



Policy Memo 3

Rights without services? Facilitating access to education and healthcare for refugees and migrant workers

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In brief

Migrant workers and refugees are vulnerable to the same challenges when trying to access basic services — in particular education and health — in the host/receiving country. Understanding the obstacles they face and strategies to overcome them is key to guaranteeing social protection and the active participation of non-nationals in the host communities' economic growth and societal development, and thus avoiding marginalization and disenfranchisement. Based on ARDD's research and experience, and having consulted with the Migrant Workers Committee (CMW)¹ in Jordan, the brief proposes four recommendations to help secure better access to fundamental services.

- 1- Invest in quality **data gathering through targeted research in the field** to identify specific vulnerabilities by providing **disaggregated data** that uncovers the specific struggles faced by migrant workers and refugees in different working sectors, with particular attention to gender, age, ethnicity, and health conditions.
- 2- Strengthen the **network of migrant workers and refugees** to ensure effective communication and exchanges with their communities.
- 3- Conduct **joint advocacy campaigns** with local and international organizations addressing (1) local authorities for removing fundamental barriers to access the services, (2) stakeholders to secure sufficient funding to support covering the essential services through, e.g., sustainable projects, (3) educators and the host community to allow for more social inclusiveness in the education sector.
- 4- **Involve traditional and social media** in promoting a fair account of the reality experienced by migrant workers and refugees.

¹ This committee, including 30 representatives of various non-national (migrant worker and refugee) communities in Jordan, is set up and supported through the ARDD's Haquna project.

Introduction

Raising awareness about the situation of migrants and refugees in the region and triggering policy change constitute an essential part of ARDD's mission concerning vulnerable groups. Legal aid for and protection of migrant workers and refugees has been one of ARDD's main drives. Building on ARDD's experience and consultations with the MWC, the brief suggests a series of ideas that can improve the reality experienced by refugees and migrant workers in the Arab region.

In this vein, this policy brief:

1. Suggests actionable recommendations to facilitate access to basic services, such as education and health care, for vulnerable groups.
2. Serves both as a synopsis to better understand the status of migrant workers and refugees in Jordan, as far as access to services is concerned (since relevant consultations leading to the policy memo were conducted), and as a road map for current and future partners in the region who wish to work with us. This synopsis helps build on our experience, achievements, and lessons learned.

Enjoying the service?

Challenges migrant workers and refugees face in accessing education and health care services

When it comes to the availability and accessibility of services such as education and health care for migrant workers and refugees, Jordan exhibits problems common to the region. The kingdom has ratified international treaties and conventions that guarantee the right to education and health care for all individuals (regardless of their nationality) in the country. Along with international institutions and organizations such as ILO, IOM, UNHCR, and UNICEF, as well as with civil society organizations and international NGOs, Jordan has invested over the years in efforts to “universalize” easy access to these services and enable migrant workers and refugees to enjoy decent living conditions in the country.

The various statuses of migrant workers and refugees impact the legal framework under which these groups can access services. For example, domestic workers who have working contracts and permits are required to have medical insurance that guarantees them easy access to healthcare. Refugees can access public health services, as stipulated by international covenants to Jordan is a signatory. Public education is guaranteed to all refugees and migrant workers with regular documentation. However bureaucratic, financial, social, and structural barriers prevent easy access to these services for both groups.

Regarding challenges vulnerable groups face in accessing education and health care, the most common complaints are related to:

- **Lack of documentation:** In order to register in public schools or to benefit from health assistance in public hospitals, refugees are required



to present official documentation regarding their status, which is either the UNHCR document or a card provided by the Ministry of Interior to Syrian refugees only, or any other identification documents in the case of non-Syrian refugees. As refugees seldom have regular documentation, and as some are not registered with UNHCR, they might be unable to register their children in schools or they might be scared of even trying to register them because of potential legal consequences. Several cases of undocumented children who are not enrolled in school have been reported; while there is no clear data available, the presence of children of migrant workers who are not entitled to receive formal education is well acknowledged among the foreign worker community in the country. Cases of undocumented refugees or irregular migrant workers necessitate medical support, but those who avoid seeking help in public institutions for fear of being reported to the police are even more common.



- While the government covers most of the expenses for education and health care in the public sector, patients are still required to cover some of the fees. Given their often precarious economic situation, migrant workers and refugees are often unable to afford the **fees that remain too expensive** for them.

The legislative framework that regulates foreigners' access to education and health care also applies to migrant workers and refugees. This means that: since primary education, such as KG1, is not provided by the government, refugees and migrant workers cannot access it; as non-Jordanians, migrant workers have to pay fees to enroll their children in public schools. Refugees are required to cover the public school fees as non-Jordanians if none of the UN agencies can cover them, or if no government waiver of fees is obtained through the joint advocacy of I/NGOs and UN organizations; the fees are high for non-Jordanians, around JD40 per child, not counting books or uniforms, while for grade 12 (high school) the reach JD80 per child. Fees are even higher for accessing medical assistance. While UNHCR and international institutions often manage to cover most expenses for registered asylum seekers and refugees, those who are not registered are required to pay fees just like non-insured foreigners. Migrant workers face the same challenges, as even when they have insurance, it either does not cover all treatment or might not include family members, leaving them without access to healthcare.

- Due to the **economic constraints** that impact access to education, particularly for refugees but also for migrant workers in a precarious situation, it has been reported — and supported by

studies in the sector — that many children drop out of school at an early stage to support their families by **working** or, particularly in the case of girls, to marry early, to relieve some of the burdens on the family.

- **Infrastructural shortcomings:** Several migrant workers and refugees have complained of **overcrowdedness** in classrooms and hospitals, which renders them unable to access proper education or health care. Public schools cannot add more classes and receive more students and have resorted to the double shift (morning and afternoon) to accommodate as many students as possible. This complicates the situation of students who, for example, come from far away in the early hours of the morning or those who help their parents with work in the afternoon. Moreover, the high number of students in each class, which at times reaches 45, discourages children from going to school and parents from registering them to receive formal education. Similar complaints are raised about health establishments: hospitals are not able to attend to the high number of patients, the waiting list is very long and hospitals are often obsolete, which discourages people from seeking care. Another major concern is the unavailability of proper translation services at health care centers, which makes it difficult for migrant workers to communicate with doctors and medical personnel and makes access to health care much harder.
- With particular reference to access to education, it has been reported that **social pressure and stereotypes** are among the causes that prevent refugee children from fully enjoying their right to learn. It has been pointed out that bullying and marginalization of children due to their status as refugees often lead to the decision to either drop off or not register, and seek, instead, non-formal education opportunities.
- Migrant workers in different sectors, and particularly domestic workers, have at times reported being **prevented from seeking medical support by their employer/sponsor** worried that they could be blamed for working injuries or, even more concerning, accused of physical abuse, harassment, and sometimes rape. The real dimension of this phenomenon remains underreported, but it is acknowledged among migrant workers that this is one of the causes this vulnerable group lacks access to health care.

From experience to shared resources

ARDD has been advocating for the improvement of the working and living conditions of migrant workers for over a decade. Entering local and regional partnerships with civil society and human rights organizations to advance strategies to address the challenges faced by migrant workers and refugees in getting better access to services and enjoying better living conditions remains a priority. Based on its experience and its consultations with migrant workers and refugees, ARDD recommends the following:

1- *Invest in quality data gathering through targeted research in the field to identify specific vulnerabilities by providing disaggregated data that uncovers the specific struggles faced by migrant workers and refugees in different working sectors, with particular attention to gender, age, ethnicity, and health conditions.*

Collaboration with migrant workers and refugees is fundamental to grasping the reality on the ground and getting a full understanding of the legal structural and social factors that prevent them from fully enjoying basic rights and services. Investing in participatory, action-oriented research remains a priority in this sense, as it facilitates the cooperation and joint work of researchers, stakeholders, and community members. This would assure the collection of data and elaboration of analyses that are relevant to real-world contexts and could better guide policymakers in the articulation of successful response strategies. Building on the participatory approach to research, focus groups, interviews, and data collection should reflect the complexity and variety of the population, as this would enhance the relevance of research into the different categories, and for each specific service to which migrant workers are entitled.

1- *Reinforce the network of migrant workers and refugees to disseminate information about the services they are entitled to and ways to access them.*

Strengthening migrant worker and refugee networks helps disseminate information about services that should be available to them. Enabling them to play a role in the community would also help to better understand, and improve refugees' and migrant workers' access to mechanisms that could help overcome challenges and constraints at legal and social levels that prevent refugees and migrant workers from fully benefiting from the education and health care systems.

1- *Conduct joint advocacy campaigns with local and international organizations.*

Campaigns should aim at addressing: (1) local authorities, to remove fundamental barriers to services, (2) stakeholders, to secure sufficient funding to cover essential services, for example through sustainable projects, (3) educators and the host community to enable better social inclusiveness in the education sector.

1- *Involve traditional and social media in promoting a fair account of the reality experienced by refugees and migrant workers.*

This can be implemented by informing media professionals about the plight of refugees and migrant workers, correct dissemination of information, and cooperating in the design of programs and media spaces that enable migrant workers and refugees to share their stories and make their voices heard.

Advancing Haquna (Our rights)

In the context of the joint Haquna initiative, ARDD and Heinrich-Böll-Stiftung Palestine and Jordan (HBS) promote means that guarantee respect for the rights of migrant workers and refugees and raise awareness about ways to improve their living conditions to give rise to peaceful societies

Disclaimer

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