

Recent Development and Main Challenges of Yemeni Refugees Situation in Jordan

(Legal Paper)



(Photo of a Yemeni Refugee Child at ARDD child safe space, Amman office © 2018)

Aug 2018

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➤ Introduction

In completion of the follow up by Arab Renaissance for Democracy & Development (ARDD) for observing the recent developments in respect of the decisions and procedures recently made with regard to the Yemeni nationals, ARDD has made this 2nd Paper to clarify these developments in relation to the Yemeni nationals' entry to and residence conditions in Jordan. The Paper also presents the top legal challenges faced by Yemeni refugees in Jordan through ARDD's experience in provision of various legal services to the Yemeni refugees. Through these papers, ARDD hopes to increase and raise the legal awareness of such procedures in order to avoid exposure to legal issues or commitment of mistakes in the enforcement and to refute the wrong information. Consequently, it is necessary to say that such decisions and procedures may be altered from time to time; therefore, observation and inquiry from the relevant government authorities are needed.

It is worth mentioning that in 2016, ARDD issued the 1st Paper in which it stated the decisions made by the government authorities in relation to the Yemeni nationals in Jordan. That Paper included a statement of numerous procedures and decisions made for letting the Yemenis in the Kingdom and during their presence therein.¹ (To review the Paper issued by ARDD, please click on the below link).

➤ First: Official procedures and decisions

a) Entry to Jordan:

In the beginning of 2016, the Government of Jordan made a decision to consider the Yemeni nationality among the restricted nationalities, which requires the Yemeni nationals to obtain a visa prior to entry to Jordan and to be sponsored by a Jordanian citizen. In addition, their stay on a Jordanian soil requires them to obtain a permanent residency permission following the expiry of their temporary one. In the past, Yemeni nationality had been unrestricted, but now as it is a restricted nationality, they Yemeni nationals are subject to the Residency & Foreign Affairs Law with regard to their residence terms and entry to Jordan. Therefore, prior to coming to Jordan, a Yemeni national is required to obtain an entry visa / prior consent form the governmental authorities of Jordan or embassies of the Kingdom, as well as a guarantee of a Jordanian sponsor. Such entry is required to be for the purposes of medical treatment, study, relatives visit, conference attendance or a participation in a workshop. Prior consent is waived for Yemeni nationals residing in the Gulf Council Countries, Europe, United

¹ Information related to the Yemeni and Libyan nationals, ARDD – Legal Aid
https://ar-dd-jo.org/sites/default/files/resource-files/information_to_yemeni_libyan_nationals_ar.pdf

States, Australia and Canada provided they have a residence permission in one of the said countries valid for no less than six months to be able to obtain an on arrival visa at the official border entry points. Should they have no valid residence as mentioned above, they will not benefit from this waiver and they would have to obtain a prior consent.

In the beginning of 2018, the Yemeni nationals entry to Jordan was suspended save for specific cases, which is medical treatment only. This came together with other decisions made by the Cabinet of Ministers in relation to the entry of Yemenis to Jordan. These decisions were made following a number of meetings held for Yemeni-Jordanian officials with regard to the visas of patients and their escorts for entry to Jordan in accordance with four items as follows:

1. To allow the patients and their escorts to enter into the Kingdom through applications made by a hospital to the Ministry of Interior to obtain visa for patients and their escorts, provided their transactions are processed within two business days except in emergencies, which are labeled as contingent cases to be given a visa on the same day. In such a case, a hospital is required to provide a financial guarantee of JOD 10.000 to ensure its compliance with the relevant instructions, and the hospital is given the authority to receive the patients and their escorts at the airport.
2. The patients and their escorts will be allowed to enter using an authorization given by ambassadors of Jordan in the restricted countries to the patient and his/her escorts after the medical reports are reviewed, and the visa will be given within 48 hours.
3. Prior visa requirement is waived for men over 50-year old, children below 15-year old and women of any age. Patients who legally entered into Jordan in the past and received medical services then left the Kingdom within the legal period and need to return to follow up their treatment or to receive new medical services are also relieved of prior visa requirement.
4. The restricted countries' citizens residing in other countries are treated as the citizens of the countries in which they reside provided they are provide an evidence of their residence in such a country.

These decisions were published by several news sites, which was confirmed to ARDD by the Ministry of Interior. It was made sure that all kinds of visas of entry to Jordan were

suspended except for treatment cases provided the application is made by the hospitals and certified official medical reports are attached thereto.²

These decisions were made to ease the entry of the Yemenis coming from Yemen to Jordan for treatment. The procedures were made easier by requiring the visa application to be made directly by the hospitals. The overall decisions also relieve the men above 50-year old, children below 15-year old and women of any age are relieved of the visa requirement. In addition, patients who legally entered into Jordan in the past and received medical services then left the Kingdom within the legal period and need to return to follow up their treatment or to receive new medical services are also relieved of prior visa requirement.

It is noticeable that the changes made to the decisions made between 2016 and 2018 is that the entry visa to Jordan is only for treatment purposes. However, people above 50-year old, women and children regardless of their age category may enter into Jordan with no visa, which means specific types of visas are currently restricted and limited to one type only. At the same time, it is not conditional for men above 50-year old or women and children of all ages. This is a significant step made by the authorities for making it easier for Yemeni nationals.

On the other hand, any Yemeni national living in a country other than Yemen and holds a permanent residence in that country he will be subject to the terms and conditions agreed by and between that country. For example, if a Yemeni national has a residence permit in one of the Gulf Council Countries, he will not need a prior entry visa because he will be treated like the citizens of the Gulf Council Countries.

b) With respect to residence in Jordan:

With regard to residence, since the decisions made in 2016 and considering the Yemeni nationality restricted, nothing has changed regarding the residence requirements until the date hereof. Every Yemeni national residing in Jordan is required to obtain a residence permit in accordance with the Residence & Foreigner Affairs Law (for further information about the residence conditions, please refer to the Paper prepared by ARDD). It is worth mentioning that in case of violation of the Law, there will be legal consequences. If any Yemeni national is caught in violation of the Law, he may be arrested and released (through a Jordanian sponsor) in return of rectifying his status

² for revision of decisions made by the Prime Ministry, see the below linked report of Ammon News

<https://www.khaberni.com/news/%D8%AA%D8%B3%D9%87%D9%8A%D9%84%D8%A7%D8%AA-%D8%A7%D8%B1%D8%AF%D9%86%D9%8A%D8%A9-%D9%84%D8%AF%D8%AE%D9%88%D9%84-%D8%A7%D9%84%D9%8A%D9%85%D9%86%D9%8A%D9%8A%D9%86-224944>

within a certain period of time and a payment of the fines incurred by him; leaving the country; or obtaining an annual residence permit; otherwise, a decision may be made to deport him. A person who was deported in the past would not be allowed to return, as the fines payable by him are suspended for the purpose of enforcing the deportation decision.

Concerning the procedures mentioned above in terms of the deportation decisions in case of a violation of the Residence & Foreigner Affairs Law, it is also important to say that such procedures are not applicable if the persons in question are protected by the UNHCR, whether he is an asylum seeker or a refugee. Those persons are excluded of such procedures under the Memorandum of Understanding signed between the Government of Jordan and the UNHCR and under the international covenants ratified by the Government of Jordan in compliance with the principles of no expel or rejection.

➤ **Second: Statistics of Yemeni community in Jordan.**

a) Official statistics:

The Yemeni nationals residing in Jordan are 27106 according to a statement made by Dr. Raed Al Adwan, the General Secretary of Ministry of Interior, in a Parliamentary session held in March 2018 in response to a question asked by the Representatives.³ The same was confirmed by the Embassy of Yemen in Amman in relation to the statistics of the Yemeni community in Jordan until the date of this document through an official source when ARDD contacted the Embassy.

b) Statistics of individuals registered with the UNHCR:

As for the number of Yemeni nationals registered with the UNHCR, whether they are asylum seekers or refugees according to the latest statistics⁴ announced by the UNHCR Office in Jordan in August, they are 12194 registered Yemenis out of total 27106 Yemenis residing in Jordan, which makes them 41%.

According to the statistics issued by the UNHCR, 79.09% of these Yemenis live in the capital city of Amman. Apart from the Syrian refugees, the Yemeni refugees registered with the UNHCR are the second largest group of refugees after the Iraqis living in Jordan, as there are 66971 Iraqi refugees. The Syrian refugees in Jordan registered with the UNHCR are around 669532 according to the latest statistics issued by the UNHCR in August 2018. This means the Yemeni refugees are the third largest group of people living in Jordan after the Syrians and Iraqis.

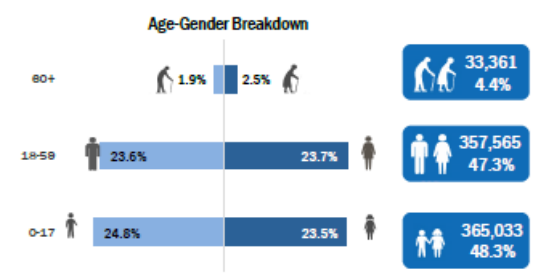
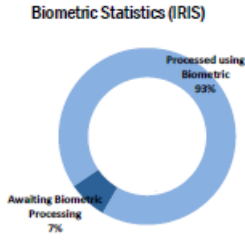
³ Ammon News Website <https://www.ammonnews.net/article/359601>

⁴ UNHCR website – statistics of August 2018 <https://data2.unhcr.org/en/documents/download/65323>

Registered Persons Of Concern Refugees and Asylum Seekers in Jordan 15 August 2018 UNHCR The UN Refugee Agency

Total Active Registered Persons Of Concern **755,959**

Urban **629,469** **83.3%** **Camps** **126,490** **16.7%**



Standard Age and Gender

Age	0-4	5-11	12-17	18-35	36-59	60+	Total	%
Female	52,075	76,784	48,548	110,084	68,882	19,038	375,383	48.7%
Male	55,273	81,289	51,083	114,251	84,358	14,322	380,576	50.3%
Total	107,348	158,053	99,632	224,345	133,220	33,361	755,959	100%

Origion Country*

Country	Count	%
SYR	669,532	88.6%
IRQ	68,871	9.1%
YEM	12,184	1.6%
SUD	4,708	0.6%
SOM	813	0.1%
Other**	1,741	0.2%

Specific Needs

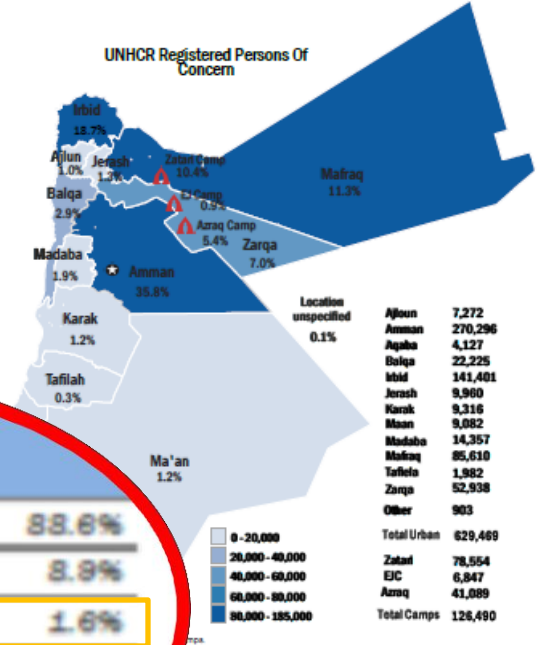
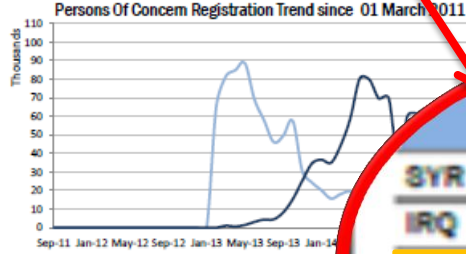
Need	Count	%
Serious medical condition	63,789	8.4%
Child at risk	43,128	6.7%
Specific legal and physical protection needs	38,408	4.8%
Disability	25,884	3.4%
Single parent	21,221	2.8%
Woman at risk	17,982	2.4%
Older person at risk	7,180	0.9%
Unaccompanied or separated child	3,429	0.6%
Individuals with Specific Needs	180,824	21.3%
Total	218,600	28.9%

Arrivals

Year	Count	%
Pre-2011	28,888	3.6%
2011	25,238	3.3%
2012	188,315	22.0%
2013	278,843	37.0%
2014	82,289	10.8%
2015	28,585	3.6%
2016	35,938	4.8%
2017	10,749	1.4%
2018	4,482	0.6%

Registration Trend

Year	Count	%
2011	10,888	1.0%
2012	134,980	11.7%
2013	875,232	68.6%
2014	145,743	12.6%
2015	55,248	4.8%
2016	87,721	8.9%
2017	41,338	3.6%
2018	23,820	2.1%



Origion Country*

Country	Count	%
SYR	669,532	88.6%
IRQ	68,871	9.1%
YEM	12,184	1.6%
SUD	4,708	0.6%
SOM	813	0.1%
Other**	1,741	0.2%

(Statistics issued by the UNHCR for all concerned persons registered therewith – 15 Aug 2018)

➤ **Third: Services provided by ARDD to the Yemenis in Jordan**

Through its various departments, especially the Aid Department of its both psychological and social divisions, ARDD provides numerous services to the refugees through its partnership with the UNHCR considering it is the legal executive partner of UNHCR. Such services include consultations, legal mediation, legal representation before courts in the Kingdom, and holding legal awareness workshops in various legal topics, as well as other services such as referral to different entities and provision of psychological and social support to the Yemenis residing in Jordan.

The Yemeni refugees who referred to ARDD's offices and received various legal services since the beginning of 2018 until the end of August were 157, 98 of whom are men while the women were 59.

With respect to the legal awareness workshops, three of them were held for the Yemenis in July and August of 2018, and the total number of attendants was 125 beneficiaries of both genders, 82% of whom were women and 18% were men. The above mentioned numbers and percentages show that Yemeni women interest in attending the legal awareness workshops, which indicates their high interest in increasing their legal knowledge and capability, and the same goes for the Yemeni men.

➤ **Fourth: Analysis of the top challenges faced by Yemenis living in Jordan**

The Yemenis are facing many legal challenges most of which are related to the accumulation of residence fines and legal issues in relation to the labor sector in terms of failure to get paid and inability to obtain a work permit due to the nature of available jobs, blocked jobs, fees and conditions.

Furthermore, the top challenges and legal issues they have include the failure to pay their house rents due to lack of financial support and inability to find a job and obtain a work permit, which causes them problems with the landlords going beyond the failure to pay and getting to eviction and legal complications.

In addition to the challenges the Yemenis have with regard to their inability to fulfill the other basic needs such as the availability of healthcare and education services of their children, they also have to cover such needs by themselves.

➤ **Conclusion & recommendations**

The Yemeni refugees are just like any other group of refugees in Jordan of various nationalities. The financial aspect is the most significant one among the challenges they have and because of which several challenges and legal issues are created due to the lack of financial ability and aids in cash and/or in kind. Since the international community and aids are over-focused on the Syrian crisis in its beginning, which is currently reduced for all nationalities, this should not prevent a provision of in cash and in kind aids to the other nationalities, including the Yemeni regardless of the numbers of refugees. We do not deny that there are numerous local and international organizations including the UNHCR providing in cash and in kind aids, healthcare, protection and other various services to the Yemeni refugees and other nationality refugees depending on the support such organizations receive from the international community. However, such aids are insufficient because they need the international community to come together and provide the support and aids that fulfill the minimum basic needs to such refugees of various nationalities, especially in the light of the current economic circumstances through which Jordan is going, as well as the surrounding circumstances and limited resources.



(Photos of the legal awareness workshops held for the Yemeni refugees, ARDD's Office, Amman © 2018)

Prepared by: Arab Renaissance for Democracy & Development

Legal Aid Unit