meant being legally bound to ensure a lasting solution, in the form of local integration, to hundreds of thousands of Palestinians who fled from Palestine after the Arab-Israeli wars of 1948 and 1967. It is well known that the Palestinians who reached these two nations have, for the most part, remained. Yet, although Jordan granted nationality to the Palestinians who fled in 1948, it never ceased to invoke the right of these people to return, nor did it cancel their refugee status.⁶¹

At the end, one question spontaneously arises: are the states that did not sign the Geneva Convention of 1951 and the Protocol of 1967 required to respect its principles? Indeed, today a lot of people escaping from persecution or war are seeking refuge in countries that have never adopted the two documents. Despite that, even the above-mentioned states must respect the non-refoulement principle as it is a norm of the Customary International

⁶⁰ O. Young, *International regimes: Problems of concept formation*, World politics, Vol. 32, Cambridge University Press, Cambridge 1980, p. 331-356.

⁶¹ O. Al-Abed, *Palestinian Refugees in Jordan*, 2004, Available at: <http://www.forcedmigration.org/research-resources/expert-guides/palestinian-refugees-in-jordan/fmo025.pdf> (Accessed: 25.10.2018)

Law. As a consequence, all states are bound by such international legal obligations in relation to refugees⁶². This is therefore valid also for the area analyzed in the dissertation: The Middle East and, more specifically, Jordan.

2.2.2 Arab Countries' Response to the Geneva Convention

According to the researcher James Hathaway, the Geneva Convention cannot be considered the response to force migration nowadays since the situation has widely changed from a geopolitical point of view. The governments, for their part, are more and more struggling to face their responsibilities in managing the migratory waves and often pursue defensive strategies to avoid their obligations toward people escaping from persecution.

In order to deal with the large regional migratory flows that were and still are happening in MENA region and considering that most of these countries are not signatories of the Geneva Convention, Arab states have been trying to give a local answer to the refugees' matter.

For instance, a group of Arab experts met in the Seminar on Asylum and Refugee Law in the Arab Countries, held in San Remo from the 16th to the 19th of January 1984, at the invitation of the International Institute of Humanitarian Law in collaboration with the United Nations High Commissioner for Refugees; it was then followed by a second seminar in Tunis in 1989, a third in Amman in 1991 and the last one in Cairo in 1992. During these sessions the participating countries denounced the continuous growing of refugees in the Arab world and especially in certain areas of the Middle East. They also invited the Arab states which have not yet acceded to the 1951 Convention and to the 1967 Protocol to proceed as soon as possible;

Moreover, the experts called for the strict observance and implementation, without any discrimination in all refugee situations, of the fundamental principles which form the basis of international refugee law. This with the proposal of the drafting of model laws

⁶² E. Lauterpacht, D. Bethlehem, *Op. cit.*, p. 140.

and regulations relating to refugee rights for use by Arab states in the elaboration of their own laws and regulations;⁶³

Although Arab states have mainly refused to adopt the Convention, on the other hand they have also continued legitimizing UNHCR; in the 90s, further steps were taken by the League of Arab States towards an organic response to the refugee crisis.

In 1990, the Cairo Declaration on Human Rights in Islam was adopted by the 19th Islamic Conference for Foreign Ministers. The Declaration offers the Islamic perspective on human rights, affirming that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one has the right to suspend them in whole or in part, to violate or ignore them.⁶⁴

The Cairo Declaration was followed by the Arab Convention on Regulating Status of Refugees in the Arab Countries, signed by the League of Arab States in 1994 as the result of a series of negotiations with UNHCR launched by the League. The Arab Charter on Human Rights, with its 43 articles, represents a solid reference to the 1951 Convention and it is an attempt to define the refugee category in the Arab world, as well as to develop a legal framework and regional legislation to manage refugee flows and to find collective solutions to difficult situations. Indeed, the definition of refugee itself in the Arab Convention is similar to the 1951 one, which states that a refugee is:

« Art 1 (1): Any person who is outside the country of his nationality or outside his habitual place of residence in case of not having a nationality and owing to well-grounded fear of being persecuted on account of his race, religion, nationality, membership of a particular social group or political opinion, unable or unwilling to avail himself of the protection of or return to such country. »;

« Art. 1 (2): Any person who unwillingly takes refuge in a country other than his country of origin or his habitual place of residence because of sustained aggression against, occupation and foreign domination of such country or because of the occurrence of natural disasters or grave events resulting in major disruption of public order in the whole country or any part thereof. »

⁶³ UNHCR, *Collection of International Instruments and Legal Texts Concerning Refugees and Others of Concern to UNHCR*, Vol. 3, 2007, p. 1137.

⁶⁴ Cairo Declaration on Human Rights in Islam, 1990.

The major weakness of the document is the lack of any human rights enforcement apparatus, particularly in comparison to the mechanisms within the American and European Conventions on Human Rights. Its establishment was followed by a growing criticism of experts, academics, NGOs and others.

Indeed, various meetings were held in both Europe and Arab countries in order to pressure Arab governments to modify the Charter. For instance, the Arab Commission on Human Rights requested its states to submit proposals and observations to improve the document, with the promise that the Charter would be examined again by the Commission in January 2004. Meantime, the UNHCR hosted different Arab experts in a meeting in Cairo in December 2003 where its aim was to discuss suggestions to improve the Charter.

Finally, on the 23rd of May 2004 a new version of this Charter was presented to the Arab Summit in Tunisia and eventually adopted.

The 2004 Charter includes 53 articles which can be grouped in four categories: the first one regards individual rights such as the right of life, the right not to be subjected to torture, inhuman or degrading treatment, the right to be free from slavery, the right to security of the person. The second group concerns rules of justice: the right of all persons to be equal before the law, the rights to due process and fair trial. The third category concerns civil and political rights, for example the right to freedom of movement, rights of minorities, the right of political asylum or the right to acquire a nationality. Finally, the fourth category concerns economic, social and cultural rights: the right to work, the right to social protection, the right of education etc.

One of the most important part of the new version is the confirmation of equality between men and women in the Arab World:

« Art. 3 (1): Each State Party to the present Charter undertakes to ensure to all individuals within its territory and subject to its jurisdiction the right to enjoy all the rights and freedoms recognized herein, without any distinction on grounds of race, colour, sex, language, religion, opinion, thought, national or social origin, property, birth or physical or mental disability. »

Despite the improvements, the lack of an effective enforcement mechanism, which was the main criticism of the 1994 version, has remain unresolved as the Expert Committee

remains the only system of controlling states obedience. The Committee with its seven members, receives periodic reports from states parties, but there is no mechanism for petitions from a state party or an individual to this Committee for violations of the Charter; nor does the Charter establish any other enforcement mechanism, such as the hoped-for Arab Court on Human Rights.⁶⁵

2.3 Jordan's Policy towards refugees

Despite the narrow socio-economics capacities, the limited resources and the reduced territorial extension, Jordan has a long history in welcoming refugees that started when it was a province of the Ottoman Empire; for instance the Muslim Circassia and Chechens that were deported from the Balkans and Anatolia from the Russian regime in 19th century or, at the beginning of the 20th century the Christian Armenians escaping from Ottoman persecutions.⁶⁶

Jordan has been a safe solution also for people coming from the neighbour countries: it has welcomed the highest percentage of Palestinian refugees after the 1948 and 1967 wars; also, Lebanese fleeing the civil war (1975-1991) seek shelter in Jordan and finally Iraqis came to Jordan in 1991 because of the outbreak of the Gulf War and again in 2003 after the American Occupation of Iraq that would have put an end to Şaddām Ḥusayn's regime.

Once again, after the beginning of the Syrian civil war, Jordan has established itself as a country able to give protection to people. The Kingdom is currently hosting 67,600 Iraqi refugees and 670,238⁶⁷ Syrian refugees that started seeking refuge in Jordan in July 2011 after the outbreak of the civil war in March 2011. In general, the latest statistics registered

⁶⁵ S. M. Akram, *Arab Charter on Human Rights 2004*, "Boston University International Law Journal 24", January 2016.

⁶⁶ O. Al-Abed, *The discourse of Guesthood: Forced Migrants in Jordan*, in A. Häusermann Fábos and R. Isotalo (ed.), *Managing Muslim Mobilities. Between Spiritual Geographies and the Global Security Regime*, Palgrave Macmillan, Houndmills 2014, p. 81.

⁶⁷ UNHCR, Jordan Operational Update, February 2019.

a total of 5,682,697 Syrian refugees: 3,644,342 in Turkey, 946,291 in Lebanon and 670,238 in Jordan.

Despite the enormous number of refugees that Jordan has been welcoming, it has not signed the Geneva Convention in 1951 nor the 1967 Protocol and so refused to adopt the principles established by the two documents. Similar to Lebanon, Jordan's decision not to be bound by the Refugee Convention or Protocol relates to its position towards Palestinian refugees.

However, there are other legal instruments that Jordan has adopted in his policy toward refugees; first among all, the Memorandum of Understanding (MoU) signed the 5th of April 1998 which sets the basis for UNHCR's activities in Jordan. In the absence of any national or international legal refugee instruments in force in Jordan, the Memorandum outlines the parameters for cooperation and the major principles of international protection tying UNHCR's refugee status determination process to durable solutions for refugees outside of Jordan, which could be voluntary repatriation or resettlement.⁶⁸

The MoU applies the same definition of "refugee" as the 1951 Convention without the temporal and geographic limits. In turn, the Government of Jordan has agreed to respect its non-refoulement and non-discrimination obligations and to ensure refugees the right to work, access to courts and freedom from overstay fines and departure fees.

Although the MoU requires UNHCR to find durable solutions for the refugees within six months⁶⁹, this provision has not been enforced in practice, and acts only to establish that the residence is temporary.

Jordan is also party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment signed the 3rd of December 1984 whose article 3 forbids refoulement to a country where there is reason to believe that the refugee would be in danger of torture.

Jordan is also party to the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly in 1966 but which entered into force only ten years later, the 23rd of March 1976. The Covenant protects the rights of freedom of movement and due process and to refrain from arbitrary detention.⁷⁰

⁶⁸ Memorandum of Understanding, 1998, arts. 3 and 10.

⁶⁹ Memorandum of Understanding, 1998, art. 5.

⁷⁰ UN Treaty Collection, *International Covenant on Civil and Political Rights*, New York, December 1966.

Jordan also signed the Convention on the Elimination of All Forms of Racial Discrimination in 1963 and the Convention on the Elimination of Discrimination against Women in December 1979. The latter was the culmination of more than thirty years of work by the United Nations Commission on the Status of Women, a body established in 1946 to monitor the situation of women and to promote women's rights. The document articulates the meaning of equality and how it can be achieved. In so doing, the Convention created not only an international bill of rights for women, but also an agenda for action by countries to guarantee the enjoyment of those rights.

Jordan has ratified the 2004 Arab Charter on Human Rights, which also establishes many principles protected under the 1951 Convention which, as mentioned above, guarantees key survival rights, access to courts, freedom of movement and freedom from arbitrary detention. The Arab Charter also provides for a limited principle of non-refoulement in which the protection is granted only to political refugees in contradiction to article 1 of the Geneva Convention which includes more categories.

2.3.1 Jordan's policies towards Syrian refugees

As discussed above, Jordan does not have an internal law to respond to the massive presence of refugees in its territory, despite repeated promises to work on its formulation in order to independently manage the flows of asylum seekers who cyclically arrive asking for protection. So, as Jordan has not signed the binding treaty of the Geneva Convention in 1951, it receives Syrian refugees in the framework of the Residence and Foreign Affairs Act No. 24 of 1973 and its amendments⁷¹ that by excluding to article 29 the citizens of neighbor states on its field of action but granting them a facilitated entry.

⁷¹ Qanun al-'iqama wa šu'un al-'aganib wa ta'dilatihī raqm 24 li-sanah 1973. Available in arabic at: <http://moi.gov.jo/EchoBusV3.0/SystemAssets/PDFs/AR/Laws/lawNew/%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D8%A7%D9%82%D8%A7%D9%85%D8%A9%20%D9%88%D8%B4%D8%A4%D9%88%D9%86%20%D8%A7%D9%84%D8%A7%D8%AC%D8%A7%D9%86%D8%A8.pdf>

Furthermore, since 2001 Syrians as well as Jordanians have been able to cross the border freely, under a Bilateral Workforce Cooperation Agreement⁷².

However, when the UNHCR declares a person's refugee status he is considered a foreign citizen and as such does not benefit of specific rights, thus does not acquire the Jordanian residence and, more importantly, not even the right to be able to perform a job in the country.⁷³

Having stated that, the Government of Jordan is indeed the body that possesses a substantial amount of control over the refugee situation. Its primary sector involved in addressing refugee needs is the Ministry of Interior that views its obligations towards refugees primarily through a national security lens. Under the MoU, the Ministry is required to provide personnel and technical assistance to UNHCR to allow the latter to conduct status determination and resettlement and it also assists the agency to manage the camps, particularly Za'tarī, opened in July 2012.⁷⁴

Together with the Government, UNHCR has been playing a fundamental role in dealing with the massive migratory waves in Jordan. The UN Agency is divided into sectors each of them for a specific matter such as resettlement, child and sexual and gender-based violence, refugee status determination and assistance within camps. Every segment is cooperating with various NGOs which are specialized in dealing with specific needs such as psychological assistance, access to food or health service, support for vulnerable categories like kids and women and finally cash assistance.

For instance, UNHCR has begun its one-time winterization uploads in October 2018. In urban areas, 227,513 Syrian refugees which means approximately 53,000 families have received cash assistance from October to December 2018 through the multi-agency Common Cash Facility System. UNHCR focused its winterization efforts on families who

⁷² Ittifāq bi-ša'n al-ta'āwun fī maḡāl al-quwwā al -'āmilah bayna ḥukūmah al-mamlakah al-'Urduniyyah al-hāšimiyyah wa ḥukūmah al-umhūriyyah al-'arabiyyah al-sūriyyah, 2001. Available in Arabic at: <http://www.agreements.jedco.gov.jo/main/doc/Syriamllaco01a.html>

⁷³ SNAP, *Legal Status of Individuals Fleeing Syria*, 1 June 2013.

⁷⁴ Y. M. Olwan, *The Legal Framework of Forced Migration and Refugee Movements in Jordan*, Paper Prepared for The Forced Migration & Refugee Studies Program, The American University in Cairo, October 2007.

are on the waiting list for cash assistance, and those highly vulnerable families not receiving regular monthly assistance.⁷⁵

It also deals with registrations, voluntary returns, supports refugees in detention or those at risk of deportation and it is also responsible of interviewing people and then proceeding to the biometric and iris scan. At the end of the process, it can issue a certificate of asylum and register 'persons of concern' including refugees, who must then be resettled within six months. Once the status determination has successfully been completed, the applicant is legally considered asylum-seeker in Jordan and becomes refugee only upon guaranteeing a resettlement place to a third country.

The certificate shows the photo and the data of the asylum seeker and, in case, the data of the family members. Many of these certificates show women as heads of families, a sign that they have arrived with children but without the husband; the reasons for this separation are varied but in most cases the man either died, remained in Syria to fight or went working in an Arabian Gulf country.⁷⁶

The document, which is valid for one year⁷⁷, is written in English and Arabic and guarantees assistance to the holder and the people depending on him or her, as well as protects them from forced repatriation. It also clarifies that it has not to be intended as a residence or work permit in Jordan which, instead, must be requested from Jordanian authorities.

In addition to this certificate, refugees staying in camps benefit from a card that guarantees access to the following services: food voucher from the World Food Programme, health services, core relief items provided by Norwegian Refugee Council and psychosocial aid. A Verification Appointment Card is also issued. The VAC documents the appointment for a following interview to verify the status in which UNHCR asks for some further information, such as specific protection and assistance needs, their occupations and family information.

⁷⁵ UNHCR, Operational Update Jordan, February 2019.

⁷⁶ Interview with Francesco Bert, Senior External Relations Officer in UNHCR Jordan (15.11.2018).

⁷⁷ Until December 2013 the certificate was valid for 6 months, as declared by article 5 of the MoU. The period was extended up to one year in 2014. (<https://www.unhcr.org/53b6ab779.pdf>).

In this regard, it is important to stress the difference between refugees living in camps and those living in host communities. In Jordan there are five refugee camps, the biggest is Za‘tarī Camp in Mafraq Governorship, home to 78,527 refugees, in which nearly 20% is are under five years old and 20% of households are female headed.⁷⁸

Two camps are located in Zarqa Governorate, the most recent Al-Azraq, opened in April 2014 and Mraġīb al-Fahūd Camp or EJC (Emirati Jordanian Camp) which is completely financed by the United Arab Emirates. The remaining two, King Abdallah Park e Cyber City, are sited in Irbid Governorate.

Za‘tarī refugee camp is located 12 kilometres from the Syrian border, under joint administration of the Syrian Refugee Affairs Directorate and UNHCR. It was first opened on the 29th of July 2012, after the Jordanian authorities and local charities requested UNHCR to build a camp as host communities’ limited resources and precarious local infrastructure were no longer able to manage such a high number of refugees. In 9 days the UN Agency and its partners built the Za‘tarī camp and in only one day 750 Syrians were already moved from transit centres to the camp. During the first months, Za‘tarī was registering huge amounts of settlements; for instance, more than 22,000 people were received in the first month; 13,000 in November 2012, 16,413 in December 2012 and 30,000 in January 2012.⁷⁹ People were mainly originated from Dara’a and its suburbs, Al-Yadoudeh, Al-Harak, Enkhel, Allajah, Ataman, Dael, Busr Al-Hareer, Al-Shajarah and Sayda.⁸⁰

Initially consisted of lines of tents, Za‘tarī refugee camp now counts over 24,000 prefabricated shelters, each one including a latrine and a kitchen; some of the shelters have been also adapted in order to accommodate the needs and conditions of Persons with Disabilities. In Za‘tarī, refugees have access to energy and in 2017, a solar photovoltaic plant was opened and increased the electricity provision to refugee’s houses from 8 to 14 hours. Thanks to this project the electricity of over half of the 14 hours is

⁷⁸ UNHCR, Factsheet, Jordan- Zaatari Camp, December 2018.

⁷⁹ At the moment of the opening the camp could host 10,000 refugees but, when finished its capacity was extended to 113,000 people.

⁸⁰ UNHCR, *New camp due to open in Jordan as numbers continue to rise*, 25 January 2013. Available at: <https://www.unhcr.org/news/briefing/2013/1/510275a29/new-camp-due-open-jordan-numbers-continue-rise.html?query=zaatari> (Accessed 23.02.2019)

provided by solar energy, thus, UNHCR saves approximately 5 million dollars per year in electricity bills.⁸¹

Refugees benefit from water and sanitation access thank to UNICEF project held in 2013 which consisted in three internal water wells with a joint daily capacity of 3,800m³ and a wastewater treatment plant with a capacity of 3,600m³/d.⁸²

UNHCR, through its network of 73 members operating in the camp, provides assistance to meet the refugee's basic needs in camps; this happens mostly in the form of cash, for example cash for hygiene or cooking gas, or cash for heating gas during winter. The UN agency also distributes non-food items (NFIs) such as cooking utensils, blankets, plastic sheets, mattresses or ground mats, jerry cans and buckets.

As Za'tarī usually suffers from harsh weather condition in winter, UNHCR leads the Multi-sectorial Response Plan from November 2018 to February 2019. It consists in cash aid for heating gas, cash for cooking gas and silicon tubes and distributions of plastic sheets. In addition to material needs, humanitarian partners in Za'tarī support the Jordanian Government's efforts to provide protection services to the refugees living in the camp which involves safeguarding the right to seek asylum, safety, and equal access to services and durable solutions; protecting children from violence, abuse, exploitation and others.

When analyzing the Syrian refugees' presence in Jordan, one must consider not only the reality of refugee camps but also the population that found a placement in host communities, in close contact with the local population, which represents the 80% of Syrian refugees in Jordan. The phenomenon of refugees legally moving from UNHCR tent camps to urban communities is called bailout. To obtain the permission from the Jordanian authorities, however, refugees need to present a guarantor who can support them financially by paying the expenses and providing housing, thus managing to minimize the risk that these people fall victim to illegal work.⁸³ The guarantor must be Jordanian, over 35 years old, preferably married, with a stable job, owning a family

⁸¹ Interview with Hovig Etyemezian, Zaatari Camp Manager from 2014 to 2016. (05.12.2018)

⁸² UNHCR, Fact sheet, Jordan, Zaatari Refugee Camp, December 2018.

⁸³ C. Fröhlich, M. Stevens, *Trapped in Refuge. The Syrian Crisis in Jordan Worsens*, Middle East Research and Information Project 2015. Available at: <http://www.merip.org/mero/mero030215> (Accessed: 12.12.2018)

relationship with the applicant. Before the establishment of Za'tarī camp in 2012, the Government of Jordan was encouraging Jordanian families to propose as guarantors for Syrians and help them in the process of integration. However, with the creation of the camp, Jordan had finally a place specifically dedicated to refugees. Therefore, the bailout process started to be longer and anything but transparent, where sometimes Syrians have obtained a guarantor who, in exchange for money, has signed the forms required and later disappeared.⁸⁴

Jordan has been visibly modified as the Syrian community has increased dramatically. As the illicit earnings grew with the growth of Syrians in urban areas, Jordanian bailout policy has been severely tightened since July 2014, when the government prohibited UNHCR to renew asylum certificates for those who do not have the appropriate documentation proving a bailout proceeded according to the rules.

Finally, a third reality has to be considered: an undefined number of Syrian refugees living in Informal Tented Settlements (ITS) spread in all the country. These settlements are chosen by refugees who have not enough resources to afford a rented house or by those who have suffered from tensions with Syrians from different cities, within the camp. As an example, the majority of refugees in Za'tarī comes from Dar'a while inhabitants of ITS are mostly from Aleppo, Hama and Dimashq Governorate.

2.4. Major points of criticism towards Jordanian policy

Jordanian policy towards Syrian refugees presents indeed various protection gaps, one in the very first moment: the registration. Although the Government of Jordan does not have a refugee status determination process, after the UNHCR registration process at Raba'al-Sarhan, refugees must go through a second interview by the Ministry of Interior which also includes a biometric scan. This procedure ends with a second card that gives the refugees in camps the access to health care and education; in reality, for most refugees this card represents just a documentation of government registration because all needs are

⁸⁴ Interview to Syrian refugees in Zarqa during field visits with Caritas Jordan, July 2018.

met through the camp services. It is often argued that the duplication of registration between the two responsible bodies is time-consuming and an unnecessary hardship for the refugees and it also complicates the already intricate process.⁸⁵

Although the Government and UNHCR are discussing to eliminate useless repetitions between the two registration processes, this has not yet materialized.

The frequent changes that had the purpose of tightening the rules of registration, have created confusion and induced a substantial part of Syrians living in urban areas not to renew certain documents, mostly asylum certificates, with the fear of being deported to the camps or even reintroduced into Syria.⁸⁶

Another point of criticism was made against Jordan's respect of the non-refoulement principle. When analyzing the specific case of Palestinian refugees coming from Syria, experts noticed that Jordan was initially welcoming in its borders even Palestinian Syrians that mainly fled from the Yarmouk refugee camp and to whom the Government has applied the same procedure as Syrian refugees. The situation was overturned in April 2012 when the deterioration of the conditions in Syria caused a growing influx of migrants: more than 33,400 Syrians were registered with UNHCR and almost 80% of them recorded in the past four months; therefore, in January 2013 Jordan adopted a strictly excluding policy which not only prohibited to Palestinian Syrians from entering in the Hashemite Kingdom but also threatened with refoulement even those who have had the opportunity to enter the country before the decision.

Jordan's current policy is in line with its initiative launched in 2002, whose slogan Jordan-first, in Arabic *al-Urdun 'Awwalan*, suggests a strong nationalist approach to foreign policy. The campaign focused on giving priority to the needs of Jordanian population over the Arab region requests, clarifying that Jordanian interests are above any others.

⁸⁵ S. M. Akram, *Protecting Syrian Refugees: Laws, Policies and Global Responsibility Sharing*, Boston University, Boston 2014, p. 63.

⁸⁶ L. Achilli, *Syrian Refugees in Jordan: A Reality Check*, Migration Policy Centre, European University Institute, 2015, p. 6.

Jordan's violation of the non-refoulement principle was not limited only to Palestinian Syrian refugees. In general, the Ministry of Interior retains the absolute right to deport foreigners and to reject an application for residence or revoke a residence permit without specifying the reasons for that decision.⁸⁷ Syrians have been deported for various reasons, in some instances for law violations such as working illegally or for bringing security problems often due to political actions. Despite all that, it has to be said that deportation of Syrian refugees does not prevent re-entry, an opportunity that is not given to other nationalities. For its part, UNHCR declared to the Human Rights Council the refoulement as one of the most tenacious among Jordan's legal violations

Finally, as part of its code mandate, one of the tasks of UNHCR is facilitating durable solutions for refugees which include voluntary repatriation, local integration and resettlement. The idea of durable solutions has traditionally been related to permanent settlement whether in the country of origin, in a third country or in the host country. However, due to the growing interrelationship between international migration and refugee protection, some refugees enjoy temporary or permanent alternatives.⁸⁸

Jordan, for instance, is one of the countries that are not permitting a permanent absorption of refugees within its country, making repatriation and a third country resettlement the only solutions available. However, in these years of conflict, returns to Syria have not been promoted or even facilitated by UNHCR due to the risks and dangers that refugees could face once returned; Indeed, many Syrians, despite their strong willingness to return home, consider the repatriation a dangerous movement for various reasons such as the lack of housing, the required military service, or the risk the Government may consider their escape as a symbol of opposition to the regime.⁸⁹

Despite the concern, the number of voluntary returns from Jordan to Syria has increased in the last years: UNHCR verified 7,272 returns in 2016, 8,108 in 2017 and 8,070 in

⁸⁷ Olwan, *Op. cit.*, 39.

⁸⁸ UNHCR, *The 10-point plan, Solution For refugees*, Chapter 7.

⁸⁹ Interview to Syrian refugees in Mafraq during voluntary service with Caritas Jordan, July 2018.

2018.⁹⁰ It is stated that, since the opening of the Nassib border in October 2018 12,846 refugees decided to go back to their origin country, 3,805 of them in January 2019.⁹¹

Resettlement is possible even in a third country, but this is not occurring in significant number in Jordan; the main reasons are the lack of an actual available resettlement slot in another country or the lack of refugees' adequate documentation. In 2018 there were 6,387 submissions for resettlement advanced by Syrian refugees but only the 0.5% manage to have the request accepted. For 2019, in UNHCR Factsheet a number of 655 resettlement was submitted only by the end of January.⁹²

From a more general perspective, in 2018 there were 29 countries accepting resettlement submission, among them the main receiving nations in 2018 were America receiving 17,112 departures then Canada (7,704), United Kingdom (5,702) France (5,109) and Sweden (4,862)⁹³.

⁹⁰ UNHCR, Durable Solutions for Syrian Refugees, January - February 2019.

⁹¹ M. Ghazal, *UNHCR validating number of Syrian returnees from Jordan*, Jordan Times, 12 March 2019. Available at: <http://www.jordantimes.com/news/local/%E2%80%98unhcr-validating-number-syrian-returnees-jordan%E2%80%99> (Accessed: 25.02.2019)

⁹² UNHCR, Resettlement Fact Sheet, January 2019.

⁹³ UNHCR, Resettlement Fact Sheet, January- December 2018.

Chapter 3 - Specific case: labour market

According to the majority of Jordanian citizens and government officials, Syrian refugees are thought to be a critical factor responsible for the economic difficulties of the country. However, Jordan economy was already struggling with undermining elements before the Syrian crisis; indeed, much of the economic conditions does not originate from the presence of refugees but rather from pre-existing economic conditions.⁹⁴

Despite that, while the negative effects of the afflux of refugees in Jordan are overstated, the positive aspects are much more concealed.

3.1 Pre-existing difficulties in Jordan's economy

In order to have an objective analysis of the repercussions that the economic and social sectors have witnessed in Jordan caused by the Syrian refugee's afflux, it is necessary to underline the fundamental features that have characterized the Kingdom before the presence of Syrian refugees. Doing so, it is possible to differentiate the problems that Jordan was trying to solve beforehand, from the difficulties that this humanitarian crisis has added starting from the second half of 2011. Thus, the following paragraph compares the grant of the three sectors, agriculture, industry and services and the GDP and finally job opportunities.

The country's economy is mainly dominated by the services sector which remains the largest segment of employment and which includes retail trade, commerce, transportation, communication, education and health care, financial services and tourism in addition to the public service sector, account for around two thirds of the country's GDP.

The industrial sector is less involved in the growth of GDP (28.9%) and, among the various activities within it, the manufacturing industry is the one that plays the most active

⁹⁴ A. Francis, *Jordan's Refugee Crisis*, Carnegie Endowment for International Peace, Washington 2015.

and important role; nevertheless, the latter's contribution, which stands as an indicator of the country's level of industrialization, is rather low.

Finally, the agriculture share of economy has always been marginal (4,3% of the GDP), mainly due to the limited water resources and the non-cultivable lands. In addition, two other main factors need to be considered when analyzing the economy structure: scarce natural resources and a small-sized economy. The first directed, besides the prevalence of the service sector, to the attention of key production goals on the use of the already scarce resources and a maximizing of their returns, eventually leading mega-production projects to rely on phosphates, potash salts and fertilizers.⁹⁵ The second aspect consists of demographic, geographical and economic aspects. Jordan's geographical territory and population are both small if compared to its neighbour countries such as Syria, Saudi Arabia or Iraq. From an economic perspective, however, a small-sized economy means that the commercial relations of the country with the rest of the world is defined as a price taker in foreign trade of imports and exports. As a consequence, Jordan's only choice was to follow regional and international economies to achieve its developmental goals and meet its basic needs which also meant that its economy has mirrored all fluctuations in regional and international markets to which it was subordinate.

For instance, Jordan has always been characterized by the trained skilled labour exported to the Gulf countries. On the one hand, this has allowed the Hashemite Kingdom to have substantial revenues in terms of foreign remittances, which means transferred money from migrant workers to their families in the country of origin, which have come to constitute even 25% of Jordan GDP. On the other hand, Jordan has also been affected by the shocks that took place in other countries: for instance, during the Gulf War in 1990-1991 the Jordanians that were working in Saudi Arabia were expelled due to their country's support to Iraq in his invasion of Kuwait. In that circumstance, the remittance reached the lowest minimum peak of 10.3%.⁹⁶ This and other events have demonstrated that the Jordanian economic gait is proceeding in parallel with the vicissitudes at both regional and international level. Thus, its economy does not follow a unified pattern and

⁹⁵ K. Al-Wazani, *The Socio-Economic Implications of Syrian Refugees in Jordan. A Cost-Benefit Framework*, Konrad-Adenauer-Stiftung, Amman 2014.

⁹⁶ World Bank 2015. The information refers to 1997.

has had to adapt to periods of prosperity and recovery, crisis and depression, economic reform and regional unrest.

Just before Syrian refugees arrived, Jordan's economy was facing a significant period of contraction, suffering from two jolts. The first one came from the global financial crisis of 2008 which destabilised the foundations of Jordan's economy, leading to a substantial reduction in foreign investment and private capital flows. Secondly, the Arab uprising threatened the regional economy, preventing Jordan from forming collaborations with several of its most important partners and leading to foreign investors' lack of confidence. Thus, the impact of the stall in the world economy on Jordan was influenced by the country's high dependence on food and fuel imports which, consequently, made Jordan perilously exposed to fluctuations in the prices of these two goods. In 2008, the world witnessed a rising on oil prices, thus, for Jordan it became more and more difficult to satisfy its domestic demand: for instance, oil prices exceeded 100 dollars mark per barrel in 2008, compared with only 23 dollars in 2003.⁹⁷ The high growth of oil prices made the previous practice of subsidising fuel no longer sustainable, and in February 2008 the government lifted most of its subsidies which led domestic kerosene and fuel prices to 76% just in one night. The economic crisis contributed to accelerating inflation, which reached 14% in 2008 which was immediately tried to be reduced by the government, encouraging farmers to cultivate wheat and barley, to fix bread price, prohibiting the exportation of certain types of vegetables and to exempt some commodities from taxes. As previously mentioned, the Arab revolts shook the region for another time after the 2008 crisis, intensified the problematics of the country, triggering a regional economic crisis. For instance, interruptions of the flow of natural gas from Egypt caused fluctuations in the regional oil prices and supply: the gas pipeline was attacked fourteen times from the beginning of the insurrection to the end of the year and this contributed to doubling the oil bill of Jordan to approximately 4.5 billion Jordanian dinars by the end of 2012.⁹⁸

⁹⁷ N. Jones, C. Harper, S. Pantuliano and S. Pavanello, *Impact of the economic crisis and food and fuel price volatility on children and women in the MENA region*, Working Paper 310, Overseas Development Institute, London 2009.

⁹⁸ K. Al-Wazani, *Op. cit.*, p. 23.

With the outbreak of the Syrian Civil War, the economic situation of Jordan worsened, due to the closure of the borders and the consequent interruption of the trade routes which most affected the export sector.⁹⁹ Indeed, as Syria had been the principal passage to export products to Turkey and then Europe, Jordan was forced to turn to an alternative choice which was often more expensive, for instance the Aqaba port. In this context, Jordanian workers started to face tough competition from Syrians for jobs, especially due to the rise of unemployment that occurred even before the crisis started, especially among women, estimated at 23.3%. However, it is important to underline that Syrians did not leave their country in the moment in which the mass protests against al-Asad arose in Dar‘a, instead massive waves of Syrians were registered from 2013.¹⁰⁰ Having stated that, it is important to distinguish between the effects of the Syrian conflict itself and the ones of the Syrian refugee crisis in Jordan. Jordan is hosting a big number of refugees who surely incremented government expenses in various sectors, but the main economic problems for the country come from the uncertain and instable regional environment as well as from the ailing domestic energy sector.¹⁰¹

3.2 Syrian refugees’ integration in Jordan’s labour market

Although Syrians have exacerbated Jordan’s crisis, the country was already facing substantial problems in both economic and social sectors before the influx.

In the aftermath of the Arab uprisings, Jordan struggled with huge water scarcity, youth unemployment, rural marginalization, and development deficits in sectors like healthcare and education. As the crisis continued and massive numbers of refugees were seeking shelter in the Kingdom, the Jordanian public sentiment started to become negative towards Syrian, mostly because refugees were settled in already vulnerable host communities and ended up competing with poor Jordanians for a job. Thus, the

⁹⁹ Jordan Independent Economy Watch, *The Socio-Economic impact of Syrian Refugees - Turning Challenges into Opportunities*, Identity Centre for Human Development, Amman 2015, p. 6.

¹⁰⁰ UNHCR, Syria Regional Refugee Response. Available at: data.unhcr.org/syrianrefugees/regional. Php (Accessed 6.05.2018)

¹⁰¹ Jordan Independent Economy Watch, *Op. cit.*, p. 7.

Government has had the ability to find a balance between the two parties and eventually avoid the public discontent to turn into the arise of protests towards refugees. The next chapter analyses the procedure for Syria refugees to obtain a work permit, the difficulties and the obstacles they encounter in the process itself and in the labour market.

3.2.1 Work permits for Syrian refugees

Another controversial topic whose solution still seems difficult to achieve concerns refugees' right to work, either formal or informal work, in hosting countries. Substantially, although refugees fleeing from the Syrian conflict do not enter other countries with the objective to find a job, this eventually becomes a need when the stay prolongs, due to the lack of a solution of the conflict. The need to work becomes a main need because refugees come in a new country with very few resources and witness over time the cut of aid which means reduction of public services and the food vouchers.

Recent data state that 85% of Syrian refugees live under the poverty line, set at 96 dollars monthly per individual and an additional 10% lives with less than 40 dollars per month.¹⁰² However, the Jordan Constitution has not recognized and regulated the refugee status, nor it has managed to find a solution link to their possibility to work which is reserved only for citizens, as stated by Article 6 of the Constitution:

«Art. 6 (B): The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquillity and equal opportunities to all Jordanians.¹⁰³ »;

For non-Jordanians possessing a legal residency and a valid passport, a work permit must be obtained at the Ministry of Labour. Then, a fee must be paid by the employer, and permits are valid for up to one year, but are renewable.¹⁰⁴ Therefore, refugees do not

¹⁰² UNHCR, Fact sheet Jordan, October 2018.

¹⁰³ Ḥukūmah al-mamlakah al-'Urduniyya al-hāšimiyya, al-dustūr al-urdunī wa ta'dīlātihi, 1952.

¹⁰⁴ Ḥukūmah al-mamlakah al-'Urduniyya al-hāšimiyya, *Qanūn al-'amal wa-ta'dīlātihi raqm 8 li-sanah 1996*, Art. 12.

benefit from a specific law but are categorized simply as non-Jordanians workers about whom the Jordanian Labour Law is really clear:

«Art. 12 (A): It is not permissible to engage any none Jordanian Employee except with the approval of the Minister or whoever delegated by him provided that the work requires experience and capability which are not available with Jordanian Employees or if the available number therefore does not meet the need. Priority shall be given to Arab experts, technicians and the Employees. »;

«Art. 26 (B): If the termination of the limited period work contract has originated from the Employee in the cases other than those provided for under article (29) of this law, the Employer may claim from him whatever damages that arise out of this termination as estimated by the competent Court provided that the amount of the judgment passed against the Employee does not exceed the wage of one half month for every month remaining from the period of contract. »;

This means that Syrian can obtain a work permit, but the requirements requested are the same as any other non-Jordanian worker. In this context, one of the most important distinction is between refugees who entered Jordan through unofficial crossings and those who are settled in refugee camps, two categories that cannot request a work permit.¹⁰⁵

The Memorandum of Understanding for its part mentions the need for lawfully residing refugees who legally reside in Jordan to provide a living for one's family and to authorize those who have degrees recognized by the country's authorities to practice certain professions as allowed by laws and regulations.¹⁰⁶

While these certain professions that workers from other nationalities cannot apply for are not explicitly reported in any law or policy document, there is a Closed Professions List, in Arabic *qā'imah al-mahan al-muğlaqah amām al-'imālah al-wāfidah*, published by the Ministry of Labour which includes, as of January 2017, 17 job types specified. For

¹⁰⁵ ILO, *Access to work for Syrian refugees in Jordan: A discussion paper on labour and refugee laws and policies*, 2015.

¹⁰⁶ Memorandum of Understanding, Arts. 8, 9.

instance, they include engineering, clerical and telephone jobs, teaching, driving, medical professions and others.¹⁰⁷

According to the Ministry of Labour, Syrian refugees were given priority over other foreign nationals in their application for work permits at the start of the crisis, if it was provided that the job they were applying for was not in competition with Jordanians who were seeking for a job.

In addition, in April 2016, the government launched a three-month period for Syrian refugees to obtain work permits for free from employers in the informal sector.

Although this action was expected to regularize the employment of Syrian refugees as well as to help them access legal employment, it did not fulfil the expectation, for several reasons: first, once obtained a permit, a Syrian refugee cannot take on informal jobs anymore; moreover, obtaining a permit entails that an employer wants to support a contract which is not very often the case in the sectors in which Syrian refugees are hired. Finally, from a monetary perspective, they dread the cut of the financial aid from UNHCR upon obtaining a work permit.¹⁰⁸

According to the annual report of the Ministry of Labour for 2014, 324,410 workers obtained work permits but only 5,700 of them were Syrians, mainly in the food and manufacturing sectors.¹⁰⁹ In comparison, the Syrian Refugee Unit of the Ministry of Labour has reported that in 2018 45,649 permits were issued mostly in Amman Governorate, followed by Madaba and Irbid. Sadly, only 5% (2,406) of the permits were given to women.¹¹⁰

¹⁰⁷ The complete list of closed professions is available at: <<http://mol.gov.jo/Documents/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA/%D8%A7%D9%84%D9%82%D8%B1%D8%A7%D8%B1%D8%A7%D8%AA/closed.pdf>>.

¹⁰⁸ E. S. Svein, S. Hillesund, *Impact of Syrian refugees on the Jordanian labour market*, International Labour Organization and Fafo, 2015.

¹⁰⁹ ILO, *Access to work for Syrian refugees in Jordan: A discussion paper on labour and refugee laws and policies*, 2015, p. 35.

¹¹⁰ Ministry of Labour Syrian Refugee Unit, Monthly Progress Report, 8th January 2019.

3.2.2 Syrian perspective: challenges and difficulties

According to the Ministry of Labour, Syrian refugees were given priority over other foreign nationals to apply for work permits at the beginning of the crisis. However, Syrian workers do not have degrees and thus do not apply for high positions, they end up competing with lower-skilled Jordanian workers for the same jobs. Moreover, Syrian refugee workers must also pass a background security check at the Ministry. Due to the composite security dynamics of the Syrian crisis and the quantity of refugees currently in Jordan, in addition to loss of identity documents, this requirement also proves to be very challenging for Syrians.

So, the very first issue that Syrian refugees face when approaching the labour market is finding a job, since Jordan has restrictive laws and policy frameworks for non-Jordanians. According to the results of an ILO interview to Syrian refugees settled in Jordan, unemployment among Syrians in Jordan is three times higher than in Syria when the conflict started, now reaching 60% in the community outside camps.¹¹¹

The unemployment rate for women is twice than that for men as the majority of Syrian refugees who are looking for a job, aged 15 and above, are men (78%), due to men's much higher labour force participation rate.

Unemployment is extremely high (76%) amongst young women between 15 and 19 years old, it reduces to 53% for women in their twenties, and stabilizes at around 40% for the older age groups. Decreasing female unemployment rates by age may partly be explained by reduced job-seeking activities upon marriage and increased concentration on family responsibilities.

Regarding Syrians who succeed in finding a job, most of them (41%) are associated with the construction sector while they are also employed as crafts and related trades workers to a larger extent, and as professionals, associate professionals, technicians, or clerical support workers to a lesser extent; Also, as few as 5% are employed in the agriculture, forestry and fishing industry, reflecting the low importance of this sector in Jordanian

¹¹¹ E. S. Svein, S. Hillesund, *Op. cit.*, 2015.

governorates; about 23% of Syrians outside camp are in wholesale and retail trade and 12% in manufacturing.¹¹²

Not all Syrians succeed in obtaining the work permit and due to the legal restriction and its cost, most of them are working outside labour regulations and thus they are employed in the informal economy. Indeed, the growth of Syrian refugees' presence in informal work has affected Jordan's economy in terms of increasing rates of overall informality and is of great concern for the future development of the labour market.¹¹³

Another main problem that Syrians encounter is lack of stability, as the majority of them does not boost a stable job. A good alternative that NGOs and UN agencies provide is a cash-for-work job, which, according to the above-mentioned ILO statistics, was chosen by one in five workers. It is interesting noting that in this sector there is a higher share of women (34%) than men (19%). This job is offered for a fixed period of time usually from one to three months and when the contract is terminated the job is given to another refugee. Although this is a good option for refugees to work, it is also true that it does not give an economic stability, neither a possibility to extend the working period.

In addition, many refugees suffer from the difficult working conditions they are exposed to, since most of them are employed outside working regulations and are engaged in the informal sector. Therefore, Syrians tend to work longer hours than Jordanians, usually six or seven days a week, and are commonly paid less; Although the majority of the interviewed refugees works approximately 60 hours per week, a third of them reported to work more than 60 hours, within 16% working 80 hours or more.

In regard to the payment, considering that the Jordanian minimum wage is 150 JD per month, 25% of Syrian refugees received a smaller cash income than the minimum wage. Syrians are paid at shorter intervals compared to Jordanian workers: less than half on a monthly basis, about one in four each week, and one in three every day. This can be explained by the fact that Syrian refugees have, in general, less enduring forms of

¹¹² ILO, *Results of Focus Group Discussions on Work Permits with Syrian Refugees and Employers in the Agriculture, Construction & Retail Sectors in Jordan*, April 2016.

¹¹³ Å. A. Tiltnes, H. Zhang and J. Pedersen, *The living conditions of Syrian refugees in Jordan*, Fafo report, 2019, p. 110.

employment. Moreover, they are often employed on the basis of an oral agreement rather than a written contract which means that no basic rules are settled, such as maximum hours, minimum salary, work tasks, work injury, there is also no additional pay or insurance. According to the latter, most of Syria refugee workers are not informed about work-related hazards and necessary precautions nor have received necessary protective equipment from their employer.¹¹⁴

3.3 Jordanian perspective: problems and solutions

Jordan has received approximately 1.5 million Syrians during this crisis. Of these Syrian refugees, 84% lives outside refugee camps, specifically in Amman and the northern governorates such as Mafraq or Irbid, and 16% settled inside refugee camps¹¹⁵. Jordan has opened its borders to let Syrian refugees enter the state and provide them a safer living conditions, but on the other hand, the presence of a massive number of refugees has affected Jordan's economy, security, and quality of life.¹¹⁶

3.3.1 The impact of Syrian refugees in Jordan's labour market and economy

Having stated that the most common idea of refugees among Jordan population is negative, it is possible to say that they are considered to be the main cause of the ongoing economic deterioration of the Kingdom.

¹¹⁴ I. Leghtas, *Out of Reach. Legal Work still Inaccessible to Refugees in Jordan*, Refugees International, September 2018.

¹¹⁵ The Ministry of Planning and International Cooperation, *Comprehensive vulnerability assessment*, Amman 2015.

¹¹⁶ R. Nasser, S. Symansky, *The fiscal impact of the refugee crisis on Jordan*, United States Agency for International Development, Washington DC 2014.

This criticism towards Syrian refugees has spread in all the country and is leading to deleterious results both regarding the relationship between Jordanians and Syrians and the ability of the government to effectively manage this migratory wave.

Thus, the government, when releasing responses to the Syrian crisis, always needs to take under consideration the Jordanian public opinion as the Kingdom needs its population consensus. It is true that Jordan has witnessed protests and social instability before the influx of Syria refugees; these protests did not start with the Arab Spring but developed out of labour insurrections demanding more efficient workers' rights and better economic conditions. Also, they were not against a despotic leader demanding a change in the regime, but they called for reform.¹¹⁷

At the outbreak of the public demonstrations, the King responded by dismissing the government and launching a reform process. However, this reform did not entirely meet the population's request and the discontent has continued till the current time.

Tensions were exacerbated by the massive influx of Syrian refugees at the beginning of the first decade of the 21st century. In particular, structural factors played an important role in the growing pressure mostly due to the vulnerability that characterized Jordan's economy before the Syrian crisis such as high level of poverty, resource scarcity and lack of effective governmental institutions¹¹⁸; in addition to that, socio-economic causes were decisive since the differences of social, tribal and cultural norms between refugees and host communities. Finally, the so-called core issues imply different topics including housing access, economic job competition in formal and informal employment, access to and quality-based education and finally the role of international aid, in terms of perception of fairness or inequity of distribution.

One of the main features of the Syrian crisis is the great costs involved in hosting a massive number of refugees in Jordan. As seen, the Jordanian economy is originally scarce in resources and suffers from an energy crisis since 2011, therefore, a rapid increase of a minimum of 10% of the estimated population is expected to encourage large

¹¹⁷ M. Christophersen, *Protest and reform in Jordan. Popular demand and government response 2011 to 2012*, Fafo report, May 2013, p. 7.

¹¹⁸ World Vision International, *Social Cohesion between Syrian Refugees and Urban Host Communities in Lebanon and Jordan*, 2015, p. 15.

costs and expenses. Is it repeatedly underlined by Jordan officials how the hosting of such a huge number of refugees is placing a critical pressure on the country's economic, national and institutional resources.

The estimated 1.5 million (approximately 670,000 registered at UNHCR's offices), Syrians have undeniably increased competition for access to public utilities, health services, schooling, infrastructure and jobs, especially with the poorest segments of the Jordanian population, as well as augmented costs of various sectors such as education, water, health, energy shelter and housing. Finally, the increase in population resulting from the influx of Syrian refugees has also raised the request for commodities, while simultaneously contributing to growing inflation. However, the inflation rate remained under the 5% mark throughout the refugee crisis, but the hosting of refugees has particularly raised housing prices and rents as much as 300% in some areas.

As studied for the Syrian perspective, unemployment has also affected Jordanian population. An analysis of Jordan's labour market demonstrates that after three years from the Syrian conflict, labour force participation rates among Jordanians remain nearly the same as when the crisis began which has remained fixed at 42%. The labour force participation rate however is a misleading indicator, because it does not reflect the number of actual workers since a considerable number of them is engaged in the informal sector.¹¹⁹

Finally, while labour force rates are practically unaltered, current unemployment rates are higher than before the crisis for resident Jordanians, having increased from 14.5% in 2011 to 22% in 2014 but slightly decreased afterwards, reaching 18.7% at the beginning of 2019.¹²⁰ As a consequence of the deterioration of living conditions among Jordan's middle and lower classes, they consider the humanitarian programs as unfair since they are improving refugees' conditions at the expense of the host communities.¹²¹

¹¹⁹ W. Al-Shoubaki, M. Harris, *The impact of Syrian refugees in Jordan: a framework analysis*, "Journal of International Studies", April 2018, p. 170.

¹²⁰ Data from Trading Economics. Available at: <https://tradingeconomics.com/jordan/unemployment-rate?embed> (Accessed: 18.04.2019)

¹²¹ A. Francis, *Op. cit.*, p. 4.

As previously stated¹²² however, is it important to differentiate between the effects of the Syrian conflict itself and the effects of the refugee crisis. It is true that Jordan has been hosting impressive numbers of refugees and thus its expenses have increased in different sectors, but the main economic problems were caused by the unstable and insecure regional environment.

During the third International Conference on Financing for Development held in Addis Ababa in July 2015, the Minister of Planning and International Cooperation stated that the direct and indirect impact of hosting Syrian refugees since 2011 has cost Jordan 7.9 billion dollars¹²³, and this excluding the cost of humanitarian interventions and the additional expenses in education, healthcare, subsidies. After that, different studies tried to monetize the costs linked to the Syrian refugee crisis which however failed to isolate the effect of hosting Syrian refugees, from the overall impact of the protracted crisis and conflict in Syria.¹²⁴

Successively, the Ministry of Planning has tried to estimate the cost connected only to the refugee crisis with the help of UN agencies operating in Jordan. However, it is necessary to note that many of the estimated expenses include costs of upgrading infrastructure, education, energy among other costs that cannot be accredited to the refugee crisis alone. Indeed, the mentioned costs should only be partially attributed to the Syrian refugee crisis, because Jordan, regardless of the presence of refugees, will ultimately have to implement these improvements and upgrades.

3.3.2 Response and Resilience Plans

Jordan has created response and resilience plans in order to overcome the challenges brought by the Syrian refugee crisis and thus coordinate and organize the various projects and activities in relation to the topic. In addition to the coordinative aim, the plans are also fundraising instruments addressed to the international community to gain financial

¹²² p. 4

¹²³ Data referring to 2015. More recent information was given by Jordan Foreign Ministry in October 2017 claiming that hosting Syrian refugees has cost 10.3 billion dollars.

¹²⁴ Jordan Independent Economy Watch, *Op. cit.*, p. 7

assistance and other forms of support. For instance, the National Resilience Plan 2014 – 2016 is a three-year program articulated by the Ministry of Planning and International Cooperation together with the support humanitarian and development agencies active in Jordan. It underlines the need of critical investments in a series of sectors and public services including education, health, water and sanitation, housing, energy, livelihood and employment and social protection.

With a total cost of 2.41 billion dollars divided in three years, the operations prioritized have been characterised by a resilience approach. In other words, they have been designed to enable households, services, communities and institutions initially to cope, gradually to recover, and, finally to strengthen and sustain their capacities, thereby deepening their resilience to future shocks.¹²⁵

As part of this chapter, that aims at analysing the methods, channels and partnerships that Jordan is using to face the Syrian crisis, it is important to outline the framework of the entities involved in this action. A varied series of organizations and groups take part in the refugee crises in Jordan, generating a complex web of coordination roles and responsibilities. Among them, there are governments, UN agencies, NGOs, donors, together with the host communities and the refugees themselves. Every of these groups confers a unique value and perspective to the Syrian crisis, as well as it has its specific limitations. They also differ in the priorities they have, thus making an agreement on strategies and goals not easy.

As listed before, the government is playing the most important role, as it has to balance the aid given to Syrian refugees and the needs demanded by the country's population. The refugee response coordination is led by several governmental entities formed by the leadership, ministries and municipalities. The first decides the policy of the country towards the Syrian refugees' crisis and manages bilateral relations with donors.

Ministries deal with public services at a national level: Jordan's Ministry of Planning and International has taken a central role in managing across sectors within its own nation and with the international community. Over time, it has gained additional control over the leadership of the refugee responses, increasing its presence in planning processes as well

¹²⁵ Ministry of Planning and International Cooperation, *National Resilience Plan 2014 – 2016*, p. 13.

as instituting processes for government approval of NGOs projects. Ministries operate together with the UN agency specifically engaged with the sector under question; in doing so, they face various limitations: there are not enough skilled people to supervise and coordinate with other ministries or the international community; language barriers are present and limit communication with international partners; also, a lack of data systems and access to technology restrict the staff performances; the financial systems in use are not capable to monitor the expenses and the services provided.¹²⁶

In addition, although municipalities oversee some local services, such as water, shelter, and sanitation, the list of problems and solutions they have presented to the international community has not been considered. These included ameliorating public safety with the installation of streetlights and investing in waste management and water treatment to support the greater demand for these services.

In collaboration with the government, the UN agencies are also involved in the management of the syrian crisis. UNHCR is responsible of coordinating the refugee response and managing Za'tarī and Azraq camps. In addition to this, there are other agencies that operate in their specific sector, for instance the UN Office of the Coordinator for Humanitarian Affairs (UNOCHA) for humanitarian responses, the World Health Organization (WHO) for health, the UN Development Programme (UNDP) for development planning, UNICEF for education, and WFP for food assistance.¹²⁷

These agencies have different roles: managing the collaboration between international investors and government parties, organising funding from donors, signing contracts with NGOs to implement programs, deciding where to allocate the aid received and leading budget development.

¹²⁶ S. Culbertson, O. Olikar, B. Baruch, I. Blum, *Rethinking Coordination of Services to Refugees in Urban Areas. Managing the Crisis in Jordan and Lebanon*, RAND Corporation, Santa Monica 2016, p. 29.

¹²⁷ Additional UN agencies that operate for the refugee response: the UN Educational, Scientific and Cultural Organization (UNESCO); the International Labour Organization (ILO); the UN Population Fund (UNFPA); the International Organization for Migration (IOM); the UN Human Settlements Programme (UN-Habitat); the Food and Agriculture Organization of the UN (UNFAO); the UN Office for Project Services (UNOPS); the International Committee of the Red Cross (ICRC); the International Federation of the Red Cross and Red Crescent Societies (IFRC); UNRWA and UN Women.

As for a critic to UNHCR, it was argued that the humanitarian organization has been turned into one that owns some feature of a state.¹²⁸ This is because UNHCR was initially oversaw to help weak states that were not capable of managing the refugee crisis but later the agency was given responsibilities such as providing shelter access, food, health care, education and water. One of the main problems underlined by critics is the lack of common priorities, since every agency focuses on its own sector or mandate which may also lead to confusion and competition a poor relation between the agencies.¹²⁹

A third part involved in the refugees matter in Jordan are donors. The United States, the Gulf countries and the EU have been the most active benefactors; as for October 2018, the USA has given the largest amount of donations, reaching 83,000,000 dollars followed by the European Union with 11,792,453 dollars and by Canada with the amount of 10,566,038 dollars.

Most donations is classified as humanitarian funding and is linked to short-term cycles, typically one year at a time. Funders, however, change in approach and priorities: for instance, the American funding arrives from the Partner Relationship Management (PRM) whose congressional mandate is to channel donations through multilateral organizations thus precluding most funding directly to host countries. On the other side, USAID gives development assistance to the governments, coordinated to a small extent with refugee funding. Thus, though the United States is the biggest donor, it has not pursued a leadership position in refugee response policy: although the US is the only donor significant enough to have influence on the Jordanian Government, refugee-policy issues driven by American embassies have been at a less priority level than other matters in bilateral relations with the country.

The foremost European donors are the EU Humanitarian Aid and Civil Protection, the United Kingdom Department for International Development (DFID), and German Federal Foreign Office Humanitarian Aid Division. Even in this case, funding is divided in humanitarian and development assistance. Due to the difference and the detachment of

¹²⁸ Michael Kagan, W. S. Boyd, *“We Live in A Country of UNHCR”*: *The UN Surrogate State and Refugee Policy in the Middle East*, Research Paper No. 201, UNHCR, 2011.

¹²⁹ A. Slaughter, J. Crisp, *A surrogate state? The role of UNHCR in protracted refugee situations*, New Issues in Refugee Research. Research Paper No. 115, UNHCR, Ginevra 2009.

the two channels, the agencies are struggling to manage the two different channels as they are institutionally separated.

In addition to the previously mentioned groups involved in the refugee response, it has to be reminded that there is a large network of different NGOs operating in Jordan. International NGOs for instance, are surely one of the most influent partners that offer foreign-funded facilities to refugees and they generally are under the supervision of an UN agency, although donors can directly refer to them, without the intermediation of the United Nations. They are fundamental in a refugee response since they undertake tasks that would cause troubles to the Government if performing them, such as a rapid spread of mental health services or data gathering.¹³⁰ NGOs presence is for its nature very unstable, as they continue living only until international funding exists.

As for local NGOs, they also run out plans funded by international organizations, governments, donors, or private sources. Local NGOs are very much heterogeneous as they differ in capabilities, targets, strategies and goals. Also, as they are embedded in a small reality, they have difficulties in finding financial support from donors or UN agencies.

3.3.2.1 Jordan Response Plan for the Syria Crisis

In parallel to the advance of the National Resilience Plan, the Jordan Response Platform for the Syria Crisis has developed the Jordan Response Plan for the year 2015, launched in December 2014. The JRP 2015 was a one-year plan providing a thorough plan to respond to and mitigate the consequences of the Syrian refugee crisis on Jordanian host communities. The JRP's scope was to consolidate and integrate national and international efforts to address the Syria crisis within the framework of a wider coordinated response. The plan has 11 sector strategies divided on: education, justice, energy, health, environment, livelihoods and food security, local governance and municipal services,

¹³⁰ S. Culbertson, O. Olikar, B. Baruch, I. Blum, *Op. cit.*, p. 33.

transportation, social protection, shelter, water and sanitation.¹³¹ The plan drafts almost 3 billion dollars in financing needs to implement all aspects of the programme, where 38% of this amount is needed for budget support and the residual 62% is used to implement the JRP 'programmatic response'. In order to coordinate donations in consistency with the plan, the government and the UN in Jordan signed an agreement called Jordan Resilience Fund (JRF) to act as a unified canal through which contributions will be organized.¹³² Similar to the NRP, the JRP works towards giving support to already present development programs and humanitarian support through including both national and international response partners.

The currently operating Jordan Response Plan 2018–2020 consists in a three-year rolling plan, revised every of the three year, that includes the most recent policy decision that the Government has taken. The three-year cycle was adopted for the JRP 2018-2020 to offer a longer-term vision and to ease the management of multi-year financing and multi-year interventions. At the end of December 2018, the plan was revised, and another year has been added, turning the Jordan Response Plan in 2019-2021. It has been created under the supervision of the Jordanian Government represented by the Minister of Planning and International Cooperation which had the leadership of the JRP, through the Jordan Response Platform for the Syria Crisis with its Task Forces which detained the ownership with the participation of national and international shareholders, in order to guarantee the international community support to the JPR principles: alignment and partnership. The plan contains a list of interventions with transparent related activities, targets and budgets to enable the monitoring of its results. The execution of the JRP projects can be undertaken by any humanitarian or development partner, including government institutions, international cooperation agencies, UN organizations, development banks and private sector as well as national and international NGOs registered in the country. The JRP intends to meet the needs and vulnerabilities of Syrian refugees and Jordanian people, communities and institutions damaged by the crisis, consisting of a refugee and resilience responses that are collected together in one inclusive assessment.

¹³¹ Katharina Lenner & Lewis Turner, *Making Refugees Work? The Politics of Integrating Syrian Refugees into the Labour Market in Jordan*, Middle East Critique, Routledge, London 2019.

¹³² Jordan Independent Economy Watch, *Op. cit.*, p. 5.

Thus, it is thought to ease the network between humanitarian and development interventions and to estimate the predictable funding every year. It has to be said that the JRP is not considered as an institutional law but rather as a part of larger national decisional process for a durable solution.

As stated in the forward of the JRP 2018-2020, the prospect for Syrians to return home is still remote, since even if a peaceful solution occurs, it will take years to resettle the people in Syria and finally arrive to a stable solution.¹³³ Thus, Jordan host communities will still have to shoulder the rising costs coming from the crisis as well as to face the everyday challenges in the social and economic sphere. In its response plan, Jordan declares itself committed to fulfil its moral remains responsibilities towards Syrian refugees.

As previously said, the plan has adopted a resilience-based line in order to face the vast influx of Syrians and to manages its effects on Jordan's population in host communities. The scope of this resilience-oriented method is double: on one hand, to guarantee that the impact of the refugee crisis does not cause lasting negative effects that influence the welfare of individuals, communities, households, institutions and systems; on the other hand, to create a nation which has the capacity to absorb future external shocks and which is capable to manage its related consequences and issues.

The government states that through the Jordan Response Plan, the country has achieved a lot: for instance, access to education has improved with 130,000 Syrian refugee kids that have been enrolled in public schools; also, cash assistance has been provided to approximately 143,000 Syrians and 5,800 Jordanians per month. Furthermore, the Jordanian government and the international community have collaborated to give some innovative keys to very concrete problems: as an example, in 2017, Za'tarī camp witnessed the installation of the largest solar plant in a refugee camp, allowing 80,000 refugees to access clean energy. Moreover, the JRP revealed itself to be an effective tool to interest foundations as well as the private sector on a partnership that has helped both Jordanian and Syrian refugee women get a revenue with the production of textile furnishing, sold nationally and internationally through IKEA shops.¹³⁴

¹³³ S. Balsari, J. Abisaab, K. Hamill, J. Leaning, *Syrian refugee crisis, when aid is not enough*, "The Lancet", 3 March 2015.

¹³⁴ Jordan Response Plan 2018-2020, p. 9.

The interventions planned by the JRP 2018-2020 are possible thanks to donors' contributions; its total budget is 7.312 billion dollars: 2.483 billion for the first year, 2.525 billion for the second and 2.304 billion for the last year.

With a specific reference to Jordan's labour market and economy, the JRP was designed to satisfy the immediate livelihood needs of Syrian refugees and vulnerable Jordanian population. It focuses on push and pull approaches to encourage sustainable livelihoods results at both household and institutional levels for populations that were forced to flee. This includes push strategies that stimulate individuals' capacities to enter the business and effectively participate in the labour market, as well as pull strategies that increase the quality and number of opportunities for refugees to enter the market systems.¹³⁵

Per se, the plan contains projects that focus on employment creation, vocational training and apprenticeships, job matching, employability services and career counselling services with the aim of increasing the accessibility of decent work opportunities. Whereas, pull interventions are intended to empower private sector performances, job creation and enterprise creation and scalability.

Finally, the Jordan Response Plan has further evolved with the endorsement of the Jordan Compact in February 2016.

3.3.2.2 The Jordan Compact: Amman as a precursor of a new type of approach to the refugee matter

While Jordan is still stable, it surely suffers from a variety of existing and emerging challenges. The Syrian refugee crisis has brought several difficulties and stability risks to the Government of Jordan, but it does not appear that any of these constitute an existential threat to the overall stability of the Hashemite Kingdom.¹³⁶ Although it is argued that Jordan stability has depended more on popular unwillingness to confront the government rather than the support for its policies, Jordanian government has indeed been capable to

¹³⁵ *Ivi*, p. 14.

¹³⁶ B. Connable, *From negative to positive stability. How the Syrian Refugee Crisis Can Improve Jordan's Outlook*, RAND Corporation, Santa Monica 2015, p. 9.

balance the aid needed for Syrian refugees and the reforms requested by Jordanians in order to avoid their discontent. As the time was passing, the repatriation was clear not to be a solution anymore, Jordan had to consider the possibility to integrate Syrian refugees in its communities and look for durable solution for them. In this period, Jordan has participated in different conferences such as the ‘Supporting Syria and the region’ conference in London in February 2016, and the ‘Supporting the future of Syria and the region’ conferences held in Brussels and hosted by the European Union in April 2017 and then in April 2018. At the UN General Assembly in 2015 King ‘Abd Allāh of Jordan, World Bank President Jim Kim and then UK Prime Minister David Cameron had the chance to discuss about the collaboration that would have been after called the Jordan Compact, which was finally signed at the London Conference in 2016.

The Jordan Compact is an agreement between the Jordanian Government, the World Bank, and the European Union, to deal with the Syrian crisis with the aim to improve the lives and livelihoods of Syrian refugees and vulnerable Jordanians.

The Government of Jordan and the International Community agreed that the government’s support for refugees and international financial assistance need to evolve to a more sustainable footing, with a better use of country systems and a longer-term development focus, assisted by a continuous international financial support; thus, the parties decided to promote this shift through processes that strengthen national capacities, ownership and leadership, while continuing to provide humanitarian and protection support.¹³⁷ Indeed, donors have a significant financial support, given Jordan’s status as a Middle-Income Country, both to refugees and resilience programmes for host communities affected by the refugee crisis. This financial support consists in 700 million dollars in grants annually for three years and concessional loans of 1,9 billion dollars, linked to specific targets, one of them is related to formal labour market access. The economic support however has decreased in 2018, with a significant reduction in funding addressed to Jordanian host communities.¹³⁸

¹³⁷ European Council, *Supporting Resilience of Host Countries and Refugees in the context of the Syrian crisis*, 5th April 2017, p. 4.

¹³⁸ European External Action Service, *Report: Eu Relations with Jordan*, May 2016.

In addition to founding, the European Union committed to simplify its Rules of Origin, set out in the EU-Jordan Association Agreement which, entered into force in May 2002, established a Free Trade Area that would have opened a two-way trade in goods between Jordan and the European Union.¹³⁹ As a result of the agreement, industrial products are free of any import duties, current payments and capital movements are allowed, common rules on competition and intellectual properties are defined as well as the right to start business and provide services in the other country; finally, quantitative restriction and product standards are fixed.

The countries decided to slacken the rules of origin, so Jordan could benefit from the preferential access to the European market. This decision was renewed by both parties in December 2018 and will last until the 21st of December 2030. The preferential rules were decided with the aim of supporting access of companies operating in Jordan to the EU market. If companies are willing to benefit from these rules they need to employ 15% of Syrian refugees as their workforce. After a review in 2018, the two parties have agreed that once Jordan allows 60,000 work permits to Syrian refugees, the company-specific minimum employment requirement for Syrian refugees will be cancelled: after that, Jordanian companies manufacturing industrial goods included in the scheme will be free to benefit from the simplified Rules of Origin.¹⁴⁰

The Government of Jordan has made progress in reforming the business environment, including ownership, competitiveness and investment law and fiscal reforms. As of February 2019, out of the 16 companies that have applied for registration to export under the new rules of origin 13 were approved. Moreover, the EU is Jordan's largest trading partner, considering 17.4% of its trade in 2017 -where the total trade in goods amounted to 4,4 billion- followed by United States (13.4%), Saudi Arabia (13.4%) and China (10.9%).

Within the Jordan Compact, the Jordanian Government had various commitments to undertake; for instance, it released 200,000 work permits to Syrian refugees, action

¹³⁹ The European Union and Jordan have further developed their FTA through supplementary agreements on agricultural, agri-food and fisheries products, in addition to a bilateral Dispute Settlement Mechanism, entered into force in 2007 and 2011 respectively.

¹⁴⁰ Available at: <http://ec.europa.eu/trade/policy/countries-and-regions/countries/jordan/> (Accessed: 19.04.2019)

monitored primarily through the annual number of issued work permits, 45,649 in 2018, raising from 36,790 in 2016¹⁴¹. This included allowing flexible permits in the construction and agriculture sectors, obtained through the cooperatives and trade union as well as allowing short-term work permits and giving the possibility to refugees living in camps to work outside. Although the recent Fafo studies show that the informal sector has twice the employment level of the formal sector, these figures represent the first practical measure of job opportunities contributing to the formal economy growth.¹⁴²

According to the agreement, a further Jordan's commitment is to promote the exclusion of Syrian refugees from the 25% reduction of migrants under the National Empowerment and Employment Programme in the manufacturing sector; in addition, it had to remove social security registration as a condition for issuing work permits, replacing it with the life injuries policy certificate in construction. Other reforms included promoting livelihoods and decent work for Syrian refugees and Jordanians, supporting, together with the international community, women's empowerment and labour market participation and providing a decent level of education to children. In addition, work training sessions were held, including support for employment programmes through skills development and matchmaking. 2,600 Jordanian and Syrian workers were provided with refresher training and occupational licenses in the construction sector and 15,000 beneficiaries engaged in cash-for-work in camps.¹⁴³

Hereafter, in summer 2017 the government decided to consent the registration of joint ventures between Syrians and Jordanians, regulation changed in November 2018, in recognition of the low response of that model, and allowed Syrian only Home-Based Businesses (HBBs) to be registered.

It has often been said that the Jordan Compact is different from previous responses firstly because it combines the humanitarian and development sectors, creating the prospective for a more effective response to prolonged displacement. Due to the nature of the agreement, the scale of development finance strongly overshadows humanitarian funding. At the London Conference, an amount of 12 billion dollars in grants and more than 40

¹⁴¹ Ministry of Labour, *Syrian Refugee Unit Work Permit Progress Report*, July 2017.

¹⁴² E. S. Svein, S. Hillesund, *Op. cit.*, p. 27.

¹⁴³ Jordan Response Plan for the Syria crisis 2018-2020, p. 29.

billion dollars in loans for the region until 2020 was promised, compared to 3.2 billion dollars for the humanitarian response inside Syria and for refugees in the region.

In addition to the grants, these types of funding offer unique incentive schemes, such as new trade agreements, and is combined with development plans and reform programmes arranged by Jordan and development partners such as and the World Bank and the International Monetary Fund.

Indeed, the Jordan Compact was a strategic move for both parties: ss for the international community, hundreds of thousands of refugees were trying to go to Europe over the course of 2015, and a significant number was dying on the journey, pressuring European policy-makers to search new ways to address migration from the Middle East and North Africa. On the other side, the contract offered Jordan an opportunity to negotiate more favourable trade arrangements with the EU, as well as an aid support and, crucially for a country with high levels of debt, loans at a concessional rate.¹⁴⁴

The outcome of the Jordan Compact was the recognition that the Syria crisis also created an opportunity. The Government of Jordan would launch labour market reforms to promote overall economic growth and employment, while donors would provide financial support both to improve Jordan's macroeconomic stability and to finance the needs of refugees as their economic participation could make a positive contribution to the country's economy.

Despite the government's efforts to link Syria to employment opportunities, the process is slow and uneven, and it has not shown results yet. This is because the process of implementing a new partnership model and launching policy changes needs time to have impact;¹⁴⁵ also, the structural and economic challenges, such as high unemployment and low growth, were threatening Jordan's economic situation and overall stability even before the Syrian refugee crisis started.

¹⁴⁴ *The Jordan Compact. Lessons learnt and implications for future refugee compacts*, Overseas Development Institute, London February 2018, p. 3.

¹⁴⁵ C. Huang, K. Gough, *The Jordan Compact: Three Years on, Where Do We Stand?*, "Centre for Global Development", 11 March 2019.

Before the coming into force of the Compact, obtaining a work permit implied a long administration process and high fees so for this reason, only 3,000 permits were issued to Syrians every year¹⁴⁶. Thanks to the Compact and its simplified procedure to obtain a work permit, by the end of 2017 83,507 permits had been issued, considered a big growth compared to the 37,000 permits issued in the first year after the agreement and also a progress towards the government's commitment of giving 200,000 work permits, although the substantial steps towards formal jobs, Syrians, like Jordanians, are still mainly employed in the informal sector. This is not only because of the complex bureaucratic process, but it is also due to the informality of Jordan's economy with slow growth rates, scarce foreign investments and high unemployment which are the biggest challenges the Compact is facing. Moreover, work permits are delimited to the agriculture and construction sectors, that often do not correspond to the Syrian's typical skill profile usually linked to education, medical management, business. Thus, high skilled Syrians keep struggling to find employment opportunities in the formal sector.

Also, the work permit was initially linked to a single job or employer, job which was often seasonal and so revealed as a problem when Syrians were willing to have more than one job or to have a permanent permit. Thus, in 2017, the Government decided to remove this limitation which also enabled them to leave an exploitative job without losing the work permit.

The agricultural sector has seen a substantial increase of work permits (around 28,000), thanks to the new plan that enabled refugees to move from one cooperative to another¹⁴⁷. A similar arrangement was advanced for construction in August 2017, however the process has been slow since Jordan is not surrounded by a business-friendly environment.¹⁴⁸ While one explanation might be the low supply of jobs, both Syrian refugees and Jordanians have also not been attracted to SEZs firstly since they are not willing to work in manufacturing, but also because the companies are too far from where refugees live and are connected by a poor transportation net. Refugees need better

¹⁴⁶ Kelberer, V. and Sullivan, D. *Challenges and Successes of Jordan's Work Permit Program for Syrian Refugees After One Year*, Atlantic Council, 2017.

¹⁴⁷ Y. H. Hamdan, *Ministry of Labour's procedures dealing with Syrian crisis in the labour market*. Presentation at Livelihoods Working Group, 31 October 2017.

¹⁴⁸ V. Barbelet, J. Hagen-Zanker and D. Mansour-Ille, *Op. cit.*, p. 5.

incentives to seek formal employment, such as flexible work hours, transportation and day-care facilities.¹⁴⁹ On the other side, since many firms are family-run businesses, they are not able to meet the marketing standards require to be competitive in Europe.

Another big challenge that Jordan is facing is the integration of women in the labour market. Only 4% of work permits have been issued to women (3,485). Women expressed their preference to work near their house -sewing, catering and cleaning- rather than in factories. The highlight problems linked to manufacturing job were long hours, inadequate transportation, low pay and lack of day-care. They are also influenced by strong social norms and family pressures.

To increase economic opportunities for women, the government needs to undertake precise, targeted efforts to overcome gendered barriers. Its is true that sponsoring policies to encourage self-employment would be a pragmatic first step but promoting women's employment outside their homes needs parallel measures to fight harassment and abuse in working places, as well as to manage to solve the gender discrimination that limits women's access to work.¹⁵⁰

Finally, the formalization of home-based business has been considered as a solution that could help Syrians to overcome the barriers in finding an employment which is relatively lower costs in comparison to opening a small business. Indeed, refugees bring with them a number of various value-add products and services that the Jordan market demands, thus many home-based productions support sell to larger Jordanian retailers and further support quality and also diversity in Jordanian markets. In October 2017 the Government has launched new regulation for home-based business owned by Jordanians and while they have represented a step forward the formalization for Jordanians, they have also formed a legal framework that Syrian refugees are not able to fit in. In other words, although these regulations permit Syrians to register for a business in the intellectual sector, the authorities still forbid their registration as the government has expressed its concern on security in foreign-owned business and competition with Jordanian business.

¹⁴⁹ Independent Monitor's Assessment, *Report: Jordan Compact and Brussels meetings*, 7 March 2019.

¹⁵⁰ A. Hunt, E. Samman, D. Mansour-Ille, *Syrian women refugees in Jordan: opportunity in the gig economy?*, Overseas Development Institute, London 2017.

Moreover, the Jordan Response Plan 2017-2019 has reduced its support to Syrian home-based business to 4.2 million dollars, then NGO's project in this field were interrupted in December 2017 decreasing the already few employment options for Syrians.¹⁵¹

In conclusion, the Jordan Compact is a unique example of the success of replacing short-term humanitarian support with efforts towards medium longer-term sustainable livelihoods creating the potential for a more effective response to prolonged displacement. As a result, other Compact were designed to its example (in Ethiopia, Turkey, Lebanon). As experts say, it is too early to have the results, as the Compact aimed at changing not only the business framework but also at overcoming social barriers;¹⁵² and although the government is putting effort into improving the labour market both for Jordanians and Syrians, there are further steps that must be made to enable progress. For instance, since the informal employment is much more widespread, and employers have strong incentives in informal engagement, policies should offer a captivating counterpart to attract workers in the formal economy. Also, in areas where local labour market is developed, the professional sectors opened to refugees should be consistent with their skill sets. In a more general perspective, the overall business situation in the Hashemite Kingdom is considered risky -this explains why investments in Special Economic Zones has been limited- so it would be an effective move to include political economy and labour market experts in the design of compacts. In order to promote greater labour market participation, there should also be provided less complicated procedure for refugees for refugee business ownership, registration, inspection and taxation; finally, Syrian and Jordanian entrepreneurs should be supported for example through business start-up grants. One of the main problems among Jordanians and Syrians is the low labour force participation rate for women; thus, efforts should be made toward gender inclusion in the formal economy, including allowing women to run a home-based business; moreover, action is needed to fight abuse and harassment in workplaces encouraging women to consider taking a job outside their homes.¹⁵³

¹⁵¹ Jordan Response Plan 2017-2019, p. 66.

¹⁵² Independent Monitor's Assessment, *Op. cit.*, p. 15.

¹⁵³ International Rescue Committee, *Still in Search of Work. Creating Jobs for Syrian Refugees: An Update on the Jordan Compact*, April 2018.

Finally, the monitoring mechanism of the Compact should focus on life and livelihood improvements of refugees and host communities through outcome indicators such as the progress on their socio-economic status rather than outputs such as the number of work permits that were issued as the latest does not directly reflect an improvement of the living conditions.¹⁵⁴

Chapter 4 - Specific case: education

4.1 History of Jordan's education development: laws and policies

Jordan's education system had been subjected to Turkish influences, linked to the period of the Ottoman Empire domination. However, in 1946, the country gained its independence and within its Constitution, the educational sector received very developed and innovative impulse. This early period witnessed a number of regulations and laws issued, most of them concerning Jordan's educational philosophy: in 1952 the Educational Reform Law was passed, whose most significant article stated that education was now a right of every Jordanian and that 7-year period primary education was now obligatory. The Education Law No. 20 of 1955 ceded the right for every citizen to be educated, with a particular focus on health and value-oriented education to form new generations that are aware of their responsibilities toward God and toward the nation; it also imposed all schools to refer to the Ministry of Education and that the language of teaching had to be Arabic. Further steps were taken with the Education Law No. 16, enacted in 1964. It was the first law to clearly set up the philosophy of education, specifying the objectives of the compulsory cycle as well as those of secondary schools

¹⁵⁴ V. Barbelet, J. Hagen-Zanker and D. Mansour-Ille, *Op. cit.*, p. 6.

and educational institutions.¹⁵⁵ The principles of its philosophy were inspired by the Constitution, the social, economic, political and cultural status of the country and established their objectives focused on school curricula, pointing out the right of education for everybody, as stated in article 3 of Chapter II:

«Art. 3 (7): Social justice, and equal opportunity to learn for all the sons and daughters in Jordan within the possibilities of the individuals themselves. »

In the same chapter, the equal article claims that:

«Art. 3 (4): Education should help the normal growth for an individual in areas of physicality, mentality, social, and emotionality... Individual differences and development aspects of creativity for talented should be taken in account, provide opportunities for "retarded" within the limits of their potential. »¹⁵⁶

Article 4 of this Law describes the general lines of the Jordanian concept of education which are set to create accountable citizens who strongly believe in their rights and responsibilities, who grow with honesty and dedication and who resort to cooperation and other relationships base on democratic principles. Article 4 also states that the government intends to develop children's skills such as communication, logical reasoning, critical thinking. Finally, another important aim is to promote people's consciousness of the natural, social and cultural environment in order to understand its problems and needs and thus develop a sense of responsibility towards the country's development.¹⁵⁷

Article 6 of the Law categorizes schools by establishment, control and financing. There are public or government schools and private schools that could be either foreign or national, secular or religious. The first type is controlled by the Ministry of Education

¹⁵⁵ S. Culberson, L. Constant, *Education of Syrian Refugee Children. Managing the Crisis in Turkey, Lebanon, and Jordan*, RAND corporation, Santa Monica 2015, p. 49.

¹⁵⁶A. Alodat, H. Al-Makanin, M. Zumberg, *Inclusive Education within the Jordanian Legal Framework: Overview of Reality and Suggestions for Future*, "International Journal of Academic Research in Business and Social Sciences", Vol. 4, May 2014.

¹⁵⁷ Jordan Constitutional & Legal Foundations. Available at: <https://education.stateuniversity.com/pages/749/Jordan-CONSTITUTIONAL-LEGAL-FOUNDATIONS.html> (Accessed: 03.05.2019)

whereas national private schools are administered by individual citizens or agencies and foreign private schools are managed by non-Jordanians entities. Overall, the scopes of the Education Law No. 16 were to extend the period of compulsory education up to nine years aiming at reducing the nonattendance in schools, to improve the quality of education providing teachers' grater preparation and qualification, services such as textbooks, furniture and equipment, as well as the insertion of modern and technological methods.

Indeed, the Government's reforms were effective, since the number of Jordanians enrolling the school programme increased: in those years, there was a growth of 569,599 students, 266,019 of whom were female. This was mainly due to the Education Law No. 3 of 1964 which made education compulsory in conjunction with the displacement of approximately 300,000 people of the West Bank to the East Bank that happened in 1967 after the Israeli occupation of the West Bank. As a result, Jordan's yearly budget for education increased too: for 1950-1951 the budget was 2,060,949 JD whereas in 1977-1978 it reached 222,600,000 JD;¹⁵⁸ this was because a huge number of preparatory schools opened but also because education was made public. In this period a centralised school administration imposed all authorities under the control of the Minister of Education. However, with the enter into force of the Education Law No. 16 of 1964 the structure witnessed important developments, including the establishment of the Education Council and Education Committee which strongly decentralised the educational assessment.

In the early eighties, on the wave of the Law No. 16, people started demanding a reform implementation for better educational system, King Ḥusayn opened a conference on education held in Amman in 1980 by demanding greater efforts to develop the country's educational organisation in terms of content and objectives. The outcome of the conference showed in 1987 when the First National Conference for Education Development was held and one of its most important consequences was the Provisional Education Law No. 27 of 1988 which drew the general aims of education in Jordan, designing the general lines of the educational cycles and extending free compulsory education to ten years. Therefore, the Educational Development Plan was designed, a 10-

¹⁵⁸ S. Alayan, A. Rohde, and S. Dhoub, *The Politics of Education Reform in the Middle East: Self and Other in Textbooks and Curricula*. Berghahn Books, New York 2012, p. 68.

year long programme (1988-1998) dealing with all features of the educational process. Thanks to this reform, there was an increase 141,046 primary students of both sexes, with 293 new schools established and 5,936 new teachers engaged. The preparatory level witnessed a yearly increase of 3.5% female student in parallel with secondary school, with a growth of students in all its divisions and an increase of 247 schools and 2,857 teachers.¹⁵⁹ A second plan was launched for 1998-2002 and put its attentions on providing teacher's skill upgrade, improving educational information system and education for children with special needs. However, in this moment, Jordan started suffering from the problems that are still now threatening the efficiency of its educational system, surely aggravated by the mass migration of Syrian refugees to the country. Among the various difficulties, it is worth to mention that school operated in double shifts with an inadequate structure, with overcrowded classrooms, outdated textbooks and scarce professionalism of the teachers; moreover, the curricula did not meet the students' needs focusing especially on factual knowledge.

Finally arriving to more recent periods, it is possible to say that the early years of the 20th century also witnessed a period of growth: by 2007-2008 public elementary and secondary school structures arrived at 3,270 registering an increase of 368 assemblies since 1996. The number of students enrolled reached 1,684,870 of whom 576,153 females, in parallel with the growth of teachers of 16,032 since 1996. In this time, reforms were carrying out and, among all, it is worth to mention that concepts of democracy and human rights were finally inserted in the textbooks, with the highlight on national, humanitarian and ethnic dimensions. In response to King 'Abd Allāh II speech on the relation between Jordan's economic future and the participation of its young educated population, the Forum for Future Education in Jordan was held in September 2002. The outcome of this conference was the Project for the Development of Education towards the Knowledge Economy which brought a new concept of necessities in the education system and aimed at meeting the present and future needs of Jordanian society in general, and students in the context of knowledge economy. The project was divided into four sessions and extended in a period of 5 years where their first application took

¹⁵⁹ Available at: <http://www.kinghussein.gov.jo/resources3.html> (Accessed: 07.05.2019)

place in July 2003. The first part regards the creation of a new educational policy as well as objectives and strategies, carried out through administrative and governmental reforms, which include a new definition of education, the establishment of new education strategies defining the leading authorities and the subordinate administration. The scope of the first component was to enable a new direction of the educational system, with more efficiency and quality. Then, the second part consists in developing new programs in order to achieve educational results which are congruent with the knowledge economy; in other words, to form young students who will be prepared to meet the needs of Jordan labour market and this through new training sessions and professional development projects. The third component provides support in the preparation of a high-quality environment for teaching: for instance, replacing obsolete and unsafe schools, creating schools that are adequate for the increased number of students so to avoid overcrowded classes and a consequent worse quality of teaching, improving the quality of physical equipment. Finally, the fourth component deals with the encouragement of the teaching in early childhood, very important for the readiness for learning through education. In this case, the Ministry of Education's willingness to establish additional governmental nursery schools proves its idea that early learning improves students' chance of success in the following educational stages.¹⁶⁰ To sum up, this component embedded the improvement of institutional efficiency as well as the professional preparation of nursery school teachers and finally the promotion of society's awareness of the importance of education on early stages.

Despite the government's efforts and the consequent educational development in the last half century, Jordan was still facing a series of challenges and obstacles before the Syrian refugee crisis. For example, the enrolment of the first stages of education within the rural zones was still low since the installation of a good school system in poor zones was not completed yet. On active schools, the opposite problem occurred, meaning that the classes were overcrowded and thus the quality of teaching and learning worsened.

The two main entities engaged in the Jordanian Education Management System are the Ministry of Education and Ministry of Higher Education and Scientific Research,

¹⁶⁰ S. Alayan, A. Rohde and S. Dhouib, *Op. cit.*, p.72.

officially established by the Royal Decree of King ‘Abd Allāh II on the 21st of August 2001.¹⁶¹

Nowadays, higher education sector plays an important role in the comprehensive development process of the country. The most significant laws were in 1985, the Higher Education Act No. 28 which set up the aims of higher education and the strategies to achieve them as well as regulated the higher education institutions. Then, the Jordan Universities Law No. 29, issued in 1987, established the scopes of the university and created university councils, colleges ad deans. Finally, the Private Universities Law No. 19 of 1989 which highlighted the responsibilities of the Higher Education Council related to private universities.

These series of laws were revised and in 2009 new laws on higher education system and public and private universities were issued: the Law of Higher Education No. 23 and the Jordanian Universities Law No. 20, thanks to whom Jordanian universities became more independent in managing the administration of the system as well as financial matters.¹⁶²

4.2 Jordan’s current education system: analysis of the main challenges

The current education structure in Jordan consists of formal and informal systems; the latter includes preschool education, a private service offered to three years old kids whereas in formal education various stages are involved: the first is a compulsory stage for students from 6 to 15 and includes primary school from grade 1 to 6 and preparatory school from 7 to 10;¹⁶³ secondary education is not compulsory nor free, lasts two years and students can choose between academic or vocational education or opt for an applied

¹⁶¹ The Hashemite Kingdom of Jordan, Ministry of Higher Education and Scientific Research. Available at: <http://www.mohe.gov.jo/ar/Pages/default.aspx> (Accessed: 02.05.2019)

¹⁶² Available at: <http://www.mohe.gov.jo/en/GovPapers/law%20of%20higher%20education%20and%20scientific%20research%201.pdf> (Accessed: 09.04.2019)

¹⁶³ Available at: <https://education.stateuniversity.com/pages/750/Jordan-EDUCATIONAL-SYSTEM-OVERVIEW.html> (Accessed: 03.04.2019)

education, a 1 or 2-year vocational training programme, provided with training centres and apprenticeship, that combines school with work placements.¹⁶⁴

In schools, instruction is in Arabic, but English language was introduced in public schools and is now widely used. Concerning the textbook, all public and most private schools use the same material, decided by Law No. 16 of 1964, that declared that the School Curricula and Textbooks Division of the Ministry of Education is responsible for creating and printing the books, distributed free of charge during the compulsory stage.

Overall, Jordan has almost achieved its objective of universal access to primary school and gender equality in education, reporting the enrolment of 98% of kids in Jordan in primary education, where the female participation is higher (99.2%) than of male students (96.9%). The same majority of female students is witnessed in secondary school since boys tend to leave school because more exposed to violence, bullying and labour market¹⁶⁵ whereas girls are usually kept at home, due to protection fears and household responsibilities such as looking after younger siblings, in addition to early marriage – in some of the poorest communities of Jordan, 10% of girls are married before being 18.¹⁶⁶ Secondary school enrolment reaches 81.3% (83.6%) for girls and 79.3% for boys.¹⁶⁷ Children coming from poor socio-economic circumstances, the ones exposed to child labour and those with disabilities are at a higher risk of being out of school.¹⁶⁸ However, it is worth mentioning that the enrolment rates of non-Jordanians are much lower, possibly related to cultural principle as child labour for boys and early marriage for Syrian girls; for instance, for the academic year 2015-2016, 1,408,796 Jordanian students were enrolled in basic education while only 107,912 Syrian kids were registered, which means 36.7%. The same gap is highlighted in secondary education which sees the matriculation of 176,006 Jordanians (97.1%) but only 5,407 Syrians (13.5%).¹⁶⁹

As said, universal education for Jordanian has been almost reached, except for kindergarten school, which is one of the Government's priorities in the next five years.

¹⁶⁴ NUFFIC, *Education system in Jordan*, December 2017, p.5.

¹⁶⁵ Available at: <https://www.unicef.org/jordan/education> (Accessed: 02.05.2019)

¹⁶⁶ UNICEF, *Jordan Country Report on Out of School Children*, 2014.

¹⁶⁷ UNESCO, *Education for All 2000-2015: Achievements and Challenges*, 2015, p. 44.

¹⁶⁸ UNICEF, *Baseline Assessment of Child Labour among Syrian Refugees in Za'atari*, 2014.

¹⁶⁹ Ministry of Education, *Education Strategic Plan 2018 – 2022*, p. 15.

Thus, the Ministry of Education has improved quality standards in both technical and administrative level; as a consequence, the quality of kindergarten education has developed in recent times with a growth of schools who reached total quality from 78% in 2012-2013 to 94% in 2016-2017.¹⁷⁰

Despite the progress, Jordan is still facing a series of obstacles related to kindergarten education, among them the limited parental interest in registering their kids as well as the narrow financial resources to increase the sector. Moreover, the curriculum needs reforms and a better monitoring and accountability of the schooling system, in order to provide modern education in early stage. Regarding qualification, it is true that a large number of teachers has attended training courses gaining a high level of quality of teaching but there is still a percentage of already existing teachers who need to upgrade their skills; in addition to this, the training material for teachers is not updated, most importantly lacking gender perspective.¹⁷¹

Including the elementary and secondary school, it is possible to say that the education system in Jordan is inactive, defined by an out-of-date curriculum and pedagogy, scarce integration of communication and information technology, poor learning environments, an inadequate teacher training. This inactiveness leads to deteriorating actions in international assessment as well as secondary school leaving exams; Thus, only one out of four students truly passes the final test as many of them decide not to sit the exam.¹⁷² For instance, in 2014 and 2015 more than half of the students who sat for the final exam did not pass it; data reported that in both years a number of 325 schools witnessed the failure of all the students that undertook the final examination.¹⁷³ The success rate of final examination is higher in private schools (65.1%) than in public ones (51.4%) and it is lower in Aqaba, Jerash, Madaba and Zarqa as well as in rural areas and in boys schools.¹⁷⁴

¹⁷⁰ UNDP Human Development Report 2016, *Human Development for Everyone: briefing note for countries on the 2016 Human Development Report, Jordan*. Available at: http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/JOR.pdf (Accessed 03.05.2019)

¹⁷¹ Ministry of Education, *Education Strategic Plan 2018 – 2022*, p. 19.

¹⁷² L. Azzeh, *Thabahtoonas says Tawjihi pass rate 'schoking'*, "Jordan Times", 27 July 2016.

¹⁷³ R. Hussein, *No student passed Tawjihi in 349 public, private schools*, "Jordan Times", 1 August 2015.

¹⁷⁴ In Jordan, public schools are gender-segregated starting by Grade 3.

High failure rates are mainly caused by the decline of the education system quality in terms of content and administration.¹⁷⁵

4.3 Impact of the Syrian refugee crisis in Jordan's education

The Syrian refugee crisis has affected the Jordanian education system, which, as seen, was already facing big challenges in terms of both administration and curriculum. Since the increase of Syrian children in education age, the Jordanian Government has allowed free education for Syrian refugees in host communities as well as established public schools in Za'tarī refugee camp in 2012 and Azraq refugee Camp in 2014. In March 2013 30,000 Syrian refugee kids were enrolled in formal education, a number that significantly increased up to 83,000 in September and reached 100 thousand in 2014.¹⁷⁶ For the academic year 2016-2017, 126,127 Syrian children were registered in public schools, and 51% of them were girls whereas in 2018, of the 235,616-total number of Syrian children, only 134,121 were engaged in formal education. Considering that a small part of children (17,575) is enrolled in non-formal education, it is possible to conclude that 83,920 or rather 36% of Syrian kids are out of formal and informal education.¹⁷⁷

There are different reasons that explain why Syrian families reported not to enrol their children in school: for instance, the related costs which are not always affordable or the lack of space that defines some schools, moreover some girls are victims of early marriage and some boys are engaged in child labour to generate household income.

Firstly, the adjustment applied to the Jordanian curriculum in 2013 was a challenge for Syrian kids, since some of them had missed either some years of schooling, or never had attended class.¹⁷⁸ Most of Jordanian schools were not provided with support classes to

¹⁷⁵ A. Magrid, *Not one student in 349 Jordanian schools passed critical exam*, "Al-Monitor", 18 August 2015.

¹⁷⁶ Ministry of Education, *School Year 2013/2014 Enrolment of Syrian refugee children in Host Communities*, Department of Planning, June 2014

¹⁷⁷ No lost generation initiative, *Investing in the Future. Protection and Learning for All Syrian Children and Youth*, March 2019.

¹⁷⁸ UNESCO, *EFA Global Monitoring Report*, Rep. Paris. 2014, p. 77.

help them regain the years they have lost. This problematic mainly comes from the entry into force of the 3-years Law which established that students were able to register in formal education only if there was no more than 3 years difference between them and the students of the same grade. Therefore, if the age gap was wider than three years, the student was not eligible to enrol formal education. Nevertheless, being eligible cannot be viewed as the only obstacle to enrolment or attendance; indeed, in June 2014, less than 45% of Syrian kids eligible for formal school were enrolled (43,791 girls and 41,740 boys).¹⁷⁹

Another main reason for non-enrolment or non-attendance is the cost of education together with the poverty that defines most of Syrian refugees. Despite primary education is free of charge to all students in the country, sometimes the related costs are not bearable for some families which include education materials such as books, stationery and clothing as well as transportation.¹⁸⁰ This problem is widely spread in secondary education and, first of all, in kindergarten, as this first educational stage does not boost much government support and thus, requires high fees for enrolment: about one out of three Jordanian children attends kindergarten, among whom 88% chose a private one.¹⁸¹ Public kindergartens are possible for some of Syrian refugee families, with the help of the government or NGOs but the vast majority of early child schools are at a private level which often implies their inaccessibility for Syrians.

4.3.1 Syrian perspective: unenrolment and nonattendance

Once Syrian children are to all effects enrolled in school, other obstacles are faced and among them, the capacity of schools who often lack of accessibility and present a hostile environment. As previously said, more than 1 million students are enrolled in basic and secondary school over the last three years; although this represents a positive indicator of universal education, it has also led to over-crowding classes - in 2011, 36% of public

¹⁷⁹ Syria Needs Analysis Project, *Jordan Baseline Information*, January 2014.

¹⁸⁰ UNICEF, *Jordan: Country Report on Out-of-School Children, Summary*, October 2014, p. 14.

¹⁸¹ USAID, *Jordan Fiscal Reform Project*, 2011.

schools were overcrowded reaching 47% in 2016¹⁸²- and to the increase of schools operating on double shifts.

As expected, the governorates hosting the main number of Syrian refugees, such as Amman, Mafraq, Irbid and Zarqa, are also characterized by a more diffused double shift program; for instance, as of the academic year 2015-2016, 40% of the schools in the governorate of Zarqa were following a double shift, as well as 20% in the capital. As a result, although this system has allowed thousands of Syrian kids to attend school, it has also led to a growing pressure on the infrastructure, leading to fewer hours of instruction and, eventually, a decline of quality of teaching; moreover, it has also reduced the class hours, a matter that has augmented concerns among Jordanian parents.

Jordan introduced the double shift scheme in 1960, mainly due to a developing industrialization and the massive influx of Palestinian refugees after 1948. After the outbreak of the Syrian conflict, this system spread out all over the country, providing formal education to a large part of students: by April 2014, 98 double shift schools were operating in host communities and, as of 2017, 340 public schools adopted the two-shifts system, receiving Jordanian students in the morning shift (8:00-12:00) and Syrian students in the afternoon shift (12:30-16:00), there are also schools who decided for a mixed class, but they are very rare. At the same time, as class hours were reduced from 45 to 40 minutes the Government added Saturday classes in 2016.¹⁸³

In Za'tarī, Azraq and Emirati Jordanian refugee camps, the Government, in collaboration with UNICEF and Emirati-funded programs, provides schools for Syrian refugees, operating two shifts: girls attend in the morning whereas boys in the afternoon. In April 2016, nine formal schools were counted in Za'tarī with 20,771 children enrolled.¹⁸⁴ As of August 2018, 13 school complexes are counted, which have seen 21,400 children enrolled in formal and 775 in informal education. However, there is still a significant portion of out-of-school kids that reaches 8.5% (2,089).

¹⁸² Jordanian Ministry of Education, *Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children*, January 2016.

¹⁸³UNICEF, *Curriculum, Accreditation and Certification for Syrian Children in Syria, Turkey, Lebanon, Jordan, Iraq and Egypt*, March 2015.

¹⁸⁴UNHCR, *Zaatari Refugee Camp Factsheet*, April 2016.

In May 2016, Azraq camp hosted a primary and a secondary school with the capacity for 5,000 children and an additional kindergarten with 400 kids. As of August 2018, 15 schools operating in the camp are counted, with 9,958 children enrolled in basic and secondary school and 420 kids registered in kindergarten; unfortunately, a persistent high percentage of children (22%) are still out of school, which means 2,871 kids.¹⁸⁵

In regard to the Emirati Jordanian refugee camp, formal schools were hosting 2,000 out of an estimated 2,300 school-aged Syrians. Overall, as of November 2015, 25,736 children were enrolled in refugee camp schools for primary education, whereas enrolment rates for secondary school precipitously decreased reporting only 464 students in refugee camp schools.

In addition to the double shift program, the quality of education is also declined by the teachers' training program: unlike teachers at public schools, who have to be Jordanian citizens and are paid by the Ministry of Education, teachers in refugee camps and host community schools that teach only in the afternoon shift – which means teachers that teach only to Syrians- are hired on contracts, are not provided with health insurance and do not receive paid vacation and other benefits that are given to full-time teachers; finally, second-shift educators are not offered an appropriate level and number of hours of training. Moreover, Syrian teachers who escaped to Jordan are not allowed to teach, as only Jordanian citizens, members of the teachers' syndicate can work in schools; in 2015, the government has permitted 200 Syrians to assist managing classes with more than 45 students in refugee camp schools and as of July 2016, the number of Syrian refugee assistants allowed by the Ministry of Education reached 1,000 to support overcrowded afternoon shifts class and with salaries paid by donors.¹⁸⁶

Disability was considered as one of the main barriers for school enrolment and attendance, although the Ministry of Education has reported that 16,870 children with disabilities are registered in school. As of October 2013, approximately 10% of Syrian kids were estimated to suffer from physical, mental or sensory disability.¹⁸⁷ Unfortunately, reliable rates of children with disabilities are not available, however as of

¹⁸⁵ UNICEF, *Azraq Factsheet*, August 2018.

¹⁸⁶ No Lost Generation, *Syria Crisis Education Strategic Paper*, London 2016 Conference, p. 4.

¹⁸⁷ Syria Needs Analysis Project, *Jordan Baseline Information*, January 2014.

August 2018, in Za‘tarī camp, a number of 700 disabled kids was registered.¹⁸⁸ These children face significant barriers in gaining education including accessibility obstacles, as schools are not provided with the special equipment to meet disabled people’s need; indeed, it is really infrequent that children find a school that is appropriately equipped to manage their disabilities and that is close to their home. Schools also present lack of services, inadequate trained teachers and poorly adapted curricula suitable for their infirmities, situation in which it appears difficult to find the needed learning material for their disability. This happens because schools are not able to logistically deal with all kinds of disabilities and thus create mixed classrooms to assist children with different infirmities, causing a decrease in the quality of education that each of these students gets. Beyond the education system’s scarce resources, barriers also are linked to the attitude of the families that sometimes hesitate in exposing their kids to the challenges of the outside world, fearing violence and bullying. Especially parents are worried to send their daughters with disabilities to mixed schools as they can be exposed to sexual harassment; most families also have no interest in enrolling their kids at school, since they believe that they will not have a role in the community even if basic education is offered to them.¹⁸⁹ Indeed, the perception of disabled kids by teachers, students and even parents is still negative at a cultural and social level, often preventing them from attending school. A lack of a positive environment limits the support of an inclusive education for children with disability, where policies are weak, eligibility criteria are not clearly defined and only physical disability is taken into consideration, ignoring mental infirmities.

Another frequently mentioned reason that has caused Syrian children to drop out of school is harassment and violence inflicted by other kids during their way to school or in class or by teachers. According to a UNICEF research, it is reported that approximately 1,600 Syrian pupils abandoned school in the academic year of 2015-2016 due to bullying.¹⁹⁰ Some children found the solution by taking longer and alternative ways to reach the school, to avoid being attacked by other schoolmates or even stopped by adults. This can

¹⁸⁸ UNICEF, *Zaatari Camp Factsheet*, August 2018.

¹⁸⁹ UNICEF, *Jordan: Country Report on Out-Of-School Children*, October 2014.

¹⁹⁰ UNICEF, *Running on Empty: The situation of Syrian children in host communities in Jordan*, May 2016, p. 32.

be considered a consequence of the double shift program, that, although necessary to give the possibility to Syrian refugees to enrol school, it also prevented social integration between Jordanian and Syrians and eventually create conflicts between the two part.¹⁹¹

Regarding the violence inflicted by teachers toward children, it has to be said that although Jordan had banned corporal punishment through its constitution in 1981 and had ratified the Rights of the Child document in 1990, corporal punishment was present in the country before the Syrian refugee crisis started. In 2007, a UNICEF report stated that 57% of young students experienced physical abuse by school officials.¹⁹²

Corporal punishment often intensify during the afternoon shift since classrooms are overcrowded and include different levels of education as well as students who may have been out of school for a long period or even experienced trauma; this in addition to the poor level of the teachers' training, especially the lack of training on classroom management when there is a difficult classroom environment.¹⁹³

In 2009, the Government of Jordan, in collaboration with UNRWA, the Queen Rania Foundation and Military Education Schools launched a program with the support of UNICEF called *Ma'an* (Together) Towards a Safe School, in order to reduce violence in schools by 40% in the first year and 90% in the third year.¹⁹⁴ It is a nationwide campaign whose scopes are to reduce child violence by teachers in every level of education, to promote alternative disciplinary methods, to pursue training session for teachers about their rights and responsibilities, to put an end to social tolerance on violence in schools and to diffuse the new program through media coverage.

The *Ma'an* project is active for all public schools run by the Ministry of Education both for Jordanians and Syrians, by the Military administration and by UNRWA located in designated refugee camps as well as in host communities. In 2016, 3,241 governmental

¹⁹¹ Mercy Corps, *Mapping of Host Community–Refugee Tensions in Irbid, North Jordan*, February 2014, p. 14.

¹⁹² UNICEF, *Violence against children study in Jordan: Summary*, 2007.

¹⁹³ Human Rights Watch, *Preventing a Lost Generation: Jordan. "We're Afraid for their Future", Barriers to Education for Syrian Refugee Children in Jordan*, 2016, p. 53.

¹⁹⁴ UNICEF, *Evaluation of The Ma'an (Together) towards a Safe School Environment Programme 2009-2016 – Jordan*, Final Evaluation Report, 21st June 2017, p. 17.

schools, 40 military education and 168 UNRWA schools were participating in the program¹⁹⁵, pursuing activities in school to promote positive non-violent disciplinary approaches among educators to engage the community to diffuse zero-tolerance ideas on violence in schools and effective media coverage.

For its part, the Ministry of Education undertook a number of administrative and supportive procedures with the purpose of attributing responsibilities and roles related to the administration and the supervision of the *Ma'an* program within the Ministry itself and the shareholders. Moreover, the government diffused guidebooks to school principals, educators, counsellors and administrative staff about the importance of fighting violence against children and of using a positive discipline.¹⁹⁶ In addition, the Ministry of Interior conducted training on advocacy skills and on the philosophy of the *Ma'an* program to municipality, district and governorate leaders; conferences were conducted to encourage non-violent behaviours in the community and to sustain schools in their efforts to decrease violence.

Regarding school-based activities, the program includes the formation and the operability of the school-based Advocacy Groups as well as the addition of Ma'an Online Survey System running every month, and capacity development initiatives. These groups are trained to supervise the new violence-free policy and to promote a safe school environment as well as to conduct the students-filled survey that monitors rates of verbal and physical violence and the effectiveness of the application of a positive nonviolent discipline. Finally, due to the implementation of additional staff linked to the program, numerous capacity building plans were endorsed, aiming at giving educators classroom management skills as well as training counsellors to coordinate the operations of the advocacy groups and to help teacher in managing the difficult class environment.

The government availed of a large and robust media campaign in parallel with the program in its first years, operating three times a year via Tv, radio, newspapers and

¹⁹⁵ UNRWA Representative Office to the European Union, *Helping Vulnerable Palestine Refugees from Syria Meet their Essential Needs*, August 2015.

¹⁹⁶ Birzeit University, International Youth Foundation, *Knowledge for children in the Middle East and North Africa*, UNICEF, November 2017.

magazines and worked towards promoting a nonviolent environment in schools and positive and pacific discipline methods.

In March 2011, a qualitative assessment of the campaign was undertaken, revealing the challenges linked to the first two years of the *Ma'an* program. Among them: teachers had difficulties in managing the classes without resorting to violence, management had witnessed a significant rate of turnover and funding was insufficient; the valuation also highlighted that some of the approaches used by the program were less appropriate for older students.

Based on these results, in 2013, UNICEF implemented the *Tarbiyah* program in support of the overall effectiveness of the *Ma'an* plan, providing educators and school staff with the necessary skills to manage student behaviour and, on the other side, equipping students with social assistances while encouraging their self-responsibility and discipline; finally, the supportive program aimed to involve people at a social level by raising activities and initiatives in the community to combat child violence. The program revealed to be effective, thanks to the linked computerized system which tracks down the progress and so permits schools to document and report on the outcomes of the project.¹⁹⁷ At its beginning, for the academic year 2013-2014, the *Tarbiyah* was launched in six governmental and UNRWA schools in Amman and the following year was expanded to 50 schools in nine educational directorates in the central and northern regions and finally, for the year 2015-2016 it was also expanded to six schools in Za'tarī camp. According to the UNICEF report, as of August 2018, the program has reached 11,000 students.¹⁹⁸

Overall, the *Ma'an* program is considered significantly effective at different levels: it is the first nationwide plan with the lead of the public sector in fighting violence against children in educational environments. Although frequent episodes of harassment or violence are occurring in schools, the Ministry of Education firmly pursues its commitment. The program is also important since it unifies multiple shareholders within the Government and the civil society for the shared cause of promoting positive environments in schools. After an evaluation of the *Ma'an* project in 2017 conducted by

¹⁹⁷ UNICEF, *Evaluation of The Ma'An (Together) towards a Safe School Environment Programme 2009-2016 – Jordan*, Final Evaluation Report, 21 June 2017, p. 22.

¹⁹⁸ UNICEF, *Report on Child Protection in Jordan 2018-2022*.

UNIFEF, a management response was developed to be undertaken in order to ameliorate the ongoing plan. For instance, UNICEF, in collaboration with the Government, worked towards the increase of the number of parents engaged in advocacy groups and the raise of awareness in home locations.

As of 2017, six years after the beginning of the *Ma'an* program, 3,400 advocacy groups were created, 50 schools have been involved counting 11,000 students reached. A national Ma'an day has been established in November in every school in the country, day in which the campaign is learned by the students through entertaining activities. Moreover, at the beginning of the academic year, scholars receive material on the importance of a safe school environment and on their responsibilities to ensure it. A large number of counsellors and principals were trained to introduce positive disciplinary methods, in parallel with the distribution of a training manual on alternative measures of discipline and the establishment of the Codes of Conduct in every school, developed by the Ministry of Education. In addition, from 2009, a national survey started to be active in all public and UNRWA schools in order to monitor the frequency and the modality of either verbal or physical violence inflicted to students; after the first year of the campaign, the survey showed a decline of 28% in physical violence, of whom the female rate was much higher than that of boys (15% boys, 58% girls) and a reduction of 15% in verbal violence (9% for boys and 18% for girls) . The report also demonstrated that boy were more subjected to violence than girls: 62% of boys experienced physical violence, compared with 22% of girls, 52% of boys and 40% of girls suffered from verbal violence. Moreover, the outcomes highlighted that, in contrast to verbal violence, the physical one decreased with age and found its peak at grade six, affecting 35% of the students.¹⁹⁹

In addition, the positive results of the plan were also achieved through awareness raising campaigns addressed to communities, encouraging to support school efforts towards the decrease of child violence in school. In October 2011, a National Day of Commitment was held, celebrated in 13 cities throughout the country which witnessed the participation of 23,000 families. This event aimed to enhance the society to put effort into promoting a non-violent attitude at home, at school and in the community.

¹⁹⁹ UNICEF, *Case Studies on UNICEF Programming in Child Protection*, March 2013, p. 20.

The campaign saw an adhesion of religious leaders trained by the Ministry of Awqaf and Islamic Affairs who added in their sermons a speech about child protection and violence rejection as well a participation of governors and district directors in supporting school initiatives.

Finally, media coverage was efficient and contributed to spread awareness through a three-annual media campaign, four media programs conducted via radio, TV, magazines and newspapers, together with the production of the Ma'an documentary with the scope to inform the audience about the issue and to create the Ma'an website that serves a platform to propagate the message and for debate forums for parents, students and teachers.

4.3.1.1 Child labour: case analysis

Another major reason for school non-attendance in Jordan is children's engagement in the labour market. The definition of child labour is provided by the ILO Convention No. 138 setting the canons on the minimum age of working children – no lower than the end of obligatory education which is at 15 years old in the case of Jordan. The article No. 3 in the ILO Convention No. 182, stresses the necessity for urgent focus on strategies to remove the worst forms of child labour which include all forms of slavery and similar, the use of children in armed conflicts, the engagement of children in prostitution or other illicit activities such as drug traffic and finally hazardous works which consist of every occupation that could damage child's physical, social or psychological growth. Such work includes that which involves the use of dangerous machinery and equipment; the use and manufacture of explosives; working with fire, gas or chemicals; guarding duties; work that requires excessive physical or repetitive effort; work that takes place in dusty, noisy, extremely hot or cold, or otherwise unhealthy environments; work that takes place underwater; work in mines and on construction sites; and work in hotels, restaurants, clubs and nightclubs.

Hence, as stated by the ILO Conventions and by the clauses of young people employment in the Jordan Labour Law No. 8 of 1996, child labour is defined as the employment of children under the age of 16.²⁰⁰

In regard to the Jordanian policy of child labour, the country has ratified in 1970 the Arab Convention No. 1 setting minimum age for different types of work; in 1991, Jordan signed the UN Convention on the Rights of the Child which is the first international document legally binding that defines children's right, and the ILO Convention No. 138 in 1997; finally, in 2000 the country adopted the ILO Convention No. 182 on the worst forms of child labour. Moreover, Jordan has insert child labour matters into its legislation where Article 73 of the Jordanian Labour Law of 1996 forbids the employment of kids under 16 years old, the point in which education is no longer obligatory, and successively created the Child Labour Unit within the Ministry of Labour in 1999. A further step was taken when the Government signed, in October 2000, a Memorandum of Understanding together with the ILO and its International Programme for the Elimination of Child Labour; the program, having run from 2002 to 2007, implemented a national program to defeat child labour and was very efficient in creating infrastructure within constitutional and non-governmental organizations.

One of ILO's global priorities is to delete child labour, as stated in the specific target 8.7 of the Sustainable Development Goal No. 8 which sets the objective of eliminate child employment in all its forms by 2025; due to the favourable environment for marking and tracking down child labour, in 2007 a survey managed and financially supported by ILO, was undertaken, covering 15,000 families with 5-17 years old kids. The survey reported a number of 33,000 employed children where 40.5% worked in agriculture, 48.4% in services, mostly electrical repair, domestic work and street vending, and 11.2% in industries. Moreover, Jordanian NGOs reported that a great number of Syrians without documentation, especially women and children, are illegally working and thus very vulnerable to trafficking and more difficult to monitor.²⁰¹

²⁰⁰ Or the employment of 16-17 years old children for more than 36 hours per week or finally the engage of 18 years old and below in hazardous work.

²⁰¹ United States Department of Labour's Bureau of International Labour Affair, *2013 Findings on the Worst Forms of Child Labour*, 2015, p. 2.

The discovers pressed Jordan towards the adoption of the National Framework to Combat Child Labour in 2011 developed by the National Steering Committee against Child Labour, under the administration of the Ministry of Labour and in cooperation with the ILO. The program consists of actions and initiatives to combat the issue, including data and documentation collection in order to constantly monitor the situation and, since March 2013, it has been active in 12 governorates in the country.²⁰² In order to reinforce the policy and strategy framework, in October 2011, ILO launched a supportive program called ‘Moving Towards a Child Labour Free Jordan’ to support the decrease of child labour within a limited period of time – it was expected to close at the end of 2014 but was further protracted until 31st of March 2016.²⁰³

However, despite the efforts, when the Syrian refugee crisis increased, and a great number of refugees escaped in Jordan, the country’s situation changed substantially. Although the Government welcomed the refugees it implemented severe restriction in work possibilities causing a large scale of unemployment and a high dependence on humanitarian aid. As a result, child labour among Syrian refugee families vertiginously rose.²⁰⁴ As seen in the third chapter, obtaining a work permit is a complex and lavish process and, if obtained, it does not guarantee an occupation as the Jordanian labour market was instable before the refugee influx in the country. As a consequence, in some situations, children are the only member who provides an income to the family and who has also to face competition with Jordanian adults for an occupation.

Most Syrian refugees are located in host community and are facing constant difficulties in bearing the financial pressure they are exposed to, firstly the rent and bills payment. According to a CARE International Found study, Syrian families believe that there is a substantial gap between living costs in Jordan and the income they receive: for instance, an average spending for Syrian families is 297 JD per month while an average income of

²⁰² ILO, *Jordan pilots National Framework to Combat Child Labour*, 11 June 2013. Available at: https://www.ilo.org/beirut/media-centre/news/WCMS_215622/lang--en/index.htm (Accessed 07.05.2019)

²⁰³ ILO, *Moving towards a child labour free Jordan – A collection of emerging good practices*, 2016, p. 27.

²⁰⁴ H. Hazaimch, Rising number of working Syrian children hinders efforts to combat child labour, “Jordan Times”, 11 June 2013. Available at: <http://jordantimes.com/rising-number-of-working-syrian-children-hinders-efforts-to-combat-child-labour> (Accessed: 07.05.2019)

190 JD monthly; this lack of balance is exacerbated in families with a large number of kids or in families that suffer from health problems and so need medical aid. Consequently, families that cannot afford the living costs find in child labour a source of financial help.²⁰⁵

In addition to the families' poor condition, another factor that contributes to the increase of young people's employment is the fact that child labour is not seen negatively in some communities, especially in rural areas where some parents believe that engaging their children in work is an effective method to teach them about money and responsibilities.²⁰⁶

An ILO report of 2012 stated that among Syrians there is a culture of acceptance on allowing grown-up sons to work in their mother's place; this social norm becomes particularly relevant when applied to the situation of Syrian refugees in Jordan, where numerous households are female-headed and consider it normal to employ their eldest sons while the mother takes care of the house and, in many cases, of the other children.²⁰⁷

This cultural factor is also affecting girls who are expected to care for their sibling and to fulfil their household obligations, which sometimes end up being their major and only activity, preventing them to attend school or to work.

If children find themselves pushed by their families to work on one side, on the other side the employers are willing to meet the demand: hiring kids reveals to be convenient for the owner as they accept a smaller salary, are more flexible with time, rarely absenting from work, and are easier to manage as they are less aware of their rights. Moreover, even if the Jordanian Law establishes a fine for any employers who hires children, a lot of them are not concerned of the prosecution since it is limited to a maximum of 500 JD. In 2013, only 41% of the employers found to be hiring kids were fined and the rest was only verbally warned.²⁰⁸

²⁰⁵ CARE, *Lives unseen: Urban Syrian refugees and Jordanian host communities three years into the Syria crisis*, 15 April 2014, p. 33.

²⁰⁶ ILO, *Report of the rapid assessment on child labour in the urban informal sector in three governorates of Jordan (Amman, Mafraq and Irbid)*, 9 June 2014, p.23.

²⁰⁷ ILO, *National study on worst forms of child labour in Syria*, March 2012, p. 82.

²⁰⁸ A. V. Ibanez Prieto, *Child labour on the rise in Kingdom, Jordanians account for 80.8 per cent of total of child workers in Kingdom*, "Jordan Times", 12 June 2018.

In order to better monitor the progress and the remaining obstacle related to child labour, the Centre for Strategic Studies implemented the Jordan National Child Labour Survey 2016, under the jurisdiction of the Ministry of Labour and the Department of Statistics of the Government of Jordan. The survey aimed at providing an efficient and complete database on child labour in Jordan to help the creation of an environment that enables to combat the problem. Unfortunately, the outcomes of the survey were not positive, registering an increase of child workers from 30,000 in 2007 to more than 69,000 in 2016 and reporting approximately 44,000 children engaged in hazardous work.²⁰⁹ Overall, workforce participation is grater among boys than girls in all age groups and, as may be expected, it grows with age: child workers form around 15.5% of the young population aged 5-11 years, 27.1 % of 12-14 age group and 57.3% of 15-17 age group.

If divided by nationality, the highest worker-population ratio is registered for Syrian children at a 3.22% where the majority of them lives in urban areas and where, out of the total rate of Syrian working children -11,098- 1,492 are between the age of 5 and 11, 2,815 between 12 and 14 and 6,791 between 15 and 17.²¹⁰

In the survey it is shown that 53.82% of Syrian refugee children are only attending school, 18.13% go to school and are engaged in household chores which include shopping, cleaning and washing, activities conducted mainly by boys and cooking, by girls. Overall, the percentage of participation in housework is much higher for the female part than for the male one.

Among child workers, 0.24% combines education and work, 1.64% is only working and 0.34% attends school and is subjected to both paid work and household tasks. There is a high number of Syrian refugee children who are neither working or studying (17.45%), compared to 3.29% of Jordanians; this means that there are approximately 50,000 young people whose activities remain unidentified which can be explained by the fact that many kids tend to work intermittently, taking short-period jobs that could even change from day to day. Moreover, since child labour is illegal in Jordan, some families and employers prefer to hide the problem fearing legal prosecution or, in the refugee case, the interruption of humanitarian aid. Finally, there is the possibility that some of the

²⁰⁹ UNICEF, *Child Protection Plan 2018-2022*.

²¹⁰ The Jordan National Labour Survey 2016, p. 18.

children's activities were not covered by the survey and thus, resulted not to be engaged in child labour.²¹¹

Data reveals that in Jordan, 4.5% of Syrian kids work in the agriculture, forestry and fishing sector which mainly involves pupils aged from 5 to 11, usually as part of the family unit. Both boys and girls are almost equally involved in this sector as a significant percentage of children living in rural areas who accept working in agriculture. Wide activities linked to Syrian child labour are manufacturing, 14.40%, and construction, 21% however the wholesale and retail trade sector reaches the peak of 35.10% young Syrian employees.

Although the current Labour Law forbids that children aged 15-16 work for more than 4 hours a day and 20 hours per week, limited in the period of time from 6 in the morning until 6 in the afternoon, children in Jordan are still facing extremely long working hours; this is probably due to the fact that the ILO Convention principles do not cover child workers in the informal market, area in which most children are believed to be engaged. The majority of Syrians (58.30%) reported to work more than 48 hours per week, whereas 30.40% are working less than 36 hours and only 11.30% between 36 and 48 hours.²¹² A difference among Syrian boys and girls has been noticed, where the latter are more likely to work less hours, on an average of 20 hours per week; the variance does not only exist between genders but also between sectors, for instance, those who work in the wholesale and retail trade double the working hours of those engaged in the agricultural sector or in manufacturing.

In terms of earning, the average salary is 158 JD per month, with girls receiving more than boys, respectively 185 compared to 157 JD. Among the most common sectors for Syrian children, the most profitable is agriculture with an income of 162 JD, then manufacturing with 153 JD per month, the wholesale segment with 150 JD and finally the construction sector with 148 JD.²¹³

²¹¹ UNHCR, *The Future of Syria: Refugee Children in Crisis*, November 2013, p. 34.

²¹² M. Gharaibeh, P. S. Hoeman, *Health hazards and risks for abuse among child labour in Jordan*, "Journal of Pediatric Nursing", Vol. 18, p. 140-157, April 2003.

²¹³ Among all sectors, household activities as an entrepreneur or producing goods and services registered an income of 333 JD per month.

Overall, it is possible to conclude that children in general, and those with Syrian nationality in particular, are highly exposed to risks and repercussion due to the extremely hard and inappropriate working conditions. In the 2014 ILO report 36.9% of working children had experienced work injuries requiring medical intervention, of whom 4.8% became permanently incapable to work again.²¹⁴ For instance, such a long daily period of work put children in danger in terms of health, wellbeing and safety: not only children are exhausted and sometimes their body is not appropriate for certain types of occupation but also they are prevented to attend school and thus excluded from education; moreover, many of them complete the working day late and come home at night which can put them at risk of violence. Sometimes, even during working periods, children are subjected to verbal, physical and in some cases, sexual violence²¹⁵ In addition, the survey revealed that out of the 12% of Syrian children working in construction sites -compared to the much lower percentage of Jordanian, 2.9%- almost 45% have been exposed to hazardous labour which caused an overall negative impact on height and growth; analogously, 44% of the children are engaged in manufacturing and 26.5% are employed in agriculture which brings once more to light the fact that in this sector children suffer from severe and unsafe conditions; for instance, more than half of the children working in agriculture are exposed to high temperatures across the day, some of them are exposed to dust and smoke that damages their breathing or to pesticides and hazardous chemicals. In the manufacturing sector, children are often forced to use dangerous and harmful machinery as well as to operate at high elevations and to carry heavy equipment which often caused an increasing bone pressure or sometimes they are exposed to hazardous chemicals and working without effective lightning.²¹⁶ In addition to the physical aspects, studies have noted that child labour was also associated to some psychosocial effects: for instance, child workers are more likely to have headaches, flu and suffer from isolation and depression. This problem can be aggravated in the case in which the child combines work

²¹⁴ ILO, *Report of the rapid assessment on child labour in the urban informal sector in three governorates of Jordan (Amman, Mafraq and Irbid)*, 9 June 2014, p. 51.

²¹⁵ National Council for Family Affairs, *Physical and Psychosocial Impact of Child Labour in Jordan*, 2010, p. 89.

²¹⁶ Euro- Mediterranean Human Rights Monitor, *Among Syrian Refugees, Children in Jordan*, May 2016, p. 15.

and schooling, often suffering from acute stress and pressure and they were also reported to be more likely to have angry behaviours and suffer from stress.²¹⁷ Child labour also affects future children's life as absenting from education can represent a potential problem in the future: some studies reported that when the children fail to be involved in any sort of education, they will be enabling to compete the labour market and earn a better remuneration in later life.²¹⁸

In conclusion, though the Ministry of Labour is addressing its efforts to eliminate child labour in the country, the situation was exacerbated by the arrival of hundreds of thousands of Syrian refugees and thus the problem remains alive. As previously said, Jordan have ratified the ILO Conventions that protect child rights, has implemented various projects and plans in order to better monitor the issue and to promote school attendance and the importance of education also among Syrian refugee communities.

It is worth mentioning the *Makani* (My Place) program, funded by UNICEF, which was introduced as a response to the Child Protection and Education Emergency Response 2013-2014 and the need to provide an alternative comprehensive approach to formal education. *Makani* consists in various centres offering alternative education, skill developing programs, psychological aid but it also aims to contribute to youth's full development and well-being. The program offers its services mainly to boys and girls aged from 5 to 18 and youth up to 24 years old, with a particular focus on children who are not enrolled in school or who are engaged in the labour market.²¹⁹

Indeed, given the fact that out of the 235,616 Syrian school aged children only 134,121 are enrolled in formal school in addition to the 17,575 in informal education, the out of school portion, which counts 83,920 kids, either cannot access the service or is out of reach to the Jordanian Ministry of Education.²²⁰ In order to meet the out-of-school

²¹⁷ M. Mansour, E. Al-Gamal, M. K. Sultan, R. Matrouk, M. Al-Nawaiseh, *Comparison between working and nonworking children at schools and industrial sites, Health status of working children in Jordan*, "Open Journal of Nursing", March 2013.

²¹⁸ M. Christophersen, *Securing Education for Syrian Refugees in Jordan*, International Peace Institute, New York May 2015, p, 16.

²¹⁹ UNICEF Jordan, *Guidance Note on "Makani". Comprehensive Child Protection, Education, Youth Empowerment and Psychosocial Support Approach*, 18 March 2015.

²²⁰ UNICEF, UNESCO Institute for Statistics, *Jordan Out-of-School Children Study*, 2014.

children needs, the Makani program's main objective is to assist these kids by offering different education opportunities which are in line with the Minimum Standards for Education in Emergencies and meet the UNICEF's Informal Education Framework and Curriculum.²²¹

The program revealed itself to be effective: as of December 2015, 38,400 kids benefit from UNICEF's services and further improved in the following years. In 2017 a total number of 149,771 kids were registered in the 235 Makani spaces throughout Jordan, where 22 centres are in camps, 99 in informal settlements and 114 in host communities.

²²¹ The Inter-Agency Network for Education in Emergencies, *Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction*, Paris 2004.

Conclusion

This dissertation aims at giving a critical analysis of the current Syrian refugee crisis in Jordan, starting from a juridical perspective with the lacks and the efforts of the government. Secondly, every chapter analyses the challenges that Syrian refugees have to face in this country, specifically related to the labour market and education and, on the other hand, how and in which measure the outcomes of this migration reflect on the local population.

At the beginning of the dissertation it is demonstrated that Jordan and Syria, at the moment of their creation as national states, have undertaken opposite paths: Jordan became a cautious conservative monarchy and an ally to Western powers, whereas Syria did not change its anti-colonial revolutionary position based on the establishment of an impressive military force. After a long relationship of alternating periods of hostility or cooperation, at the outbreak of the Civil War in Syria Jordan preferred not to intervene, believing it to be an internal issue and thus, did not support the campaign of Bašār al-Asad nor the rebels. However, despite its neutral position, Jordan did not refuse to welcome and host the victims of the war.

In the dissertation, it is often stressed as one of the main points of criticism that Jordan is still objected to after eight years from the outbreak of the war is the normative vacuum on the refugee topic. Indeed, the country did not sign the Convention of the status of refugees of 1951 nor its Protocol of 1967 and thus receives Syrian refugees in the framework of the Residence and Foreign Affairs.

It has been seen that there are various reasons at the basis of this refusal, which mostly consist of the fact that the norms are codified by western countries, thus, they are a product of the European political and social culture not always in line with the Middle Eastern culture. Moreover, when asked to ratify the document, for countries such Syria, Lebanon or Jordan it meant to be legally bound to ensure a lasting solution for Palestinian refugees that fled after the Arab-Israeli wars of 1948 and 1967.

So, it is true that the normative apparatus that manages refugees in Jordan is weak, not

able to effectively deal with such a big influx of refugees; however, on the other side, the dissertation shows that, despite the normative lacks, Jordan has often been a safe solution for people coming from the neighbour countries: it has welcomed Palestinian refugees after the 1948 and 1967 wars, Lebanese fleeing the civil war (1975-1991), Iraqis coming to Jordan in 1991 because of the outbreak of the Gulf War and in 2003 after the American Occupation of Iraq and finally Syrian refugees escaping from the civil war started in 2011.

Overall, the study wants to highlight the positive factors related to the topic: clearly, points of criticism addressed to the Government of Jordan's management of Syrian refugees do not lack, but every chapter is concluded by explaining the projects and the initiatives that Jordan has been launching in order to meet the refugees' needs and the ones of the already vulnerable Jordanian host communities, the most affected by the crisis.

This is because while refugees are finding integration difficulties in Jordan - as it is shown in the specific case of labour market and education- it must be remembered that complications do not affect only one of the two parts involved. In other words, the significant number of Syrian refugees entering Jordan has unavoidably and substantially changed and sometimes damaged the overall situation in the country, and therefore, the government had not only to manage the refugee's settle down but also to deal with the effects of the massive influx on the Jordanian overall situation – including scarce resources, labour market, health care, education, water access and more.

In addition, I wanted to go beyond the criticism, which I have often encounter while researching, to put the attention on Jordan's effort to give shelter to refugees from its neighbour countries, country with an already instable economy, characterized by scarce resources and a limited territory extension while, on the other side, our continent is moving in a diametrically opposite way, raising walls to protect what is called the "Fortress Europe".

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