

MAPPING REFUGEE MINDS

A REPORT FROM JORDAN



A Report By
Legal Aid Jordan
SEPTEMBER 2011

MAPPING REFUGEE MINDS

A REPORT FROM JORDAN

A Report By
Legal Aid Jordan

SEPTEMBER 2011



www.legalaid-jo.net



MAPPING REFUGEE MINDS:
A REPORT FROM JORDAN

SEPTEMBER 2011



Legal Aid Jordan
Jabal Amman – 3rd Circle
Khalil Mardam St. – 1st Fl.
Amman 11193 Jordan

Cover Photo of Palestinian refugee child
taken by Legal Aid Jordan staff.

TABLE OF CONTENTS

MAPPING REFUGEE MINDS: A REPORT FROM JORDAN

4	EXECUTIVE SUMMARY
5	KEY FINDINGS
7	RECOMMENDATIONS
8	METHODOLOGY & ACKNOWLEDGEMENTS
8	METHODOLOGY
9	ACKNOWLEDGEMENTS
10	I. INTERNATIONAL LEGAL FRAMEWORK FOR REFUGEES
13	II. REFUGEES IN JORDAN
13	(A) PALESTINIAN REFUGEES
14	(B) IRAQI REFUGEES
15	(C) SOMALI REFUGEES
16	(D) SUDANESE REFUGEES
18	III. REFUGEES IN JORDAN: IMPACT, LEGAL PROBLEMS, NEEDS, THEIR FUTURE & RESETTLEMENT
18	(A) IMPACT
19	(B) LEGAL PROBLEMS
23	(C) NEEDS OF REFUGEES: LONGING TO IMPROVE THEIR LIVES
24	(D) PLANNING FOR THE FUTURE: REFUGEE DESTINATION OPTIONS
26	(E) RESETTLEMENT: DREAMS & FRUSTRATIONS
27	CONCLUSION
29	ENDNOTES

EXECUTIVE SUMMARY

Although she has cancer, Laila's life in Baghdad, Iraq was relatively stable. Her husband was an architect, her daughter an engineer, and her two sons attended school. But Laila's fortunes took a turn for the worse as the violence in Iraq, unleashed after the U.S. invasion and occupation, intensified.

In 2006, after her son's school was bombed, Laila and her family—except for her daughter, who stayed in Baghdad to work—left for Jordan, joining a surge of Iraqis seeking refuge from sectarian violence. Life in Jordan has been tough. Laila and her husband have been unable to earn any income since arriving in Jordan, and she has been turned away from the few sources of medical assistance that do exist for Iraqi refugees. Although her daughter's husband lives in the United States and has been able to help out financially, she fears that the money may dry up if her daughter goes to live with him in the U.S. With her son-in-law's money, she has just been able to afford the \$50 a month it costs for her cancer medication. But her sister in Baghdad has to send her the medication, as Laila cannot afford to get to a hospital. "If I was on my own, I would return to Baghdad so that I could receive my medical treatment," Laila says. "But with two young sons I cannot risk it." And so Laila, frustrated, angry and uncertain, is forced to stay in Jordan.

Laila is only one of thousands of refugees currently living in Jordan, which is host to the fifth-largest refugee population in the world.¹ Many refugees live well below poverty levels.²

Today, there are more refugees in the Muslim world than anywhere else.³ Over four million Palestinians remain refugees, "victims of diplomatic stalemate in the Middle East."⁴ Some 5 million Iraqis have been displaced by sectarian violence since the U.S. invasion of Iraq,⁵ and millions of Sudanese have been forced to flee ethnic violence in Darfur and south Sudan.⁶ In the last few months alone, around three million Pakistanis have been forced to seek refuge in foreign countries to escape the fighting between the Pakistani military and Taliban forces.⁷

Due to an array of factors, refugee crises continue to erupt around the world.⁸ Natural disasters, wars and poverty are just some of the reasons why thousands of people are displaced from their homeland every day. These refugees are forced to seek refuge in unfamiliar places, while millions more languish in refugee camps.⁹ Recent events—such as the devastating food crisis and drought in the Horn of Africa and the 2003 war in Iraq—further emphasize the need to better address the issues around and rights of refugees as a matter of international importance.¹⁰

Civil armed conflict emerging from political instability is one of the leading causes of refugees.¹¹ Those refugees seeking a new home due to poverty or a natural disaster can also trace their circumstances back to political decisions, and at times a lack of adherence to international standards of human rights at both a national and international level.

While Jordan is often cited as the Middle Eastern country that has the best track record for aiding refugees, a lack of concrete policy often results in poor assimilation¹² of those refugees into Jordanian society, often leaving them impoverished.¹³ The combination of limited resources and an unstable region further contribute to the poor status of refugees in Jordan.

The increased instability in Somalia and Iraq has only further emphasized how ill equipped Jordan's legal system currently is to handle the needs of refugees. The problems of these people are made worse by the patchwork of state regulations—often ambiguous in nature—

that govern refugees situated in Jordan.¹⁴ Jordan is not a party to the 1951 Convention relating to the Status of Refugees, the key international legal framework governing the status of refugees, though the country has signed a memorandum of understanding with the United Nations High Commissioner for Refugees.¹⁵

The large influx of refugees into Jordan, coupled with the country's lack of concrete refugee policy, has created immense strain on the economic¹⁶ and social system.¹⁷ Refugees have contributed to deepening Jordan's socioeconomic and political problems. In addition, insufficient—and ill allocated—funding^{18,19} are often cited as obstacles to the government's ability to properly address the current numbers of refugees residing in Jordan.²⁰ Following the 2003 outbreak of armed conflict in Iraq, Jordan has received the largest increase of refugees since the 1948 Arab-Israeli war.²¹

In recent years, a number of suspected violations of Jordan's "customary law obligation not to return refugees to a country where their lives or freedom are threatened because of persecution" have been recorded. For example, after the 2003 invasion of Iraq, Jordan experienced an influx of third country nationals from Palestine, Sudan, Somalia, Chad, Eritrea, Djibouti, Mali and Egypt. However, soon after many of them arrived, there was a large drop-off in the numbers of third country nationals in Iraq. This was due to a policy implemented by the Jordanian government that "focused on ensuring that the third country nationals left Jordan for their countries of origin" within 72 hours. While the refugees were given the decision as to whether or not they would return home, the time-frame created pressure on them and called into question whether the refugees were aware of their rights, and thus capable of making an informed decision.²²

While Jordan and UNHCR continue to make efforts to solve the refugee problem, the needs of refugees entering Jordan are often ignored²³ due to a lack of national incentives and international assistance²⁴ aimed at helping people understand their rights and options as refugees residing in Jordan.²⁵ To better understand the needs of the current refugees, and how funding can be effectively applied to help refugees become aware of their options and available resources, it is necessary to explore first hand accounts of issues current refugees residing in Jordan face.²⁶

Key Findings

Building on a commitment to provide comprehensive and practical human rights based legal, socioeconomic and sociological services to refugees in Jordan, Legal Aid Jordan conducted an extensive survey of almost 3,000 refugees residing in Jordan. These participants told Legal Aid paralegals their needs and plans for the future. The first hand accounts of refugees coupled with scholarly research on the political and legal factors driving their struggles further emphasize the dire need of the Jordanian government to implement—and in some cases reform—their national laws governing the rights of refugees.

This report aims to provide a thorough and in-depth analysis of Jordan's legal framework and policies on refugees in the hope that more concrete protection of refugees can be incorporated into Jordanian national law.

Most striking is that Jordan's national legislation does not align with the international humanitarian framework for refugees—and in general, does not embrace concepts such as pro-bono aid and national procedural norms governing incidents of violence, such as domestic abuse, which is increasingly cited as problematic within refugee communities. In addition there remains gaps in the rights refugees' need and the rights they receive, especially pertaining to employment and education.

The key findings of Legal Aid Jordan's team can be broken down into (1) legal issues; (2) needs of refugees; and (3) resettlement.

Legal Issues

- * Civil legal problems: Refugees struggle to maintain a legal existence in Jordan, attain proper residency status and avoid overstay fines; refugees struggle to find employment and secure work permits; refugees residing in Jordan also face housing issues.
- * Civil Status legal problems: Parents' inability to provide proper legal documents leads to ambiguous legal standing of their children; marriage and overstay fines; marriage between male refugees and Jordanian women must be approved by the Ministry of Interior, in addition to a fine paid; poverty leads to an increase in divorce and instability between spouses.
- * Administrative legal problems: The capacity of the legal system to respond to the nature of refugees' needs is a major problem; the judicial system faces capacity problems and lacks specialization for refugee problems; and Jordan's national legislation does not align with international humanitarian framework for refugees.

Needs of Refugees

- * According to refugee accounts, their needs vary considerably, but one fundamental aspect remains consistent: adequate employment. While foreigners are allowed to work in Jordan, the process for attaining a work permit is complicated and lengthy, and the process deters refugees from seeking permits. Some refugees resort to working without permits. There needs to be more clarification of requirements and processes needed to obtain a work permit.
- * More importantly, securing refugees' fundamental right to employment—as protected by the 1951 United Nations Convention relating to the Status of Refugees—needs to be recognized by Jordan's government. Refugees' right to work should be emphasized and conveyed clearly.

Resettlement

- * The main problems with the resettlement process include: a lack of faith in the process and a lack of trust in the authorities who handle their cases; the negative affect of rumors; the lack of clarification on information from aid agencies; the long process for resettlement; an overestimation of the amount of aid refugees believe they will receive in their resettlement countries; not being able to learn the language of the resettlement country; frequent return after the first year in a resettlement country because of the difficulty of adjusting to life there and a lack of work opportunities; and, for Sudanese and Somalis, a perception that there is discrimination against them in the resettlement process.

Recommendations

- * Concrete national laws governing domestic violence must be created to address a growing number of issues that arise, especially within refugee communities.
- * Enforce accountability of all government departments presiding over refugee rights and ensure these respective departments are cooperating with the refugees' countries of origin.
- * As a member of the UN Convention on the Rights of the Child, Jordan must uphold its commitment within national court, even in the case of refugees.
- * Law and policy governing discrimination must be implemented to deal with the increased diversity in Jordanian society, coinciding with an increased documentation of incidents of discrimination, especially within the school system.
- * Pro-bono legal services should be systemized nationally, and refugee access promoted.
- * Education of refugees regarding the international obligations of host countries to meet basic needs of refugees should be promoted.
- * Refugee policy in Jordan should be constructed in such a way that facilitates the work of civil society organizations that advocate for legal protection and adherence to human rights standards for refugees.
- * Encourage research and study of the situation refugees face regionally in order to better develop informed policy based on direct interactions with refugees. This also allows an opportunity to provide refugees with information regarding their options and/or where they can seek better advice, allowing for more informed decisions.
- * Better education for personnel in the public and private sector is needed, especially in the health and education fields.
- * Shelters are needed for vulnerable refugees as well as more access to social services.

METHODOLOGY & ACKNOWLEDGEMENTS

(A) Methodology

The work of Legal Aid Jordan with refugees is conducted with three goals in mind: (1) to provide legal services to refugees, including legal consultations and representation before all types of courts; (2) to conduct sessions for refugees on a variety of topics with the aim of raising awareness around such issues as human rights and Jordanian laws concerning refugees; (3) and the formation of a panel of refugees to represent the interests of the wider refugee community in Jordan for the purposes of Legal Aid's research. This allows for Legal Aid staff to better assess the relevance of current projects and to better learn how to shape future projects to fully meet the needs of the intended beneficiaries. This particular report is based on the findings of a panel of refugees.

This report catalogs refugees' thoughts on a variety of issues to benefit both refugees and policy makers. Legal Aid convened a panel of nine paralegals representing refugee communities across Jordan. The panel included seven Iraqis—five men, two women—a Sunni Muslim, a Shi'a Muslim, a Christian and a Sabeen. In addition, one of the Iraqis is an elderly man. The other two paralegals include one Somali and one Sudanese person from Darfur. After announcing the project through NGO partners working in the field, Legal Aid chose the members of the panel based on multiple NGO recommendations, their qualifications and whom they represent. Each group of participants surveyed was diverse in ethnicity, sect, religion, educational background and financial and marital status.

A total of 2,865 refugees were interviewed by the paralegals; 1,145 were female, 1,720 were male. Of the 2,865 participants, 2,360 were Iraqi refugees; 335 Sudanese refugees; and 170 Somali refugees. The refugees varied in age between 18 and 70 years old.

Each paralegal was requested to ask similar questions, but not necessarily the same questions since the survey method was qualitative. The paralegals were required to discuss the questions within their communities, and with their families, friends and colleagues. Trainings on how to conduct their assignments were given by the Legal Aid staff, in addition to a training initiative organized by the International Organization for Migration. Legal Aid signed memorandums of understanding with the paralegals, who were paid incentives.

Legal Aid gave the paralegal panel the task of collecting information from their respective communities. The survey catalogued the refugees' needs and their evaluation of the current efforts being made to meet those needs; their future plans and how they make decisions; and their thoughts on resettlement.

In addition, Legal Aid team members conducted scholarly research on the international legal framework that governs refugees, how Jordan fits into that framework, and the current refugee situation in Jordan.

The paralegals were then asked to combine the results from their respective surveys and create a report on each community. These reports, combined with scholarly research on the political and legal contexts, are outlined in the report that follows.

(B) Acknowledgements

The following report is part of a project funded by the Open Society Foundations.

This report would not have been possible without Open Society Foundations (OSF), United Nations High Commissioner for Refugees, Ministry of Planning (MOP) and Ministry of Labor (MOL). The Legal Aid staff was also integral to this publication.

Please note: The names that appear in the legal stories have been changed to protect the identities of refugees in Jordan.

INTERNATIONAL LEGAL FRAMEWORK FOR REFUGEES

The mass displacement of peoples during the Second World War was one major aspect that contributed to the establishment of an international legal framework on a variety of issues. The rights of refugees thus played a central role in the conceptualization of international law, the basis of which stems from the UN's Universal Declaration of Human Rights (UDHR).²⁷ Still, while the UDHR is an important document, it is only a declaration and therefore is not a binding document, although it served as the basis for subsequent binding international treaties.

In 1950, the United Nations High Commissioner for Refugees (UNHCR) was established by the United Nations General Assembly. While responsibility resides primarily with governments when they fail to protect the human rights of refugees, the UNHCR is meant to provide "international protection ... to refugees," as well as "seek[ing] permanent solutions for the problem of refugees by assisting governments."²⁸ The UNHCR is the main international body tasked with attempting to remedy the denial of human rights to refugees throughout the world.

The agency protects refugees by securing their rights under international law and by preventing involuntary repatriation to their home countries. Longer-term solutions that UNHCR focus on promoting include voluntary repatriation, integration into refugees' new place of residence or resettling in a third country.²⁹ In its most recent report on ensuring protection for refugees, the agency noted that they had succeeded in ensuring that "the national legal framework has been improved to be more consistent with international protection standards" on refugees in sixteen countries.³¹

UNHCR also functions as an aid agency, providing refugees in need with necessities such as clean water, sanitation, shelter materials and education. UNHCR readies itself to provide such aid on an emergency basis when crises unexpectedly erupt.³⁰ Lastly, UNHCR is involved with the implementation of the Millennium Development Goals (MDGs), which came out of a landmark meeting in 2000 that outlined a number of ambitious targets to reduce extreme poverty by 2015. UNHCR is a member of the Inter-Agency and Expert Group on MDG Indicators, which produces an annual report on the progress being made towards reaching the MDGs. Through this group, UNHCR keeps a close watch on how refugees can be helped by and are included in the MDG process.³¹

The key legal concepts that grant an individual international refugee status are outlined in the 1951 Convention relating to the Status of Refugees.³² The convention also addresses the rights of refugees under international law, and the obligations of nation states recognizing the authority of international law to uphold the rights refugees have. According to the convention, a refugee is defined as anyone "outside the country of his nationality" who is unable to "avail himself of the protection of that country" because of a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion."

Additionally, a refugee is anyone who does not have a nationality and is "outside the country of his former habitual residence." While the original convention was meant to be applied to those who were refugees as a result of "events occurring before 1 January 1951," the subsequent 1967 protocol³³ made this phrase meaningless.

A number of rights are outlined in the 1951 convention, including: freedom of religion; freedom of association; free and equal access to courts; the right to work; the right to housing; and more. The document imposes on contracting states the obligation to respect and promote the rights of refugees. One of the most important concepts outlined in the 1951 convention is the “prohibition on refoulement,” which prohibits states from expelling or returning “a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” A 2001 report from the UNHCR notes that the prohibition on refoulement is the “most fundamental protection owed to a refugee.”³⁴

Although the 1951 convention is the key legal document on refugees, other international legal documents are also of importance to note. The International Covenant on Civil and Political Rights (ICCPR),³⁵ conceived in 1966, is an important document that needs to be looked at to understand further the rights of refugees under international law. It mirrors the UDHR, and essentially turns that non-binding document into a binding one. The ICCPR outlines key rights, similar to those found in the UDHR, but binds states that have ratified the treaty to uphold those rights. According to the United Nations, there are 167 states that are parties to this treaty.³⁶ A UN body, the Human Rights Committee, monitors compliance with the treaty.

As human rights scholar Santhosh Persaud notes, “International human rights law complements international refugee law. Refugee law does not supersede human rights law as *lex specialis* if the human rights norm offers more protection.”³⁷ The ICCPR, in some cases, may offer more protection to refugees than the 1951 convention, Persaud states. Other studies have further elaborated on protection that can be provided to refugees through other human rights treaties and regional frameworks outside of the 1951 and 1967 documents on refugees.³⁸

There are many different types of refugees.³⁹ These include conflict-induced displacement; development-induced displacement; disaster-induced displacement; internally displaced persons; and smuggled and trafficked people.

The Arab world has many refugees, and conflict-induced displacement is a major cause. Palestinian refugees (who are covered by a separate UN agency, UNRWA) constitute the largest group of refugees. This refugee crisis was brought on by the Arab-Israeli wars in 1948 and 1967. There was a large increase of refugees following the invasion of Iraq by the United States on March 19th 2003. The influx of refugees reached its height in 2006 after the bombing of the al-Askari mosque in Samarra.⁴⁰ The Arab world has also faced problems of smuggling and human trafficking.

Refugees in Jordan—a country that has the “world’s highest refugee to total population ratio”—exist in a legally precarious framework.⁴¹ Jordan is not a party to the 1951 Convention relating to the Status of Refugees, nor to the 1967 protocol. “This status is explained by some in terms of regional politics, as Jordan is already host to the highest number of Palestinian refugees (albeit under special status) in the world, and the fear that the 1951 Convention might turn Palestinian refugees with right of return into permanent residents in Jordan.”⁴² Thus, Jordan “has no refugee law or asylum procedures.”⁴³ However, Jordan is a party to the ICCPR,⁴⁴ which contain some provisions that uphold refugees’ rights such as the prohibition on refoulement.⁴⁵

Most Palestinian refugees living in Jordan are citizens, and a separate UN agency, UNRWA, takes responsibility for Palestinian refugees. Jordan does not recognize refugees as such; rather, refugees are regarded as “guests” in the country. However, in 1998, in the wake of hosting a large number of Iraqis who fled their country due to the first Gulf War and Western-imposed sanctions, Jordan signed a Memorandum of

Understanding with UNHCR, which “provides a legal framework for coordinated efforts to deal with refugee issues.”⁴⁶ Under the terms of the agreement, “Jordan is legally bound to admit asylum seekers, including undocumented entrants, and to respect UNHCR’s refugee status determinations. It also agrees not to practice any form of ‘refoulement’ of refugees and asylum seekers from its territory.”⁴⁷ UNHCR notes that the agreement signed with Jordan “is in accord with the major principles of international protection” for refugees. Moreover, “Jordan’s Law on Residence and Foreigners’ Affairs gives the minister of interior the discretion to waive normal immigration requirements ‘on account of special considerations connected with international or humanitarian courtesy or of the right to political asylum.’”⁴⁸

Foreigners, including refugees, can apply for authorization to work in Jordan, as well as authorization to live, though this requires large sums of money.⁴⁹ Many refugees currently in Jordan, though, work without the proper legal documents, and stay over the time they are legally allowed to reside in Jordan, and are thus at risk of deportation.⁵⁰ The Jordanian government’s strategy for long-term solutions for refugees refuses any possibility for local integration. If the situation that caused refugees to come to Jordan remains unsolved, then the only viable option is resettlement in a third country--an option that also poses difficulties.⁵¹

2011 UNHCR planning figures for Jordan					
TYPE OF POPULATION	ORIGIN	JAN 2011		DEC 2011	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Iraq	30,800	30,800	25,700	25,700
	Somalia	230	230	350	350
	Sudan	300	300	350	350
	Various	400	400	450	450
Asylum-seekers	Sudan	100	100	80	80
	Syrian Arab Rep.	100	100	80	80
	Somalia	50	50	50	50
	Various	250	250	270	270
Total		32,230	32,230	27,330	27,330

2011 UNHCR PLANNING FIGURES FOR JORDAN / Source: UNHCR

II. REFUGEES IN JORDAN

As of January 2011, Jordan is home to around 450,915 refugees (excluding Palestinian refugees) and 2,159 asylum seekers.⁵² Asylum seekers are people “who [are] seeking protection as a refugee and [are] still waiting to have their claim assessed. Every recognized refugee has at some point been an asylum seeker.”⁵³ However, determining the exact number of refugees will always be a challenge as a majority of such people dwell in urban settings that allow for dense population and interspersions amongst locals.

Often referred to as a safe haven for refugees with a long history of harboring refugees from neighboring countries engaged in upheavals, Jordan still lacks concrete legal statuses for the ever-increasing influx of displaced persons. Many of these refugees and asylum seekers come from Palestine, Iraq, Sudan and Somalia. Although Jordan allows for the presence of these refugees, the actual governmental policies often leave the legal status of them ambiguous, and easily exploited.⁵⁴ Due to a lack of assistance, many refugees are unaware of the rights they do have.

(A) Palestinian Refugees

There are around 1.9 million Palestinian refugees registered by UNRWA in Jordan, 26,389 of whom are infants and 350,899 of whom currently reside in refugee camps—10 which house only Palestinian refugees, who make up 17 percent of Jordan’s registered refugee population.⁵⁵ The Palestinian refugee population in Jordan amounts to around 1/3 of the total Palestinian diaspora.⁵⁶ In general, “the Palestinian refugee population is young. Approximately 31 percent of all registered refugees are below the age of fifteen.”⁵⁷

Palestinian refugees in Jordan have unique legal status depending on their year of arrival, and most Palestinians have full Jordanian citizenship. But the some 140,000 Palestinians who originate from the Gaza Strip and live in Jordan do not have the same status as those who originated from the West Bank because up until 1967, the Gaza Strip was administered by Egypt. Palestinians of Gazan origin residing in Jordan are therefore only eligible for temporary Jordanian passports, which do not entitle them to full citizenship rights.

Palestinian refugee camps in Jordan are mostly located in central and northern Jordan. “Four camps were set up on the east bank of the Jordan river after the 1948 Arab-Israeli war, and six after the 1967 Arab-Israeli war. Three other neighborhoods in Amman, Zarqa and Madaba are considered camps by Jordanian government and ‘unofficial’ camps by UNRWA.”⁵⁸

In 1948, the creation of Israel resulted in the flight of about 100,000 Palestinian refugees across the Jordan River. The main organization for assisting refugees was the International Committee of the Red Cross until May 1950, which is when UNRWA began operations. Refugees were first accommodated in tents until the late 1950s, and then brick shelters came into use. Soon after the population of Jordan began to rise, residential areas began emerging around refugee camps. Refugees then worked hard to make their camps resemble their surroundings.⁵⁹

In the 1967 conflict, Israel militarily defeated a coalition of Arab states in the Six-Day War and began the occupation of the Golan Heights, West Bank, Gaza Strip and the Sinai Peninsula (since returned to Egypt). This generated over 300,000 more Palestinian refugees.⁶⁰ Of the 300,000, at least 245,000 from the West Bank and Gaza Strip fled to Jordan.⁶¹ Originally, Palestinians displaced in 1967 were not given any legal status in Jordan, but in 1970 the Jordanian Ministry of Occupied Territories began registering refugees.⁶²

Shortly after Iraqi President Saddam Hussein's forces entered Kuwait, the Gulf War of 1990-91 erupted. This resulted in more Palestinian refugees coming into Jordan. Following the end of the war, which led to Iraq withdrawing, Kuwait expelled some 300,000 Palestinians⁶³ because of the Kuwaiti government's perception that the PLO allied itself with Saddam Hussein during the occupation.⁶⁴ Jordan, already suffering economically, was the destination for the displaced Palestinians, and was negatively affected by this sudden influx.⁶⁵

(B) Iraqi Refugees

The Jordanian government estimates that around 450,000-500,000 Iraqis currently reside in Jordan.⁶⁶ Of these, only 32,952 have registered with UNHCR as of July 2011.⁶⁷ "Some refugees avoid registration for fear that they will become known to local authorities and might be detained or even deported."⁶⁸ Up to 13 percent of Iraqis in Jordan hold Jordanian passports.⁶⁹ An extensive survey conducted by the Norwegian Research Institute Fafo, in collaboration with the Jordanian government, details further the statistical breakdown of Iraqi refugees in Jordan. Among the findings, the survey found: Iraqi refugees in Jordan largely reside in urban areas, with the vast majority of them residing in the Amman governorate, originally coming from Baghdad; the vast majority are Sunni Muslims (68 percent), although minorities of Shi'a Muslims (17 percent) and Christians (12 percent) also exist; the gender distribution is relatively equal, although there are slightly more women than men; and the population is on average older than the Jordanian population, with the majority being above the age of 25.⁷⁰

Iraqi refugees face many challenges. The UNHCR identifies the lack of legal status as the "main protection challenge for refugees and asylum-seekers [...] due to the lack of local integration possibilities in Jordan, resettlement remains the only durable solution for the majority of Iraqi refugees." But due to the continued unrest and dubious security circumstances in Iraq, the UNHCR also states that "large-scale returns are not anticipated." A majority of Iraqis who have returned have regretted the decision, "citing insecurity, economic hardship and a lack of basic public services."⁷¹ In addition to the lack of concrete legal statuses available to refugees residing in Jordan, the UNHCR points to lack of employment rights for them, poor access to social security services, and poor living conditions as severe obstacles for the increasing influx of Iraqi refugees—an estimated 20 percent of whom have specific medical needs, such as medical and/or psychological conditions.⁷²

The UNHCR identifies funding shortfalls as compounding these problems. According to the UNHCR, "the 2011 budget has declined to USD 43.4 million from USD 63.4 in 2010."

According to a 2009 report by Amnesty International, most Iraqi refugees have "no legal status as they were unable to meet the narrow criteria for obtaining residence permits and so were not legally entitled to work."⁷³ And in 2006, Jordan began to bar the entry of Iraqi single men between the ages of 17 and 35 following a 2005 terrorist attack in Amman.⁷⁴

The first major wave of Iraqi refugees into Jordan occurred as the 1991 Gulf War broke out and with the subsequent imposition of sanctions on Iraq. During this period, "Iraqi refugees swelled the population of Jordan by some 300,000–350,000, including members of Saddam Hussein's family."⁷⁵ However, this number was to be significantly dwarfed by the flow of Iraqi refugees in the aftermath of the U.S.-led invasion and occupation of Iraq on March 19, 2003.

Many international aid agencies and the United Nations expected a large-scale refugee crisis in 2003 as the U.S. prepared to invade Iraq, as did some U.S. officials. "Following the start of the war, however, the massive displacement did not develop...the hallmarks of 'humanitarian

crisis' largely failed to materialize in the first two years after the fall of Saddam Hussein's regime."⁷⁶ Although there were refugees that entered Jordan as a result of the immediate U.S. invasion in 2003,⁷⁷ it was not until 2006 that the Iraqi refugee crisis exploded in numbers.

In 2006, the bombing of the revered Shi'a Askariya Shrine in Samarra occurred. The attack by suspected Iraqi insurgents set off sectarian fury throughout Iraq, with Shiite militia members taking out their rage on Sunni mosques.⁷⁸ In the aftermath, "millions of people were forced from their homes, victims of the sectarian violence that was now ravaging the country in full force."⁷⁹ Jordan saw the entry of many of these refugees, and most of them have remained.

(C) Somali Refugees

There is a general shortage of information about Somali refugees in Jordan. Little reporting on their lives in Jordan have been documented or published. However, some facts are known. As of July 2011, there were a total of 245 Somali refugees who received assistance from UNHCR, as well as 32 asylum seekers.⁸⁰ Of these, 132 are female and 145 are male. The vast majority of Somali refugees are between the ages of 18 and 59.⁸¹ However, these numbers could be higher if some Somali refugees have not registered with UNHCR. A Legal Aid paralegal estimates that there are about 300 Somalis in Jordan that are not registered with the UNHCR. Somalis are a small minority group in Jordan who mostly live in the Amman neighborhoods of Hai al-Masarwi and Jabel Amman.⁸²

Somalis first came to Jordan after the Gulf War, where they were expatriate workers in Kuwait. The Gulf War also coincided with the start of a civil war in Somalia, which drove many Somalis out. Currently, there are about 770,000 Somali refugees worldwide.⁸³ Other causes of flight include the "Islamic Courts Union, Ethiopian intervention and the Shabab militias."⁸⁴ In 2006, the Union of Islamic Courts held power in parts of the country after taking control

ABED'S STORY

As a young man, Abed's family was killed by the militia in front of him during the Somalian war. Only his mother and sisters survived, but were raped and kidnapped to be slaves for the militia. Like many young Somali men, Abed was forced to make the decision of being killed or becoming a member of the militia army. Abed managed to escape and sought refuge in Jordan.

Now 24 years old, Abed lives in Jordan with four other men in a small apartment. Abed feels lucky to have a safe place to sleep and a one meal a day. Yet he struggles to survive as a refugee in Jordan. Jobs are scarce in Jordan and Abed has no education and does not speak Arabic or English. Often he must accept humiliating jobs just to scrape together the bare necessities needed for survival. While he appreciates the better life Jordan offers, Abed says, "I wish for the opportunity to receive education so I can learn Arabic and English. Then I can have a decent job and live with dignity."

of the capital Mogadishu.⁸⁵ However, after the Islamist take over, “forces loyal to the interim administration seized control from the Islamists at the end of 2006” with the backing of Ethiopian troops. Then, “Islamist insurgents - including the Al-Shabab group, which later declared allegiance to al-Qaeda - fought back against the government and Ethiopian forces, regaining control of most of southern Somalia by late 2008.”⁸⁶

(D) Sudanese Refugees

There is also a shortage of information about the Sudanese refugee community in Jordan. According to the UNHCR, 390 Sudanese refugees in Jordan have been assisted by the organization as of July 2011, as well as 257 asylum seekers. Of these, 216 Sudanese refugees are female, and 435 male. The Sudanese refugee population is younger than the Somali refugee population. 108 female Sudanese refugees are between the ages of 0 and 11, and 105 for male refugees. But like the Somali refugee population, most refugees are between the ages of 18 and 59: 90 female refugees and 289 male refugees.⁸⁷ But it is important to note, again, that these numbers could be higher if some Sudanese refugees have not registered with UNHCR while in Jordan. Sudanese people live scattered throughout Amman and Zarqa.⁸⁸

AHMAD'S STORY

Ahmad is afraid of going to school each morning. A 13-year old Sudanese boy, he lives with his family in Jordan where they sought refuge from the war in Darfour. He says he knows how lucky he is, even if he doesn't fully understand everything that has happened to him, or why he gets teased at school for the color of his skin and his accent. Unable to

There are no programs in Ahmad's school that helps refugee children assimilate—and no measures are taken against the bullying and beating that Ahmad regularly receives from his fellow classmates. The only time he feels comfortable is when he is with the other Sudanese kids, making it even harder for him to assimilate. Ahmad says of the experience, “I wish I could tell my parents that I don't want to go to school anymore, but they are always telling me how very lucky I am to have the chance. But I can't fully understand that because of what happens. I also don't want my parents to be disappointed with me.”

Ahmad is just one of many children of refugees who face daily discrimination in schools across Jordan, enduring various problems and abuse in their refuge countries. The sad reality is that the discrimination begins at a much larger level—and is embedded in policy and attitudes towards refugees. Most of the children bullying refugees are merely imitating language and actions exhibited by their elders.

Sudan has been racked by a number of issues in recent years that have generated refugees from the country. But it is the fighting in Darfur, coupled with crop destruction there, that has most fueled Sudanese refugees coming to Jordan.⁸⁹ All Sudanese refugees in Jordan are currently from Darfur, according to information from a Legal Aid paralegal. Refugees continue to have a huge impact on Jordan, a country that has the world's highest refugee-to-total-population ratio. Jordan is home to at least 450,915 refugees (excluding those of Palestinian origin) and 2,159 asylum seekers.⁹⁰

SUHAD'S STORY

Plaintive: Suhad Allawi, represented by Legal Aid Jordan once the wife made her final decision to pursue it legally. Suhad was provided with full legal consultations.

Suhad Allawi is an Iraqi woman married in 2000 to an Iraqi man in Iraq. The husband was from the Sabe'a sect, but converted to Islam before marrying Suhad who is Muslim. Due to the outbreak of war in Iraq, the husband left for Sweden in 2009 searching for a better life and promising his wife to send for her after he settle down. But Suhad, now resettled in Jordan with her three children—all under ten years old—hasn't heard from her husband since he left Iraq. Forced to leave her home in Iraq in a hurry due to war, Suhad is alone with her children without identifying documents or financial support from anyone.

In order to receive more service and assistances—in addition to having the opportunity to remarry—Suhad finally decided to seek a divorce.

The only choice Suhad had was to file the case before the Share'a Court in Jordan, requesting repudiation of marriage for absenteeism in accordance with Article 199 of the Jordanian Civil Status Law. Suhad was instructed to notify her husband by sending a notice to the last known address before moving on with the suit.

Such cases need between four and six months in order for the wife to obtain the final divorce certificate and start organizing her life accordingly. The case is challenging due to complications regarding the different religious standings—and in this particular case, Suhad's inability to prove that her husband converted to Islam before marriage. Both spouses are required to prove they converted to receive ratification of the marriage contract either through the Iraqi Embassy in Jordan or within the Ministry in Iraq. This case represents the lack of specialized legislation recognizing complex situations often

III. REFUGEES IN JORDAN: IMPACT, LEGAL PROBLEMS, NEEDS, THEIR FUTURE & RESETTLEMENT

(A) IMPACT

One way to look at the impact refugees have on Jordan is how they have affected the economy. According to the Jordanian government, Iraqi refugees in particular have taken a “toll” on Jordan’s economy as they represent the largest non-Palestinian refugee population in the country. “It is estimated that hosting thousands of Iraqis is costing the country about US\$1.6 billion in services and resources as required investments to maintain the level of basic services, and to accommodate the increased demand as a result of hosting this influx.” The economic impact of hosting Iraqi refugees can be seen on various sectors, including government subsidies in “wheat, rice, fuel, medical treatment, nutrition programs at schools, and water”; energy costs; water consumption; health services; and transport. However, the government does admit that the Iraqi refugees “residing in Jordan do have access to job opportunities where some specializations are lacking in the Jordanian labor market.”⁹¹

It is worth noting that the Jordanian government has taken positive steps such as allowing Iraqi children to register at public schools and providing Iraqis with health care at public hospitals at the same rate as uninsured Jordanians.⁹²

Many refugees wish to return to their home countries, but are forced to stay in Jordan because of unresolved political conflicts and the lack of security and job opportunities. Barring solutions to those conflicts—a complex task in and of itself—many refugees stay in Jordan.

To monetarily meet the future needs of refugees, the Jordanian government states that much more money is needed from donors. The Jordanian Ministry of Planning notes that “since 2007, the support received from the international community (either support extended to the Government of Jordan by various donors, or support extended through NGOs) did not meet the cost of hosting Iraqis in Jordan.” A Ministry of Planning report estimates that “an amount of over US\$501 million is needed” to meet future housing demand from Iraqi refugees. Additionally, “an amount of US\$1.08 million is required in capital expenditure over the coming 3 years” to expand capacity and implement new projects to “accommodate the continuous pressure on the various sectors.”⁹³

Although Iraqi refugees’ impact on Jordanian society and infrastructure is larger due to the numbers of Iraqis in Jordan, Somali and Sudanese refugees also put strain on Jordan.

While efforts continue to be made to meet the needs of all refugees, the lack of necessary resources makes it difficult for them to properly assimilate into a new culture. This in turn often leads to a loss of dignity as families struggle to provide the bare necessities for their families, which complicates the matter of refugees in Jordan more.

Legal Aid Jordan’s on-the-ground research in refugee communities contributes to a more comprehensive picture of refugees’ needs.

The data that follows better emphasizes the difficulties faced by Somali, Sudanese and Iraqi refugees residing in Jordan. The data represents the thoughts, needs, and ideas of the refugees in their own words, and is based on interviews and qualitative surveys conducted by paralegals from Legal Aid Jordan. A total of 2,865 refugees were interviewed by the paralegals, 1,145 of which were female, 1,720 of which were male. Of the 2,865 participants, 2,360 were Iraqi refugees; 335 Sudanese refugees; and 170 Somali refugees. The refugees varied in age between 18 and 70 years old.

Each paralegal was requested to ask similar questions, but not necessarily the same questions since the survey method was qualitative. The paralegals were required to discuss the questions within their communities, and with their families, friends and colleagues. Trainings on how to conduct their assignments were given by the Legal Aid staff, in addition to a training initiative organized by the International Organization for Migration. Legal Aid signed memorandums of understanding with the paralegals, who were paid incentives.

The data based on the paralegal research is below and is broken up into four parts: (1) key legal problems; (2) needs of refugees; (3) plans for the future; and (4) resettlement.

(B) Legal Problems: A Desperate Circle

Legal Aid has identified a number of fundamental problems refugees face in the fight for their rights.

What follows is a summary of the main legal problems faced by refugees residing in Jordan, as identified by Legal Aid based on interviews and surveys we conducted. The legal sections are divided according to three criteria: (1) civil legal issues; (2) civil status legal issues; and (3) administrative legal issues.

ABDEL'S STORY

Plaintive Name: Abdel Sallam Hassan. There was no need for legal representation in this case because it was solved through legal consultations.

Abdel Sallam Hassan, a Somali man, married a Somali woman in Jordan. They had a child and obtained a birth notification from the hospital, but are afraid to apply for a birth certificate because the wife has a forged passport. The parents are obliged to issue a birth certificate within 60 days. If they fail to do so, fines will incur.

Hassan stated that the Civil Status Department had refused to give him a birth certificate due to his incomplete and unofficial documents, the most important of which is the passport of the child's mother. Issuing an original passport to the mother is a safety risk, as she can face deportation and legal problems for using a forged passport to enter Jordan—an all too common problem among Somali refugees.

The only solution is to not issue a birth certificate or any other official document for their baby girl, and register her as an asylum seeker with UNHCR. This will be the only identity she will have. In the future, this will cause problems if her family stays in Jordan and the girl tries to enter school.

Civil legal problems

- * Refugees struggle to maintain a legal existence in Jordan and to attain proper residency status. In addition, “one particular stressor involves overstaying residency permits, which results in a 1.5 JD fine per day (U.S. \$2 per day).”⁹⁴
- * Refugees have problems maintaining legal employment and securing work permits. “We are suffering from the lack of job opportunities, and if we found a job we can’t obtain a work permit, due to the many requirements and difficult process,” said Legal Aid paralegal and Iraqi refugee Sarmad Na’oum. It is estimated that hundreds of thousands of Iraqi refugees reside in Jordan without a work permit.⁹⁵
- * Refugees in Jordan face legal problems related to paying the rent. Some refugees can’t find residence without being threatened with eviction in a short period of time due to their inability to pay the rent. The threat of further displacement, this time from apartments in Jordan, stems from their inability to work legally in most Jordanian jobs.⁹⁶ “The absence of many legal documents for Iraqi refugees, or to ratify what they have for many legal requirements and actions, is a huge obstacles for the refugees,” says Ranin Abood, a paralegal and advocate at Legal Aid.

Civil status legal problems

- * Married refugees in Jordan often face problems with newborn children’s status due to their inability to provide proper legal documents. For example, if non-Jordanian parents don’t have a legal marriage contract, they are not able to register their children with the Jordanian Civil Status Department. There will also be no birth certificate for the child. As Jordanian Civil Status Law 2001, Article 13 stipulates, delaying registration of a child for over 30 days after the birth registration limit will result in fines. And if there is no registration, a newborn child will not be able to obtain a passport.
- * There are also marriage fines that refugees have to contend with. Marriage between male refugees and Jordanian women must be approved by the Ministry of Interior, in addition to a fine paid. To avoid this procedure, many choose to have a customary marriage ceremony, undocumented by the state. However, this in turn leads to limitations in regards to their rights as a couple and their children’s rights as recognized by the Jordanian government.
- * Poverty has led to an increase in divorce and instability between spouses. Domestic violence is documented as being one of the lead causes of divorce. One April 2008 report documented an increase in domestic violence among Iraqi refugees in Jordan. Shankul Kader of the Jordanian-Iraqi Brotherhood Society states that “men resort to violence because of social and economic pressures. Iraqis in Jordan are living in constant worry about their future.”⁹⁷ Although the Protection From Family Violence Law was approved by the Jordanian parliament in January 2008, criticism of Jordan’s domestic violence laws remains. A report by Amnesty International states that the law “makes provision for the reporting of domestic violence, including sexual violence and harassment, and for victim compensation.” However, “the new law fails to explicitly criminalize domestic violence or provide adequately for the prosecution of those who perpetrate it.”⁹⁸

Administrative legal problems

- * Currently, there is a lack of incentive for family reunification and visas to enter Jordan. Since 2005, for example, Iraqi family reunification prospects have been tied to whether refugees have authentic working permits, which in turn verifies the way they entered Jordan.
- * There are complex nationality issues for Iraqi women married to Jordanian men and vice versa. Under Jordanian law, if a female refugee is married to a Jordanian man for at least three years, she can claim citizenship if she has the approval of her husband, who has to apply with her. While the fees for the application are fully covered by UNHCR, some women remain unaware of this service. In addition to the above requirements, Iraqi women often face reluctance from their Jordanian husbands when obtaining Jordanian citizenship status due to a lack of understanding about how the process works and how it will benefit them. Another reason that Iraqi women do not apply for citizenship is that they fear losing resettlement rights and financial assistance from UNHCR if they obtain Jordanian citizenship. Male refugees have a different situation. They cannot obtain citizenship from Jordanian wives under the Jordanian Nationality Law. The only benefit Jordanian male refugees can obtain from their Jordanian national spouse is help in obtaining residency status. However, even in that case, there is a bureaucratic and legal process that they need to go through to obtain legal residency status, and this status needs to be renewed annually.
- * Lack of legal documents for different nationalities is a key legal problem refugees face. These documents vary according to nationality and depend on the cooperation of the embassies. Iraqi documents are the easiest to get, but there are huge obstacles in terms of access, cost and the type of document.
- * Lack of official and authentic passports is a major problem for African refugees.
- * Refugees face the confiscation of passports and the requirement of having a guarantor if refugees are detained in police stations for any problem. If a case involving a refugee reaches the general prosecutor or the governorate judge, a guarantor—someone who holds Jordanian citizenship—has to bail the refugee out. The guarantor must submit his or her Jordanian ID card and passport to the police until the legal problem is solved, the refugee is deported or the refugee is settled in an asylum country. These requirements for guarantors make it very hard for refugees to find an adequate one, and if they do guarantors sometimes request payment from the refugees.

The above problems are compounded by the following systemic issues that negatively affect the Jordanian judicial system.

The capacity of the legal system to respond to the nature of refugees' needs is lacking. The judicial system also lacks specialization for refugee problems.

Jordan's national legislation does not align with the international humanitarian framework for refugees. There are gaps in the rights refugees' need and the rights they receive, especially pertaining to employment and education.

Providing pro bono legal aid is neither easy nor systemized in Jordan.⁹⁹ There is no conceptual understanding for pro bono legal aid within mainstream legal and policy theory and practice

in Jordan. The legal system suffers from the longevity of procedure and the cost of paying court and lawyer fees. This in turn discourages further funding for pro-bono legal aid for refugees as results take a long time to materialize, a problem for NGOs with project funding reliant on quick outcomes.

NGOs and aid agencies have tried to overcome these problems by seeking funding from the UNHCR and other donors, in order to meet the needs of those who cannot otherwise afford legal representation. Receiving such funding is at times unreliable, and funds often do not cover the full duration of the legal procedure necessary. The Ministry of Justice is trying its best to improve the judicial system but in general there is no focus on systemizing pro bono services, just as there remains no systemized specialization of refugees' issues within the Jordanian policy and legal sectors.

Despite these obstacles, the UNHCR, with the support of their legal partners, continue to play a major role in attempting to meet the legal needs of refugees residing in Jordan. But with a continued influx of refugees into Jordan, the work only increases, further emphasizing the dire need of the government to approach this dilemma by implementing policy changes that addresses the needs of refugees who require—but are unable to afford—proper legal assistance.

IBTISAM'S STORY

Plaintive Name: Ibtisam Al-Kathimi. This case was legally represented before courts. Ibtisam AlKathimi is an Iraqi woman married to a Jordanian man. She lived in the Al Wefaq Care Center/ Family Protection home for four months and reported that her husband physically abused her.

She went to Women Union, where they asked her to file a criminal complaint against her husband. She refused to do so. Currently, she is staying at a friend's house and is contributing 100 JOD for rent. Her family in Iraq sends her money occasionally, and she receives monthly financial assistance of 75 JOD from UNHCR.

Her children are staying with her husband, who refuses to give custodianship. AlKathimi said that she fears for her children because of her husband's actions. She stated that she does not want to file for divorce despite all the insults and physical abuse. Her husband also won't file for divorce because the value of the remaining dowry is too high, which he needs to pay in case of a divorce.

Al-Kathimi is now in the process of three legal cases she filed against her husband. The cases are for her alimony rights, the custodianship of her children and visitation rights

(C) Needs of Refugees: Longing to Improve Their Lives

According to refugee accounts, their needs vary considerably, but one fundamental aspect remains consistent: adequate employment. While foreigners are allowed to work in Jordan, the process for attaining a work permit is complicated and lengthy, and the process deters refugees from seeking permits. Some refugees resort to working without permits. There needs to be more clarification of requirements and processes needed to obtain a work permit.

Paralegal and thirty-year-old Iraqi refugee Sarmad Na'oum explained that refugees "are suffering from the lack of job opportunities, and if we found a job we can't obtain a work permit, due to the many requirements and difficult process."

More importantly, securing refugees' fundamental right to employment—as protected by the 1951 United Nations Convention relating to the Status of Refugees—needs to be recognized by Jordan's government. Refugees' right to work should be emphasized and conveyed clearly.

It is important to note though that, even if such rights were better promoted, the employment situation for refugees remains bleak. In 2010, the official unemployment rate in Jordan was 12.5%, with the unofficial rate reaching 30%.¹⁰⁰

Recently, Legal Aid conducted a study on the issues refugees face when seeking employment. The study found that refugees need to be more aware of the Jordanian job market, and that aid agencies need to be more familiar with this situation so they can help refugees in their search for employment. Government regulations and procedures are not clear, consistent or easily available to the public. The study also made a number of recommendations, including: the need for investments in job creating initiatives for refugees; the need for the aid agencies to help create jobs and collaborate with the private sector; and the need to highlight human rights principles on employment.¹⁰¹

Health and medical services are an additional concern for refugees. While the Jordanian government allows refugees access to the public health care system, it is still expensive.¹⁰² There are no specialized services, no way to get fast appointments in public hospitable, and no emergency rooms available with reasonable prices. Sudanese and Somali refugees consistently complain that medical services are directed towards Iraqi refugees. Meanwhile, Iraqi refugees prefer Iraqi doctors because they fear discrimination otherwise.

Housing is an important need for refugees, and covering the rent and paying for utilities are major concerns. Rent disputes emerge as a recurring issue.

Iraqi refugees report difficulties assimilating to small living facilities, structurally diverse from those they occupied in their home country. Facilitating the elderly is also an issue. Somalis face a different problem: they often don't have rent contracts, and so are forced to the owner's demands, who raise the rent as much as they want.

Refugees in Jordan state that a lack of social and financial support from the government and NGOs is a problem. They believe that their resources are not being well spent on them, and that more money should be given to programs like job training.

Refugees state that legal protection for them is lacking. They face vague regulations in Jordan as to their status, and the lack of readiness in Jordan's political and legal spheres in accepting these refugees create problems. Some refugees don't trust legal organizations, as they think

the legal system is discriminating against them. In addition, some of them feel that if they disclosed information about their problems, it will be publicly shared and are afraid of threats from other parties and the stigma of shame.

Children in refugee communities complain of rampant discrimination in the Jordanian school system, which leads to some refugees dropping out of school.

Refugees also identify a need for education courses. For example, Somalis want English and computer courses, and to learn professions so that they can live in dignity in any country and gain skills required for hosting and potential resettlement countries. This was a point emphasized by paralegal and forty-eight-year-old Sudanese refugee Ali Ahmad, who said, “we need several courses like training on manual work, driving, teaching English to our children so they can socialize with the citizens of this country and the country we will be resettled in, learning Arabic language and many other courses.”

Lastly, refugees say they want more extracurricular activities for children and youth, as well as sociological trainings on how to deal with problems they are facing, how to integrate with new societies, and how to manage stress and anger.

(D) Planning for the Future: Refugee Destination Options

For refugees, planning for the future is a difficult task. Future plans are often reliant on the status of political conflicts, resettlement processes, and other circumstantial factors.

These facts strongly discourage some refugees, like Saeb Abdelqader, a forty-year old Iraqi refugee who was part of the Legal Aid paralegal panel. “Everyone is convinced that it’s going to be a long time, whether [it is] waiting [for] the Iraq situation to improve or [for] resettlement and permanent solutions. The time is wasted, and we are looking forward to the upcoming generations as everything for us has ended, and I don’t think we will be able to live a normal life again and we don’t want to deceive our selves with that dream. It’s over for us,” he said.

Because of the inherent difficulties refugees have in thinking about their future, it is worthwhile to examine the processes that affect their decision-making.

Where refugees end up settling, and in which countries they wish to reside, is dependent on various factors.

Instead of facing jail time or threats of deportation, as they do in the Gulf Arab states, many Somalis and Sudanese say that they will stay in Jordan.¹⁰³

Whereas Syria was once considered an attractive option for resettlement, the political crisis there has changed that calculus.

The vibrant civil society and high numbers of refugees makes Jordan a popular destination for resettlement because a network of people helps refugees’ access to health care and education. In addition, there exists an International Office for Migration, which refugees believe helps speed along the process of resettlement. However, there are negatives to attempting to resettle in Jordan: the cost of living is high, entry visas are restricted, costly fines exist for overstaying, jobs and work permits are limited, there are many regulations in terms of residency and legal transactions are complicated.

Refugee planning also differs based on demographics such as gender and age.

For men of working age, their priorities are more clear. If they are family providers, the main factor determining their movement is how it will affect their family and what their means of income would be. Many men told the Legal Aid panel that the planning process starts by collecting information on potential places to go. Many complain that there isn't official information in Arabic in a centralized place about the situation of different countries and regions in the same country, and so they depend on information they hear from relatives, friends and people who have had similar experiences. After collecting this information, they then compare their current situation to the one where they want to go. Economic stability is the most important factor in these choices. In addition, one priority is closeness to relatives and friends. There are also thoughts about their legal status in any potential new place.

Single men have a similar thought process, but are more willing to take risks. However, they recognize that many of these risks are dangerous and have heard many stories of men who were victims to trafficking as they attempted to go to countries for safe shelter and employment. In addition, they pay a lot of money to reach these countries, but don't find what they were promised and are often arrested or forced to work in poor conditions. Single men also dream of marriage and of settling down in a country that will ensure stability in a marriage. Others are keen on continuing their education, and look for countries where affordable universities will accept them. Elderly people have lived through many wars in Iraq and other countries, and so they do not have expectations for a stable life. Their main role is giving hope for youth and teaching them patience. Elderly people look for a place where they won't face problems with the authorities. They worry about the future, and wish to go back to their homes in the countries they came from. Barring return to their home country, resettlement in a new country is looked upon favorably.

Women live in perhaps the most difficult circumstances that make planning for the future tough. Some women, especially in the Somali community, are the heads of their household. Many women with husbands often follow their husband's decision. One of the main priorities for women thinking of where to go is in finding a place where they are respected and treated with honor and dignity. In addition, the existence of close relatives, or even government policies and civil society organizations that assist in establishing a stable life is a factor.

Women with families are, of course, concerned about their children, husband, parents and siblings. They want to try and minimize the burden on their shoulders and achieve a stable, secure life. Usually, they look for communities where they can socialize with other women from the same nationality, as it offers a place to talk to other women about their problems and have a support network outside of their families. In Jordan, women try to build their capacities in different sectors with the assistance of NGOs that offer training opportunities in a variety of fields so that they would be productive to their families and have a good source of income. Lastly, women tend less toward resettlement because they prefer to stay close to their parents. Children prefer what their families prefer. However, some of them said that they will miss their friends if they go to a different place, and worry about speaking different languages.

Prospects for return occupy a central place in refugees' thoughts and planning for the future. Waiting in the host country is painful for them, and refugees suffer from alienation in their new country and nostalgia for their own country. "We can't see the future, as we are here in Jordan. Somali Refugees would like to be resettled and build a new life, but it takes lots of time and the mystery causes for us many health problems from fatigue, depression and much more," said paralegal and fifty-five-year-old Somali refugee Abed Hassan.

Still, the situation in Somalia, Iraq and Sudan remains unstable, and is not conducive to large-scale return.

Somalis and Sudanese are more content with their current situation, because they believe it will be worse if they return to their home countries. For these communities, Jordan is the easiest in terms of living and they are at least guaranteed safety and dignity.

In sum, the information presented above on refugees' thoughts on country destinations shows the difficulty and obstacles refugees face and discuss when thinking about future living options.

(E) Resettlement: Dreams and Frustrations

The qualitative surveys conducted by the Legal Aid team indicate that prospects for resettlement are among the most important aspects of life that refugees think about. Local integration in Jordan is discouraged because of the "difficult economic, political, and social situation" in the country. Therefore, currently "the primary durable solution available for refugees in Jordan is resettlement."¹⁰⁴ In 2009, the last full year where comprehensive numbers are available, 5,622 refugees were resettled out of a total of 8,609 submissions.¹⁰⁵

Many refugees agree that resettlement is the best option, although there are variations in how they think about resettlements. "My goal is to have stability and resettlement in a third country, in order to build my own life, get married and help my family to live with dignity," said Hussein Hmoud, a Legal Aid paralegal and thirty-two-year-old Iraqi refugee.

Refugees think of each potential resettlement country differently, and it depends on the amount of aid they think they will receive. For example, they prefer European countries as well as Canada and Australia due to the financial assistance and the fact that English is spoken in many of these countries, as many refugees understand English. Some refugees do not look to the United States positively as an option as many believe they are the reason for the situation they are in.

For refugees, waiting for the resettlement decision is a terrible experience. They told Legal Aid researchers that feel that they are prisoners to the decision, and can't move until they hear of their acceptance or rejection. Some feel it's hard to start life from scratch in a new country, and prefer not to resettle unless they cannot return to their countries or obtain a secure life in the hosting country.

Prospects for residency and nationality status, assistance, shelter and hopes for a better education for their children are all factors in the decision to resettle. However, how resettlement affects the stability of families is also important. Resettlement has led to many divorce cases, rushes to marry and the suspension of education for children. The resettlement process is incredibly frustrating for refugees, and can lead to many irrational decisions. Refugees say there is no clear information and the most they have is rumors.

Legal Aid has summarized the main problems with the resettlement process that refugees say they have. These include: a lack of faith in the process and a lack of trust in the authorities who handle their cases; the lack of clarity on information from aid agencies; the longevity of the process; overestimation of the amount of aid refugees believe they will receive in their resettlement countries; not being able to learn the language of the resettlement country; frequent return after the first year in a resettlement country because of the difficulty of adjusting to life there and a lack of work opportunities; and, for Sudanese and Somalis, a perception that there is discrimination against them in the resettlement process.

CONCLUSION

The first hand accounts of refugees, coupled with scholarly research on the political and legal factors driving their struggles, further emphasize the dire need of the Jordanian government to implement—and in some cases reform—their national laws governing the rights of refugees.

Most striking is that Jordan's national legislation does not align with the international humanitarian framework for refugees—and in general, does not embrace concepts such as pro-bono aid and robust national procedural norms governing incidents of violence, such as domestic abuse, which is increasingly cited as problematic within communities of refugees. In addition there remains gaps in the rights refugees' need and the rights they receive, especially pertaining to employment and education.

The key findings of Legal Aid Jordan's team can be broken down into (1) legal issues; (2) needs of refugees; (3) ability of refugees to plan for the future; and (4) resettlement possibilities for refugees.

Legal Issues

- * Civil legal problems: Refugees struggle to maintain a legal existence in Jordan, attain proper residency status and avoid overstay fines; refugees struggle to find employment and secure work permits; refugees residing in Jordan also face housing issues.
- * Civil status legal problems: Parents' inability to provide proper legal documents leads to ambiguous legal standing of their children; marriage fines; marriage between male refugees and Jordanian women must be approved by the Ministry of Interior, in addition to a fine paid; poverty leads to an increase in divorce and instability between spouses
- * Administrative legal problems: The legal system lacks proper capacity to respond to the nature of refugees' needs and lacks specialization for refugee problems.
- * Jordan's national legislation does not align with international humanitarian framework for refugees.

Needs of Refugees

- * According to refugee accounts, their needs vary considerably, but one fundamental aspect remains consistent: adequate employment. While foreigners are allowed to work in Jordan, the process for attaining a work permit is complicated and lengthy, and the process deters refugees from seeking permits. Some refugees resort to working without permits. There needs to be more clarification of requirements and processes needed to obtain a work permit.
- * More importantly, securing refugees' fundamental right to employment—as protected by the 1951 United Nations Convention relating to the Status of Refugees—needs to be recognized by Jordan's government. Refugees' right to work should be emphasized and conveyed clearly.

Resettlement

- * The main problems with the resettlement process include: a lack of faith in the process and a lack of trust in the authorities who handle their cases; the lack of clarity on information from aid agencies; the longevity of the process; overestimation of the amount of aid refugees believe they will receive in their resettlement countries; not being able to learn the language of the resettlement country; frequent return after the first year in a resettlement country because of the difficulty of adjusting to life there and a lack of work opportunities; and, for Sudanese and Somalis, a perception that there is discrimination against them in the resettlement process.

Recommendations

- * Concrete national laws governing domestic violence must be created to address a growing number of issues that arise, especially within refugee communities.
- * Enforce accountability of all government departments presiding over refugee rights and ensure these respective departments are cooperating with the refugees' countries of origin.
- * As a member of the UN Convention on the Rights of the Child, Jordan must uphold its commitment within national court, even in the case of refugees.
- * Law and policy governing discrimination must be implemented to deal with the increased diversity in Jordanian society, coinciding with an increased documentation of incidents of discrimination, especially within the school system.
- * Pro-bono legal services should be systemized nationally, and refugee access promoted.
- * Education of refugees regarding the international obligations of host countries to meet basic needs of refugees should be promoted.
- * Refugee policy in Jordan should be constructed in such a way that facilitates the work of civil society organizations that advocate for legal protection and adherence to human rights standards for refugees.
- * Encourage research and study of the situation refugees face regionally in order to better develop informed policy based on direct interactions with refugees. This also allows an opportunity to provide refugees with information regarding their options and/or where they can seek better advice, allowing for more informed decisions.
- * Better education for personnel in the public and private sector is needed, especially in the health and education fields.
- * Shelters are needed for vulnerable refugees as well as more access to social services.

ENDNOTES

- 1 United Nations High Commissioner for Refugees, UNHCR Global Trends 2010 (Geneva: UNHCR 2010), 14, <http://www.unhcr.org/4dfa11499.html> (accessed September 19, 2011).
- 2 "Iraq Voices: In Amman, a cancer patient's struggle," World Bridge Blog: Refugees International, June 20, 2007 <http://www.refugeesinternational.org/blog/refugee-story/portrait-iraqi-refugee-amman-cancer-patient's-struggle> (accessed August 25, 2011).
- 3 Kenneth Bacon, "President's Corner: Obama's Speech and Displacement in the Muslim World," World Bridge Blog: Refugees International, August 10, 2011, <http://www.refugeesinternational.org/blog/president's-corner-obama's-speech-and-displacement-muslim-world> (accessed August 25, 2011).
- 4 Kristen Gillespie, "Palestinians in Limbo," The Jerusalem Report, March 19, 2007, 21.
- 5 "Country Profile: Iraq," Refugees International, <http://www.refugeesinternational.org/where-we-work/middle-east/iraq> (accessed August 22, 2011); "As Iraqi death toll escalates, 50,000 flee homes each month," The Irish Times, April 21, 2007, 13; "Analysis: Millions of Iraqis flee abroad to escape sectarian violence," BBC Monitoring Middle East, March 16, 2007.
- 6 Country Profile: Sudan," Refugees International, <http://www.refugeesinternational.org/where-we-work/africa/sudan> (accessed August 22, 2011). Refugees International.
- 7 "Afghanistan and Pakistan: Raise Voices for Civilian Protection," Refugees International, January 26, 2009, <http://refugeesinternational.org/policy/field-report/afghanistan-and-pakistan-raise-voices-civilian-protection> (accessed August 25, 2011).
- 8 Betsy Pisik, "Exodus from Iraq historic, U.N. says," The Washington Times, May 8, 2007, A16.
- 9 "Jordan's PM visits Palestinian camp, vows continued support for right of return," BBC Monitoring Middle East, April 7, 2006; "Some 1,000 Iraqis said to gather daily in Amman to apply for resettlement in US," BBC Monitoring Middle East, February 22, 2007; "Jordan's king views Palestinian Al-Baq'ah refugee camp, orders improvements," BBC Monitoring Middle East, February 12, 2007.
- 10 "UNHCR conference agrees on urgent need to help displaced Iraqis," BBC Monitoring Middle East, April 20, 2007.
- 11 "Islamic front warns of 'dubious' 'Jordan option' to solve Mideast conflict," BBC Monitoring Middle East, September 17, 2008; Mark Cutts, The State of the World's Refugees: Fifty Years of Humanitarian Action (Oxford University Press, 2000) http://books.google.com/books/about/The_state_of_the_world_s_refugees_2000.html?id=54Oe1WTfBfAC.
- 12 U.S. Library of Congress, Congressional Research Service, Iraqi Refugees and Internally Displaced Persons: A Deepening Humanitarian Crisis?, 6, Rhoda Mergesson, Andorra Bruno and Jeremy M. Sharp, Washington: The Service, 2009, <http://www.fas.org/sgp/crs/mideast/RL33936.pdf> (accessed September 4, 2011).
- 13 Sabrina Tavernise, "Well-Off Fleeing Iraq Find Poverty and Pain in Jordan," New York Times, August 10, 2007, <http://www.nytimes.com/2007/08/10/world/middleeast/10refugees.html?ref=iraqirefugees> (accessed September 4, 2011).
- 14 Ben Lando, "Refugees in Jordan wait out violence; Many remain in 'legal limbo,'" The Washington Times, June 10, 2008, A01.
- 15 United Nations High Commissioner for Refugees, "2011 UNHCR Country Operations Profile - Jordan," United Nations High Commissioner for Refugees, <http://www.unhcr.org/cgi-bin/txis/vtx/page?page=49e486566> (accessed August 12, 2011).
- 16 Tom A. Peter, "Iraqi refugees spill into Jordan, driving up prices," Christian Science Monitor, November 29, 2006, 4; Kelly Hearn, "Refugees rise with food costs; Syria, Jordan struggle with huge influx of Iraqis

- war," The Washington Times, April 30, 2008, A12.
- 17 "Iraqi refugees, increased burden on Jordan," BBC Monitoring Middle East, February 12, 2007; "UNRWA teachers protest in Jordan as agency battles budget deficit," BBC Monitoring Middle East, August 6, 2009; "Jordanian spokesman on refugees, economic issues, local elections," BBC Monitoring Middle East, April 14, 2006; "Prime minister rejects 'all forms of settlement' of refugees in Jordan," BBC Monitoring Middle East, June 21, 2005; "Jordan government spokeswoman: Refugee transfer temporary, humanitarian step," BBC Monitoring Middle East, June 2, 2005; "Jordanian minister, UNHCR official agree on need to find solution to refugees," BBC Monitoring Middle East, May 16, 2005; "Jordanian minister urges solution to Iraqi refugees' crisis," BBC Monitoring Middle East, April 20, 2005; "Jordan offers stranded Iranian Kurds aid but not asylum" BBC Monitoring Middle East, February 13, 2005; Tom Vanden Brook, "Gates travels to Jordan, seeking support on Iraq; War refugees are likely to be an issue during visit," USA Today, April 17, 2007, Pg. 14A; Mohammad Ben Hussein, "Thirsty Jordan will struggle for water this summer," The Jerusalem Post, April 15, 2008; "Iraqi refugees face 'difficult' conditions in Jordan, Al-Arabiya TV, April 9, 2008.
- 18 "Some 7,000 UN workers in Jordan hold strike to demand higher salaries," BBC Monitoring Middle East, April 21, 2009.
- 19 Nicholas Seeley, "Why millions in US aid may help few Iraqi refugees in the end," Christian Science Monitor, January 3, 2011, <http://www.csmonitor.com/World/Middle-East/2011/0103/Why-millions-in-US-aid-may-help-few-Iraqi-refugees-in-the-end> (accessed September 2, 2011).
- 20 "Jordan 'deserves more help' with caring for Iraqi refugees - UN official" BBC Monitoring Middle East February 13, 2008, <http://www.refintl.org/policy/field-report/iraqs-displaced-stable-region-requires-stable-assistance>; "UN suspends work in refugee camp on Jordanian-Iraqi border" BBC Summary of World Broadcasts, November 1, 2004; Peter Pophamin Rome, "UN calls on the West to aid four million Iraqi refugees," The Independent (London), April 18, 2007; "Al-Jazeera TV talk show discusses Iraqi refugees in Jordan, Syria," BBC Monitoring Middle East, April 12, 2007; "Jordanian paper reports on number, status of Iraqi refugees," BBC Monitoring Middle East, February 7, 2007; David Enders, "U.N. funds for Iraqi refugees decimated," The Washington Times, December 18, 2006, A01; Sudarsan Raghavan, "U.N. Decries Neglect of Iraqi Refugees; Increased Support Urged for Leading Host Countries Syria and Jordan," The Washington Post, July 7, 2007, A11; Walter Pincus, "Iraq's Slow Refugee Funding Has Ripple Effect; U.N. Says It May Scale Back Its Effort; Some Nations Have Withheld Payments," The Washington Post, May 17, 2008, A12; Julien Barnes-Dacey, "Iraq refugees face dwindling UN funds, creating concerns of unrest," Christian Science Monitor, November 19, 2009.
- 21 Steven Edwards, "World must aid Iraqi refugees: conference; Largest Mideast Exodus Since Israel's Creation, UN Says," National Post (Canada), July 27, 2007, A16; Sudarsan Raghavan, "War in Iraq Propelling A Massive Migration; Wave Creates Tension Across the Middle East," The Washington Post, February 4, 2007, A01; Roger Cohen, "Iraq exodus revives region's refugee trauma," The International Herald Tribune, April 21, 2007, 2, 1060 words; Peter Popham, "UN calls on the West to aid four million Iraqi refugees," The Independent (London), April 18, 2007; Gareth Harding, "Cabbies wait in vain for fares to Jordan; Kingdom puts brakes on Iraqi refugees," The Washington Times, April 18, 2007, A17; Lyse Doucet, "Mideast facing Iraq refugee crisis; Jordan, Syria are home to millions fleeing relentless violence at home," The Toronto Star, April 2, 2007, A13; "UNHCR calls attention to plight of Iraqi refugees - Al-Jazeera TV," BBC Monitoring Middle East, February 8, 2007; Bill Frelick, "Scant refuge in Jordan," International Herald Tribune, December 1, 2006, 9; "Germany to accept 500 Iraqi refugees from Jordan," BBC Monitoring Middle East, March 13, 2009.
- 22 Human Rights Watch, Flight From Iraq: Attacks on Refugees and Other Foreigners and Their Treatment in Jordan (New York: Human Rights Watch 2003), 13, <http://www.hrw.org/en/reports/2003/05/09/flight-iraq-0>; "Iraqis in Jordan welcome government decision to waive fines," BBC Monitoring Middle East, February 15, 2008; "Palestinian minister criticizes Jordan for deporting refugees to Canada," BBC Monitoring Middle East,

- October 18, 2006; "Iranian Kurdish refugees on Jordan-Iraq border go on hunger strike," BBC Monitoring Middle East, June 21, 2006; Ilene R. Prusher, "Foreign refuge often eludes young Iraqi men" Christian Science Monitor, March 20, 2007, 6; "Officials deny Palestinian president's proposal to settle refugees in Jordan," BBC Monitoring Middle East, September 19, 2008.
- 23 "Jordanian minister says Iraqis 'guests,' not refugees," BBC Monitoring Middle East - Political Supplied, May 15, 2007; "Jordan says Iraqis in kingdom are 'guests,' criticizes UNHCR," April 6, 2007; "Iraqi envoy says Iraqis in Jordan temporarily, not refugees – paper," BBC Monitoring Middle East, April 2, 2007.
- 24 David Charter, "UN pleads for world to help Iraqis trying to flee violence," The Times (London), April 18, 2007, 36; "Iraq's Refugees; They are fleeing their homes at the rate of 50,000 a month, and they need help," The Washington Post, January 22, 2007, A18; Ann Scott Tyson, "Iraqi Refugee Crisis Seen Deepening; Help for Displaced Urged at Hearing Of Judiciary Panel," The Washington Post, January 17, 2007, A04; Lives in limbo; Suha Philip Ma'ayeh, "1.8 million Iraqis have fled their country but struggle to find acceptance in Jordan and Syria," The Straits Times (Singapore), January 8, 2007; Sabrina Tavernise and David Rohde, "Few Iraqis Reach Safe U.S. Havens Despite Program," The New York Times, August 29, 2007, 6; "Jordanian minister, US official view impact of Iraqi refugees," BBC Monitoring Middle East, August 27, 2007.
- 25 "Plight of the refugees," The Sunday Times (London), March 25, 2007, 20; David Charter, "UN pleads for world to help Iraqis trying to flee violence," The Times (London), April 18, 2007; Trudy Rubin, "Test of tolerance; Iraq's attitude toward exiled Sunnis will show whether it can heal old wounds," The Gazette (Montreal), March 13, 2010, B7; Trudy Rubin, "Worldview: The Iraqi refugee question; The country's future depends on the fate of those who fled earlier sectarian violence," Philadelphia Inquirer, March 11, 2010, A17; Dale Gavlak, "Iraqi refugees still slow to return; Thousands who fled to Jordan, Syria remain fearful," The Washington Times, April 16, 2009, B01.
- 26 "Al-Jazeera interviews Iraqi refugees living in Egypt, Syria Jordan," BBC Monitoring Middle East, January 16, 2008; "Jordan Refugees Live in Despair," Al Jazeera English, Accessed via youtube, www.youtube.com/watch?v=7wYftWY5hOM; "TV programme discusses plight of Iraqi refugees in Jordan, Syria," BBC Monitoring Middle East, February 12, 2007.
- 27 United Nations, "Universal Declaration of Human Rights," United Nations, <http://www.un.org/en/documents/udhr/> (accessed July 28, 2011). Article thirteen of the UDHR reads: "Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country." Article fourteen of the declaration states: "Everyone has the right to seek and to enjoy in other countries asylum from persecution."
- 28 Statute of the Office of the United Nations High Commissioner for Refugees, GA Res. 428(V), December 14, 1950.
- 29 United Nations High Commissioner for Refugees, "About Us," United Nations, <http://www.unhcr.org/pages/49c3646c2.html> (accessed August 29, 2011).
United Nations High Commissioner for Refugees, "Ensuring Protection for People of Concern," United Nations, <http://www.unhcr.org/4dfdbf36a.html> (accessed August 7, 2011).
- 30 United Nations High Commissioner for Refugees, "Assistance," United Nations, <http://www.unhcr.org/pages/49c3646cd4.html> (accessed August 29, 2011).
- 31 United Nations High Commissioner for Refugees, "Millennium Development Goals," United Nations, <http://www.unhcr.org/pages/49e5a9e56.html> (accessed August 29, 2011).
- 32 United Nations, "Convention relating to the Status of Refugees," Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/law/refugees.htm> (accessed August 3, 2011).
- 33 United Nations, "Protocol Relating to the Status of Refugees," Office of the High Commissioner for Human Rights, <http://www2.ohchr.org/english/law/pdf/protocolrefugees.pdf> (accessed August 5, 2011).
- 34 United Nations High Commissioner for Refugees, "Interpreting Article 1 of the 1951 Convention Relating

- to the Status of Refugees,” UN High Commissioner for Refugees, <http://www.unhcr.org/refworld/docid/3b20a3914.html> (accessed August 17 2011)
- 35 United Nations, “International Covenant on Civil and Political Rights,” Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/law/ccpr.htm>, (accessed August 17, 2011).
- 36 United Nations Treaty Collection, “International Covenant on Civil and Political Rights,” United Nations, http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en (accessed August 17 2011).
- 37 Santhosh Persaud, UN High Commissioner for Refugees, “Protecting refugees and asylum seekers under the International Covenant on Civil and Political Rights,” UN High Commissioner for Refugees <http://www.unhcr.org/4552f0d82.pdf> (accessed August 17 2011).
- 38 Ruma Mandal, UN High Commissioner for Refugees, “Protection Mechanisms Outside of the 1951 Convention (‘Complementary Protection’),” UN High Commissioner for Refugees www.unhcr.org/refworld/pdfid/435e198d4.pdf (accessed August 20, 2011).
- 39 Forced Migration Online, University of Oxford Refugee Studies Centre, “What is Forced Migration?” <http://www.forcedmigration.org/whatisfm.htm> (accessed August 17 2011).
- 40 Kelly O’Donnell and Kathleen Newland, Migration Policy Institute, “The Iraqi Refugee Crisis: The Need for Action.” (accessed August 20, 2011).
- 41 Mohamed Y Olwan, “Iraqi Refugees in Jordan: Legal Perspective,” CARIM AS 22 (2009), http://cadmus.eui.eu/bitstream/handle/1814/11253/CARIM_A%26SN_2009_22REV.pdf?sequence=3.
- 42 Harriet Dodd, “Iraqi Refugees in Jordan: The Challenges of Providing Assistance in an Opaque Environment,” Middle East Institute, December 1, 2010, http://www.refugeecooperation.org/publications/Iraq/04_dodd.php (accessed August 31, 2011).
- 43 Human Rights Watch, Iraq: From a Flood to a Trickle: Neighboring States Stop Iraqis Fleeing War and Persecution (New York: Human Rights Watch 2007), <http://www.hrw.org/legacy/backgrounder/refugees/iraq0407/iraq0407.pdf> (accessed August 20, 2011).
- 44 Amy Henderson, “Rights group urges government to respect Jordan’s treaty obligations,” Jordan Times, March 18, 1999, <http://www.jordanembassyus.org/031899007.htm> (accessed August 31, 2011).
- 45 Santhosh Persaud, UN High Commissioner for Refugees, “Protecting refugees and asylum seekers under the International Covenant on Civil and Political Rights,”
- 46 Amy Henderson, “Jordan-UNHCR agreement on refugees signed in lieu of international treaties,” Jordan Times, April 15, 1998, <http://www.jordanembassyus.org/041598004.htm> (accessed August 11, 2011).
- 47 M. R. Alborzi, Evaluating the Effectiveness of International Refugee Law: The Protection of Iraqi Refugees (Brill Academic Publications, 2007), 60.
- 48 Human Rights Watch, “The Silent Treatment: Fleeing Iraq, Surviving in Jordan.” <http://www.hrw.org/sites/default/files/reports/jordan1106webwcover.pdf> (accessed August 11, 2011).
- 49 Patricia Weiss Fagen, “Iraqi Refugees: Seeking Stability in Syria and Jordan,” Georgetown University Institute for the Study of International Migration, <http://www12.georgetown.edu/sfs/isim/Publications/PatPubs/Iraqi%20Refugees.pdf> (accessed August 11, 2011).
- 50 International Crisis Group, Failed Responsibility: Iraqi Refugees in Syria, Jordan and Lebanon (Brussels 2008), 10, http://www.crisisgroup.org/~/media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq_ailed_responsibility__iraqi_refugees_in_syria__jordan_and_lebanon.pdf (accessed September 2, 2011).
- 51 Anna Husarska, “The Plight of Iraqi Refugees,” International Rescue Committee. <http://www.rescue.org/written-testimony-plight-iraqi-refugees> (accessed August 13, 2011).
- 52 United Nations High Commissioner for Refugees, “2011 UNHCR Country Operations Profile - Jordan,” United Nations High Commissioner for Refugees, <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e486566>

- (accessed August 12, 2011).
- 53 Monique Ross, "Understanding the asylum seeker debate," Australian Broadcasting Corporation, May 18, 2011, <http://www.abc.net.au/news/2011-05-18/understanding-the-asylum-seeker-debate/2718820> (accessed August 31, 2011).
- 54 Olwan, "Iraqi Refugees in Jordan: Legal Perspective."
- 55 United Nations Relief and Works Agency, "Jordan Camp Profiles," United Nations Relief and Works Agency, <http://www.unrwa.org/etemplate.php?id=100> (accessed August 13, 2011).
- 56 United Nations Relief and Works Agency, "Statistics, Jordan," United Nations Relief and Works Agency, <http://www.unrwa.org/etemplate.php?id=253> (accessed August 12, 2011); United Nations Relief and Works Agency, "Total Registered Refugees Per Country and Area," United Nations Relief and Works Agency, http://www.unrwa.org/userfiles/rr_countryandarea.pdf (accessed August 12, 2011).
- 57 BADIL Resource Center for Palestinian Residency and Refugee Rights, Survey of Palestinian Refugees and IDPs (2008-2009) (Ramallah: BADIL 2009), 72.
- 58 United Nations Relief and Works Agency, "Jordan Camp Profiles."
- 59 Ibid.
- 60 Oroub Al Abed, "Palestinian refugees in Jordan," Forced Migration Online, University of Oxford Refugee Studies Centre, <http://www.forcedmigration.org/guides/fmo025/fmo025.pdf> (accessed August 14, 2011).
- 61 United Nations Relief and Works Agency, "Jordan Camp Profiles."
- 62 Ibid.
- 63 Toufic Haddad, "Palestinian Forced Displacement from Kuwait: The Overdue Accounting," Al Majdal, Summer-Autumn 2010, <http://www.badil.org/en/al-majdal/item/1514-art07>, (accessed August 14, 2011).
- 64 Ghada Hashem Talhami, Palestinian refugees: pawns to political actors, (New York: Nova Publishers, 2003), 121, http://books.google.com/books?id=n8LsPA3mTBYC&dq=palestinians+refugees+from+kuwait+impact+on+jordan&source=gbs_navlinks_s (accessed August 20, 2011).
- 65 U.S. Department of State, "Iraqi Refugee Resettlement," U.S. Department of State, <http://www.state.gov/g/prm/c25771.htm> (accessed August 12, 2011); United Nations High Commission for Refugees, "2011 UNHCR Country Operations Profile - Jordan," United Nations High Commission for Refugees, <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e486566> (accessed August 12, 2011).
- 66 Said Abdullah, United Nations High Commissioner for Refugees, e-mail message to Legal Aid, August 28, 2011.
- 67 International Rescue Committee, A Tough Road Home: Uprooted Iraqis in Jordan, Syria and Iraq (February 2010), 13, http://www.theirc.org/sites/default/files/resource-file/IRC_Report_02_18_ToughRoad.pdf (accessed September 2, 2011).
- 68 Norwegian Research Institute Fafo, Iraqis in Jordan: Their Number and Characteristics (2007), 15.
- 69 Ibid., 5.
- 70 United Nations News Service, "Iraqi refugees regret returning home, UN agency finds," United Nations, October 19, 2010, <http://www.unhcr.org/refworld/docid/4cc51ce41e.html> (accessed August 31, 2011).
- 71 United Nations News Service, "Iraqi refugees regret returning home, UN agency finds," United Nations, October 19, 2010, <http://www.unhcr.org/refworld/docid/4cc51ce41e.html> (accessed August 31, 2011).
- 72 United Nations High Commissioner for Refugees, "2011 UNHCR Country Operations Profile – Jordan."
- 73 Amnesty International, Amnesty International Annual Report: Jordan, <http://www.amnesty.org/en/region/jordan/report-2009>
- 74 International Crisis Group, Failed Responsibility: Iraqi Refugees in Syria, Jordan and Lebanon (Brussels 2008), 10.
- 75 United States Institute of Peace, Jordan and Iraq: Between Cooperation and Crisis (Washington DC: USIP 2006), 10.
- 76 Scott Harding and Kathryn Libal, "The Politics of Refugee Advocacy and Humanitarian Assistance,"

- Middle East Report, Fall 2007, <http://www.merip.org/mer/mer244/politics-refugee-advocacy-humanitarian-assistance>, (accessed August 14, 2011).
- 77 Human Rights Watch, Flight From Iraq: Attacks on Refugees and Other Foreigners and Their Treatment in Jordan, 11.
- 78 Robert Worth, "Blast at Shiite Shrine Sets Off Sectarian Fury in Iraq," *New York Times*, February 22, 2006, <http://www.nytimes.com/2006/02/23/world/23iraq.html?ref=alaskarishrine>, (accessed August 14, 2011).
- 79 Vanessa Parra, "Iraqi Refugees: Two Years After Samarra," *World Bridge Blog* (Refugees International), <http://www.refugeesinternational.org/blog/iraqi-refugees-two-years-after-samarra>, (accessed August 14, 2011).
- 80 Said Abdullah, United Nations High Commissioner for Refugees, e-mail message to Legal Aid, August 28, 2011.
- 81 Said Abdullah, United Nations High Commissioner for Refugees, e-mail message to Legal Aid, August 28, 2011.
- 82 Noel Calhoun, United Nations High Commissioner for Refugees, *With a little help from our friends: a participatory assessment of social capital among refugees in Jordan* (Amman 2010), 20.
- 83 United Nations High Commissioner for Refugees, "2011 UNHCR country operations profile – Somalia," United Nations High Commissioner for Refugees, <http://www.unhcr.org/pages/49e483ad6.html#> (accessed August 25, 2011).
- 84 Taylor Luck, "Jabal Amman's invisible residents' wait for better days," *Jordan Times*, April 10, 2011, <http://jordantimes.com/index.php?news=36330>, (accessed August 20, 2011).
- 85 "Quick Guide: Somalia's Islamists," *BBC News*, December 28, 2006, <http://news.bbc.co.uk/2/hi/africa/6043764.stm>, (accessed August 25, 2011).
- 86 "Somalia country profile," *BBC News*, http://news.bbc.co.uk/2/hi/africa/country_profiles/1072592.stm, (accessed August 25, 2011).
- 87 Said Abdullah, United Nations High Commissioner for Refugees, e-mail message to Legal Aid, August 28, 2011.
- 88 Noel Calhoun, United Nations High Commissioner for Refugees.
- 89 United Nations High Commissioner for Refugees, "2011 Country Operations Profile – Sudan," United Nations High Commissioner for Refugees, <http://www.unhcr.org/pages/49e483b76.html>, (accessed August 25, 2011).
- 90 United Nations High Commissioner for Refugees, "2011 UNHCR Country Operations Profile – Jordan."
- 91 Jordanian Ministry of Planning and International Cooperation, *Hosting Iraqis in Jordan* (May 2011).
- 92 Ibid.
- 93 Ibid.
- 94 Cultural Orientation Research Center, Center for Applied Linguistics, *Profile: Refugees from Iraq* (2008), 3, http://www.cal.org/co/overseas/Iraqis/Iraqi_program_highlight.pdf (accessed September 23, 2011).
- 95 Nippon International Cooperation for Community Development, "Psychosocial support for Iraqi Refugees in Jordan," <http://www.kyoto-nicco.org/english/project/jordan/information/support-for-iraqi-refugee.html> (accessed September 23, 2011).
- 96 Refugees International, "Iraq," <http://www.refintl.org/where-we-work/middle-east/iraq> (accessed September 23, 2011).
- 97 Reliefweb, "Jordan: Increased domestic violence among Iraqi refugees - IOM report," <http://reliefweb.int/node/263678> (accessed September 23, 2011).
- 98 Amnesty International, *Amnesty International Annual Report: Jordan*, <http://www.amnesty.org/en/region/jordan/report-2009>
- 99 "Pro bono profile: Jordan," *TrustLaw*, November 2008, <http://www.trust.org/trustlaw/country-profiles/pro-bono.dot?id=a3ac5e60-ea33-4cd5-8619-5380bc3d7648> (accessed September 5, 2011).
- 100 Central Intelligence Agency, *The World Factbook* (2011), <https://www.cia.gov/library/publications/the-world-factbook/fields/2129.html>, (accessed August 23, 2011).
- 101 Legal Aid, *Refugees' Work Permits' Situation in Jordan*, (Amman: Legal Aid 2011).

- 102 United Nations High Commissioner for Refugees, 2008 Annual Report: Middle East and North Africa, 234, <http://www.unhcr.org/4b506ed29.pdf> (accessed September 5, 2011).
- 103 United Nations High Commissioner for Refugees, "As fighting escalates in Mogadishu, deportations to the capital continues," July 30, 2010, <http://www.unhcr.org/4c5296609.html> (accessed September 5, 2011).
- 104 United Nations High Commissioner for Refugees, "UNHCR Jordan Fact—July 2010," Amman, Jordan.
- 105 Ibid.

MAPPING REFUGEE MINDS

A REPORT FROM JORDAN

SEPTEMBER 2011



www.legalaid-jo.net

