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**WORKING REGULATIONS, CONDITIONS, AND OPPORTUNITIES
OF REFUGEES**

(THE CASE OF JORDAN)

Doctoral (PhD) Dissertation

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ABSTRACT

Jordan as a country that is well-known for its safety in the Middle East, has always hosted different refugees' groups from neighbouring and other countries, who were escaping political persecution, wars or other types of discrimination. Today Jordan hosts the second-highest share of refugees per capita, which has increased the loads on the country's limited natural resources (water and energy), public services and its saturated job market.

Accordingly, this PhD dissertation is focusing on the current labour regulations that have been implemented to several refugees' groups in Jordan, mainly Palestinians, Iraqis and Syrians. In addition to assessing the work conditions refugees have been facing, as well as analysing the available work opportunities for them. The study is based on a collective case study approach, where integration of comprehensive exploratory and comparative techniques was used.

GLOSSARY AND ACRONYMS LIST

CFW - Cash for Work

FAFO - Fafo Institute for Labour and Social Research

HBB - Home-Based Businesses

ILO - International Labour Organisation

JOD - Jordanian Dinar

MOI - Ministry of Interior

MOL - Ministry of Labour

NAF - National Aid Fund of the Ministry of Social Development, and the Social Security program

TVET - Technical and Vocational Education and Training

UNHCR - United Nations High Commissioner for Refugees

UNRWA - United Nations Relief & Works Agency for Palestine Refugees in the Near East

WFP - World Food Programme

1. Introduction

Jordan has been always considered a host country for many refugees over the course of decades, despite that it didn't sign the **1951 Refugee Convention**¹(UNHCR, 2021a). Many of those refugees came to the country in the past century from different places, and some of them became Jordanian citizens. Refugees from Circassia, Chechenya, Armenia, Sudan, Somalia, and many other countries and ethnic groups that escaped political conflicts, persecution or wars, as well as others in the last few decades, have sought refuge in Jordan (Stevens, 2013, p.3).

Today, Jordan has a huge refugees' population due to the conflicts in its neighbouring countries, which can't be exactly counted due to many reasons that shall be explained later in this study. However, UNHCR records registered 752,416 refugees as of January 2021, which excludes other refugees such as many of the Palestinian refugees; only some of them are registered with the UNRWA and counted as 158,000 Palestinian refugees as of the end of 2017, while the actual updated count of Palestinians living in Jordan is much higher (UNHCR, 2021c; UNRWA, 2018). According to the Department of Statistics, the last census was conducted in 2015, while an estimated projection of the Palestinians' counts in 2020 shall reach approximately 699,479, including all those holding Palestinian citizenship, whether entitled to a refugee status with the UNRWA and a Jordanian temporary passport or not (Department of Statistics, 2020a). In addition, many others settled in Jordan in the past years, escaping from wars in Iraq and Syria, but were not entitled to refugee status, as they have managed to enter the country as economic migrants or investors before Jordan has changed its entry policy towards these countries' citizens.

Jordan has always had a very high percentage of its population formed by refugees, which has increased the burdens on a country that is limited in natural resources; mainly water and energy, and a saturated job market with an unemployment rate of 23.9% as of the third quarter of 2020 (Department of Statistics, 2020b). This situation has led the country to keep changing the labour regulations concerning foreign workforce employability to adapt to

¹ The 1951 Refugee Convention is "a legal document signed by 145 parties, where the UNHCR serves as a guardian of, and defines the term 'refugee' and outlines the rights of the displaced, as well as the legal obligations of States to protect them". Source: UNCHR <https://www.unhcr.org/3b66c2aa10>

1. INTRODUCTION

the changes that have occurred. The current labour regulations in Jordan do not distinguish between refugees and other foreigners. Consequently, refugees are entitled only to the same labour regulations of the foreign workforce, which are very strict and meant to give priority to Jordanian citizens in accessing jobs first.

Therefore, this PhD thesis is focusing on the current labour regulations that have been implemented to several refugees' groups in Jordan, mainly Palestinians, Syrians, and Iraqis, which are considered the largest protracted refugees' groups that are still existing in Jordan today. Therefore, the study goals are summarized as:

- Summarize the changes in labour regulations of those related to refugees employability, including separate decisions that were made to regulate the employability of specific group/s.
- Analyse the current situation to conclude from an economic and social context if there is a different treatment among different refugees groups, and who is/ are the most benefited group/s.
- Assess the general work conditions refugees have been facing, which only include the common conditions that can exist in any sector, such as working hours, salaries and benefits.
- Assess the available work opportunities refugees can apply for, and analyse the possibility to increase the span of these opportunities.

The PhD study consists of six chapters, including this one, which serve in giving a full understanding of the topic, as:

Chapter Two illustrates selected similar previous literature that was either focusing on a selected refugee group, such as the recent Syrian refugee crisis, or covering a specific aspect, such as the Jordanian labour law and the job market characteristics to understand the work regulations.

Chapter Three presents historical figures about each refugee group, how and when they arrived in Jordan, and what the changes on the Jordanian labour law were, specifically the ones regarding foreign workforce employment, and hence, refugees' employment. Furthermore, the chapter discusses the separate decisions made by the government, that were active for a limited period to regulate specific refugees' groups' employment.

Chapter Four gives a detailed brief about the selected qualitative methods, which were based on a collective case study approach that used integration of comprehensive exploratory and comparative techniques. Multiple cases were used as representative cases to generalize the finding, where refugees were grouped according to their country of origin and examined over the three aspects of the study; regulations, conditions and opportunities. With a focus on the two available employment status: formal and informal. Accordingly, several sets of interviews were used to explore each aspect, in addition to examining various literature such as those issued by the Ministry of Labour.

Chapter Five, the capstone part of this study, firstly illustrates the general findings of the collected data, followed by a detailed analysis to explore each aspect separately, while a comparative analysis is made between different groups. It was important to have a sample population that is similar to the refugees' population in Jordan, therefore, the study wasn't meant to focus on a specific refugee group apart from the others.

Chapter Six, contains the conclusion and recommendations that were summarized as of the author's understanding after the completion of this study.

It is noteworthy that the study has faced several difficulties that were more related to the selected topic, in addition to the general situation of the country. The study touches a sensitive topic for displaced people who fear expressing their thoughts and experiences due to legal considerations of the host country. Thus, the sampling process for the interviews' participants had to go through trusted acquaintances, which consumed some time to reach the ideal sample. In addition, much of the required information for this study were not available from the Ministry of Labour and other governmental entities. Examples of that are the actual number of Palestinians living in Jordan, or those accessing the Jordanian job market since the MOL doesn't provide counts on the issued work permits for Palestinians separately, but combined with other Arab nationalities' counts.

Furthermore, the implementation of the data collection phase took place during the pandemic situation caused by COVID-19, which limited the access to refugees and businesses, especially that many businesses in Jordan were severely harmed, from which there were two out of four opened sectors that refugees were allowed to work within: restaurants and services sectors.

2. Methods

This research examines the current status of refugees' work in Jordan through exploring three aspects: employment regulations, conditions and opportunities. To achieve the purpose of the study, collective case study research was used, along with the use of exploratory and comparative techniques. The used method was fit to collect in-depth data and explore more about the current situation of the three aspects and through different refugees groups.

Therefore, this chapter outlines the methodological approaches used for the study, explains the research questions and provides a background on data collection methods, selection and implementation. Moreover, the chapter also includes the limitations and considerations of the method to ethical standards.

2.1.Overall Approach

As the purpose of the study is to explore the working regulations, conditions and opportunities of refugees in Jordan, a qualitative methodology was chosen to analyse and examine the three areas of the study. Therefore a collective case study approach was used with the integration of comprehensive exploratory and comparative techniques.

The collective case study design relies on the replication logic, where the researcher replicates the procedures for each case (Creswell & Poth, 2018). Therefore, as different cases were applied for this study, as the following:

- Examining three areas/ aspects: regulations, conditions, and opportunities.
- Different refugees groups: Palestinians, Iraqis, Syrians and others.
- Legal employment status; formal or informal

Multiple cases were used as representative cases to generalize the findings. Where refugees were grouped according to their country of origin and examined over the three aspects of the study, within the two available legal employment status. Moreover, a snowball sampling was used to reach the participants, due to the sensitivity of the topic, as refugees are quite reluctant in sharing their experiences, especially those related to the regulations of the host countries. Moreover, it was highly important to include participants from the

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informal market, which could be difficult to achieve without the use of trusted acquaintances. Accordingly, the researcher could reach first the first level of participants through personal connections, which later expanded to their network.

Moreover, secondary data were used to analyse the cases; such as MOL reports that were published concerning the work permits given to Syrian refugees, in addition to the annual reports that included figures on refugees' employment. As well as other reports and studies by the ILO, UNHCR and other bodies, that helped in achieving the findings of this study.

2.2. Research Questions

This study aims to answer three main questions:

How different refugees groups (e.g. Syrians, Palestinians) are treated in terms of work regulations? Is there any difference among these groups?

The current working regulations concerning refugees' employment were explained in the literature review chapter, while the changes over time of these regulations were summarized in details in the historical background chapter. However, this question examines if these regulations are applied differently from one group to another, is there any group that has more access to work opportunities than other groups?

What are the general working conditions refugees face in Jordan?

This question assesses the working conditions (which only include the common conditions that can exist in any sector) that refugees have been facing, whether at formal or informal employment. The participants were asked to assess selected elements such as working hours, salaries and wages, additional benefits, legal contracting, work permits, and career stability. While they also have the opportunity to add more elements that they think they have experienced differently than other workers.

What are the working opportunities refugees are allowed to access?

The opportunities were based on assessing the opened sectors for non-Jordanians. In addition, what are the alternative solutions refugees may access to generate a sustainable income?

2.2.1. Hypotheses

The hypotheses were derived from the research questions as the following:

- Those related to the first question are examining if there is a different treatment applied in preference to a certain group than the other. Such as in the case of Syrian refugees, do they have more access to jobs than other refugees?. In addition, were these preferences apply to the promises Jordan has made to international donor bodies, if so, did they meet the mutual agreement? Moreover, do refugees have a difficulty in accessing the market as their status as refugees is not legalized?

H1: Refugees have different treatment in terms of employability (application of regulations), based on nationality.

H2: Despite the international agreements Jordan has signed such as Jordan Compact, to facilitate the access of Syrian refugees to the job market, the actual number of Syrians accessing the job market formally is still very low.

H3: Because Jordan didn't sign the refugee convention, and there's no proven statement to legalize the status of refugees, problems were caused.

H3a Legalizing the status of refugees' employment will formalize the market (decrease the access to informal jobs) and will impose control over the informal market.

- Those related to the second question examining if refugees have more difficult work conditions than the standard, the examined conditions were general and could be found at any job, such as working hours (are they longer in the case of refugees?)

H4: Refugees face more difficult working conditions than the standard working conditions (general working conditions that are applied to any field).

- Those related to the third question exploring the work opportunities refugees can access. Can the Jordanian labour market absorb more refugees? And what are the alternative income solutions?

H5: Working opportunities of refugees are limited but possible to increase as the Jordanian labour market can absorb more of them.

H6: Home-based projects and freelancing are solutions for income generating for refugees, in a challenging job market.

2.3.Data Collection

The study touches a sensitive topic for displaced people who feel fear of expressing their thoughts and experiences; therefore the sampling process for the interviews' participants had to go through trusted acquaintances.

Accordingly, first level participants were personally connected to the researcher through previous projects related to refugees' development. Later, participants were referring to their acquaintances and employers. In addition, other companies were contacted as they were known for hiring employees from refuge countries. This has led to a network of 112 refugee participants and 18 organisations (employers).

However, other organisations have been contacted to give a better understanding of the topic of the study and to shape the interviews questions. These interviews were conducted with stakeholder organisations such as the Ministry of Labour, International Labour Organisation ILO, and the Refugees, Displaced Persons, and Forced Migration Studies Centre of Al Yarmouk University, in addition to Education for Employment EFE-Jordan (A not-for-profit organisation that trains and connects refugees to employers).

Several types of interviews were conducted with different groups and could be classified as:

- **Outline Interviews:** Interviews with stakeholders that participate in refugees' employability, included representatives from; ILO, MOL, EFE-Jordan, Souq Fann, in addition to the Refugees studies centre. The interviews were semi-structured interviews that helped in getting a broader view on the research topics, understanding the current situation and drawing some lines for the later stages. EFE-Jordan also helped in connecting with employers that hire refugees.
- **Study Participants Interviews:** Several interviews were conducted with participants to assess different areas of the study, these interviews were grouped according to the topic they were focusing on, as well as the participants:

- **Organisations' Interviews:** interviews were conducted with **18 employers** that hire refugees, from different sectors including (manufacturing, restaurants, services, food and beverage, and NGOs). First, a representative of the management of each organisation participated in an interview to gather general views on the organisation's behaviour towards refugees, these representatives were mainly from the human resources or project management departments, shops managers or owners. Later, for each organisation, 2 – 3 employees with refugee status were interviewed separately or as focus groups, these interviews served as a verification tool for the first set of the interviews (with management representatives). In addition, the second set of interviews were used to assess the refugees' views as individuals on the working conditions they have experienced in Jordan, as a focus area of the study and were added to the following group. The interviews were semi-structured, and employees were interviewed separately from their management, however, two organisations asked to have representatives attending their employees' interviews. Organisations that have participated in this study will be later mentioned as “participating organisations”.
- **Individual Interviews:** several structured interviews were conducted with refugees from different background and who have been living and working in Jordan for at least two years. These interviews were made to assess their working conditions, legal status, and experiences. This included refugees from different nationalities that have been working formally or informally. Along with the participants from the Organisations Interviews (the employed refugees), **100 interviews** were conducted to explore the **working conditions** for refugees in Jordan. All interviewees will be later mentioned as “participants”.
- **Self-Employed Refugees:** semi-structured interviews were conducted with **12 refugees**, who work on their projects from home (self-employed). These interviews were used to identify the opportunities that refugees can

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access through working from home. All interviewees will be later mentioned as “entrepreneur participants”.

All interviews were conducted in the Arabic language, as the spoken language of all participants and the answers were translated later by the researcher. Semi-structured interviews were mainly for 30 minutes, however, in some cases, they were up to one hour such as in the case of focus groups, while structured interviews were for 20 minutes each. Furthermore, the participants were located in three provinces mainly where the refugees' population is high; Amman (the Capital of Jordan), Irbid and Al Mafraq.

Although that each set of interviews was conducted to serve in answering a specific question of this study, they were somehow complementing each other. While the first set of interviews helped in shaping the second set of interviews, through offering a broader understanding of the current situation and legislations, a clear view of the informal market and the main areas of concern related to the working conditions and opportunities of refugees in Jordan.

The individual interviews overlapped as in some cases refugees who were setting for interviews as employees, indicated that they were also home-project owners, and vice versa.

2.4.Ethical Consideration

For organisations' visits, formal requests were sent through emails outlining the requirements and purpose of these visits and supported with a cover letter from the researcher's affiliation. While for individuals (refugees interviews), it should be stated clearly at the beginning of each interview that personal data, expressed opinions and answers wouldn't be shared with anyone including their employers, and that their responses will be used for scientific research's purpose without revealing their identities.

Sessions were not recorded due to the sensitivity of the topic, while the researcher was writing down interviewees' responses directly, and each interview was followed by a break to elaborate other details that could be missed while writing down interviews' responses.

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For most of the interviews, a closed meeting room was offered to meet the employees mostly individually and sometimes in focus groups, while two employers asked to have a representative attending the employees' interviews from the human resources department. Moreover, at some point, interviews were conducted through audio calls due to the pandemic situation and different restrictions.

2.5. Method's Limitation

Many challenges have faced the study. These challenges were sometimes directly related to the selected methods, while other times they were related to other factors that might be affected by selecting these methods in specific. The limitations and challenges can be explained as the following:

- As the approach of case study is a bounded system such as by time and place, the selected time of the study can't be generalized on the overall situation of Jordan due to the following (Creswell & Poth, 2018, p. 102):
 - Syrian refugees form the majority of refugees in Jordan now, due to the current conflict, therefore, other refugees groups might receive different treatment at earlier stages, which could be now affected by the presence of Syrian refugees.
 - The data collection process was conducted during the pandemic situation caused by COVID-19, which highly affected the Jordanian economy, thus the employment of refugees.
- The researcher was expecting to start the data collection as of May 2020 and to have four months internship with one of the main player NGOs to help in accessing a wide range of organisations that hire refugees, as well as refugee participants. However, due to the pandemic situation caused by COVID-19, the researcher only started the interviews process in August 2020, and on her own.
- The pandemic situation also seriously affected many businesses in Jordan, especially at the restaurants and services sectors (two of the four opened sectors for refugees), which led to a huge lay-off especially among refugees who were

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- employed in informal ways. This has led to difficulties in finding employers that maintained to have their employees by the time of the study.
- As the method is based on a qualitative approach which mainly relies on interviews for data collection, many organisations refused to host the researcher. While many of those rejected to host the researcher denied having employees with refugee status, despite that they were referred to as organisations that hire refugees by either other participants of the study or other referral who confirmed that. This could be mainly due to:
 - In the case of they hire refugees informally, they would have fear of confirming such information to an outsider, especially that informal employment is subject to penalties (as stated earlier in the Changes of Labour Regulations)
 - The fear or unwillingness to participate in refugees related studies.
 - Resources limitation: this was caused by many factors such as the sensitivity of the study's topic as well as the difficulty in achieving an equal number of participants from each refugees groups (based on nationalities), as mostly Syrian refugees were found. In addition, much of the required information for this study was not available at the Ministry of Labour and other governmental entities. Examples of that are the actual number of Palestinians living in Jordan, or those accessing the Jordanian job market since the MOL doesn't provide counts on the issued work permits for Palestinians separately, but combined with other Arab nationalities' counts.

3. Literature Review

Jordan has received different waves of refugees over the course of decades from neighbouring and other countries, who were fleeing wars, political persecution or other types of discrimination. The historical background and more details about these waves will be explained later in chapter three.

However, among all these waves, the Palestinian and Syrian refugees were the largest and massive protracted displaced refugees groups that sought refuge in Jordan. These two refugees' crises were the largest and longest in recent history, as the Palestinian refugees' crisis is considered among the longest protracted displacement of refugees in the world, which started in 1948 until today (Merheb et al., 2006). While the Syrian by far is considered the largest protracted displacement with more than 6.6 million Syrians outside their country from 2011 until today (UNHCR, 2020c). Therefore, many studies have been focusing separately on these two groups in specific, considering many aspects, such as the historical and political backgrounds, life challenges and accessing basic needs, while part of them was focusing on employment access and the challenges they have been facing.

However, only a few studies included other groups of refugees, such as Iraqi refugees, which were also considered a large refugee group that came to Jordan at different times, but mostly after the US-Led invasion of Iraq in 2003, official numbers were found to be between 450,000 to 500,000 as of May 2007 (Olwan, 2009).

Therefore, this study was made to focus on all refugees' categories in Jordan, showing the differences if any, examine the country's labour legislations concerning refugees, and analyse the opportunities and conditions refugees have, in a market that is considered saturated with an unemployment rate of 23.9% as of the third quarter of 2020 (Department of Statistics, 2020b).

Hence, this chapter will illustrate several studies that are related or focusing on similar views of this study, which have influenced in finding and gathering new results. Therefore, the previous studies were grouped based on their main focus, whether they were focusing on a specific refugees' group e.g. Syrian, or studying specific aspect, e.g. opportunities or regulations.

These studies were published in different years, as the selected refugee groups have come to Jordan in different periods, but most of them focused on the current situation and the past five to seven years. A few studies were prepared before that, in 2007 and 2009, such as those focusing on the Iraqi refugees, who were the largest and most recent group of refugees at that period.

3.1. Jordanian Labour Market

This section represents general views on the Jordanian labour market. Therefore, the presented literature analysed the structure of the Jordanian market, introduced statistical figures about the different sectors, and the general employability status among Jordanians and others.

According to a study titled Migration Profile: Jordan, which was conducted in 2016, Jordan's total population was 9,531,712 in November 2015, including 31% foreign nationals. Moreover, the study also referred to the numbers of Jordanian expatriates with an estimation of 700,000 – 800,000 Jordanian expatriates who have been working abroad, representing approximately 10% of the Jordanian nationals. While also considering Jordan as a migrant-sending country mainly to Gulf countries (De Bel-Air, 2016).

According to the same study, among the foreign workforce that participated in the Jordanian labour market, Egyptians had always dominated the market. However, with the arrival of massive waves of Syrian refugees along with the promises the Jordanian government has made to donor bodies in regards to Syrian refugees livelihood improvement, the percentages of the foreign workforce has changed in recent years (De Bel-Air, 2016).

Therefore, it's highly important for this research, to give an overview of the general characteristics of the Jordanian labour market.

3.1.1. Jordanian Job Market Characteristics

According to the Ministry of Labour, Jordan is considered a migrant-receiving and sending country at the same time; while Jordan receives an expatriate workforce for unskilled and semi-skilled jobs, many Jordanian professions have migrated to other countries, mainly Gulf countries to work (MOL, 2020). Moreover, according to a study titled Jordan:

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education, labour market, migration and issued in 2019, the Jordanian labour market has been facing serious challenges in the past years due to the increase of new entrants to the market. The increase of workforce supply in the Jordanian market was due to many reasons including; the arrival of many refugees' waves, especially in the past ten years, as well as the arrival of many Jordanian returnees who have lost their jobs in some Gulf countries. The study explains that many Jordanians have lost their jobs in some Gulf countries due to the nationalization of jobs and the slowdown in economies resulted from the orientation of the governments of these countries in financing military services. Another reason that was also explained is the mismatch between the workforce supply and demand in terms of the outputs of tertiary education, with less tendency towards the Technical and Vocational Education and Training (TVET). Thus, with the increased inflow of new entrants to the job market with a random skill set, the national economy cannot absorb all these outputs (Dajani Consulting et al., 2019).

Furthermore, although that the share of female and male within the Jordanian population was steady for the last five years; with 47% females and 53% males. The participation rate of women in the job market is still very low in comparison to the participation rate of men. Table 1 shows the dominance of males in the Jordanian labour market, with a share between 78 – 82% in the years from 2015 to 2019 (Labour Market Studies Unit, 2020).

Table 1. Jordanian Labour Force by Sex

Sex	2015	2016	2017	2018	2019
Male	1,318,067	1,357,948	1,418,819	1,371,593	1,360,315
Female	289,532	302,308	399,001	362,655	341,872
Total	1,607,599	1,660,256	1,817,820	1,734,248	1,702,187

Source: *The National Labour Market Figures* (Labour Market Studies Unit, 2020, p. 11)

3.1.2. Unemployment

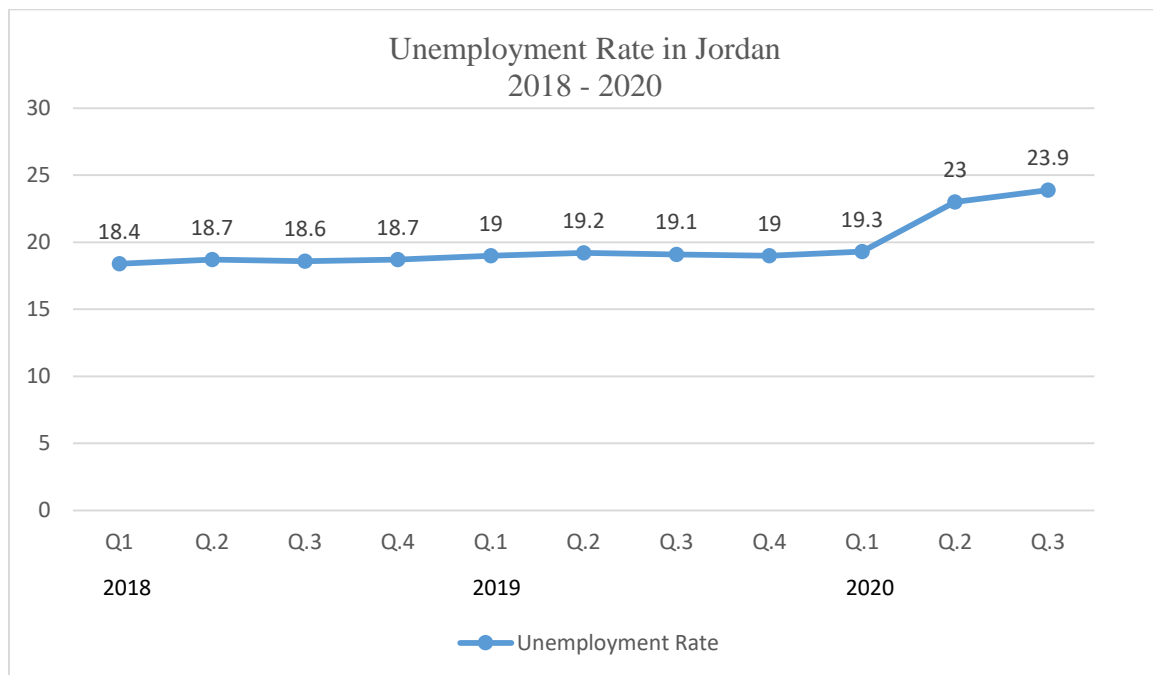
Jordan has a high unemployment rate, which has reached 23.9% in the third quarter of 2020 (Department of Statistics, 2020b). The Jordanian Ministry of Labour justified this high rate with; firstly, Jordanians reluctance in working for specific jobs that are required in the market, these jobs are usually low or semi-skilled jobs that are filled by the foreign workforce. Secondly, the qualifications and field of expertise of those searching for jobs don't match with the offered vacancies, which is a result of the third point, a mismatch

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between the supply and demand in the job market, caused by the tertiary education output (MOL, 2020). The previously mentioned study of Dajani and De Bil-Air has also summarized the reasons behind the high unemployment rate by agreeing with the MOL about the mismatch between the supply and demand in jobs, however, the study criticized the role of the ministry in controlling the outputs. As the study has seen an increase of bachelor level graduates, while the level of participation in the TVET activities is not enough. Moreover, the study also stressed that the increased numbers of refugees have created a competitive labour market, thus increased the unemployment rate. Lastly, the low participation of women in the job market has affected the overall rate, while this was connected to cultural barriers that affect female participation (Dajani Consulting et al., 2019).

Figure number 1 shows the unemployment rate in Jordan, on a quarterly basis from the beginning of 2018 until the third quarter of 2020. The figure shows a jump in the unemployment rate in the second quarter of 2020.

Figure 1. The unemployment rate in Jordan for the years 2018 – 2020.



Data source: Department of Statistics – Jordan (Department of Statistics, 2020b)

3.1.3. Foreign Workforce

It is estimated that Jordan's population has reached 10,466,345 by 2019, according to the Department of Statistics projected data. In addition, if we consider a steady percentage as per the Department of Statistics projections, this will give a population of approximately 3,178,857 foreigners residing in Jordan (Department of Statistics, 2020). The De Bel-Air study shows the numbers of foreign population along with their nationalities in a comparison between the year 2004 and 2015, as shown in table 2 (De Bel-Air, 2016). Although that the number of Syrian refugees as per the UNHCR is lower than what is stated in the table, as it has reached 633,466 refugees in December 2015, the actual number of Syrian citizens residing in Jordan is much higher (UNHCR, 2021e). this was explained as an estimation of 500,000 to 700,000 Syrians were residing in Jordan at the beginning of the conflict in 2011, which are considered non-refugee migrants (De Bel-Air, 2016).

Table 2. Foreign population residing in Jordan by country of nationality (2004; 2015)

Country of nationality	2004		2015	
	Number	% Total	Number	% Total
Arab countries	323,641	83		
Of which Syria	38,130	10	1,265,514	43
Egypt	112,392	29	636,270	22
Palestine	115,190	29	634,182	22
Iraq	40,084	10	130,911	4
Yemen	2,585	1	31,163	1
Libya	1,057	0	22,700	1

Source: *Migration Profile: Jordan*, (De Bel-Air, 2016, p.4)

However, the participation rate of non-Jordanians in the job market is much less than their share of the population. As shown in table 3, the percentage of non-Jordanians to the total workforce has only reached 17% in 2019, including refugees.

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Table 3. Jordanian Labour Force by Nationality (Jordanians Vs. non-Jordanians).

Nationality	2015	2016	2017	2018	2019
Jordanian	1,607,599	1,660,256	1,817,820	1,734,248	1,702,187
Percentage	84%	84%	84%	83%	83%
Non-Jordanian	315,045	318,883	340,995	352,350	348,736
Percentage	16%	16%	16%	17%	17%
Total	1,922,644	1,979,139	2,158,815	2,086,598	2,050,923

Data source MOL annual report (MOL, 2020, p.9).

While the distribution over sectors shows a majority working for construction, manufacturing, and wholesale and trade sectors, as well as a large percentage of self-employed; either as investors or home-based business owners, table 4 shows the percentages of non-Jordanians shares in sectors.

Table 4. Distribution of non-Jordanian workforce by sector.

Sector	2017	2018	2019
Agriculture, Forestry, and fishing	6.8	7.4	5.8
Mining and Quarrying	0.3	0.4	0.4
Manufacturing	12.9	9.4	8
Electricity, gas, steam and air conditioning supply	0.1	0.1	0.1
Water supply, sewerage, waste management and redemption activities	0.2	0.3	0.1
Construction	14.7	15.7	13
Wholesale and retail trade; repair of motor vehicles and motorcycles	14.6	10.6	7.4
Transportation and storage	1.8	1.1	0.6
Accommodation and food service activities	4.8	4.3	4.3
Information and communication	0.5	0.3	0.1
Financial and insurance activities	0.1	0	0
Real estate activities	0.4	0	0.2
Professional, scientific and technical activities	0.9	0.6	0.7
Administrative and support service activities	6.1	16.3	28.5
Public administration and defence; compulsory social security	1.6	0.8	0.4
Education	1.8	1.1	1.5
Human health and social work activities	0.9	1.1	0.5
Art, entertainment and recreation	0.4	0.3	0.1
Other service activities	3.25	3	3.4
Self-employed and home-based business owners	25.2	24.9	25.2
Activities of international organizations and bodies	2.9	2.1	1.7

Data source: MOL – Labour Studies Unit (Labour Market Studies Unit, 2020, p.24)

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Moreover, the Egyptian nationality showed the highest share of those formally employed, followed by workers from Bangladesh. While the formal employment percentages of those from refugee countries such as Syria, Iraq and Yemen, are still low in consideration of their share of the population, table 5 shows the number of the registered non-Jordanian workforce by nationality, according to the MOL data.

Table 5. Number of registered non-Jordanian workforce by nationality.

Country	2015	2016	2017	2018	2019
Egypt	194,158	170,065	174,076	188,962	172,272
Syria	5,307	33,485	41,921	40,519	39,173
Iraq	883	839	815	791	625
Yemen	2,943	3,013	3,195	4,050	5,022
Sudan	380	334	331	340	362
Rest of Arab Countries	767	1,019	2,794	3,494	2,729
African Countries	4,921	3,908	8,300	14,611	13,886
Pakistan	3,541	3,205	3,170	3,016	3,419
India	11,494	12,502	15,683	15,404	19,495
Philippine	16,915	17,467	17,971	17,493	17,848
Sri-Lanka	14,881	12,441	10,710	9,433	9,874
Indonesia	1,276	707	629	559	601
Bangladesh	49,331	50,574	49,717	42,810	50,001
Other countries	6,635	7,870	10,003	9,193	11,832
Europe	1,256	1,117	1,253	1,220	1,175
USA	357	337	427	455	422
Total	315,045	318,883	340,995	352,350	348,736

Data source: MOL – Labour Studies Unit (Labour Market Studies Unit, 2020)

3.2. Working Regulations of Refugees in Jordan

This section presents the current labour legislations concerning refugees' employability. However, more details related to the changes that have been implemented to different refugees groups over the past years will be explained in chapter three.

The current labour regulations in Jordan doesn't distinguish between refugees and other foreigners. Therefore, refugees are entitled to the same labour regulations as the foreign workforce. Jordan has adopted strict labour regulations concerning the employment of foreign workers, to give a priority to Jordanian citizens in accessing jobs first, represented by closing a wide range of professions for Jordanian citizens' access only.

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Therefore, according to the Ministry of Labour, a list of closed and open professions was updated in 2019. Which professions were classified into three categories: closed jobs; which are only opened to Jordanians access, semi-closed jobs; which are mainly opened to Jordanian access, however, foreign workers are permitted to access under certain conditions and requirements, and lastly the opened jobs; which includes a limited list of professions that are opened to foreign workforce access (MOL, 2019c).

Accordingly, the detailed MOL list can be grouped as the following:

- Closed Jobs; the list of jobs that can be filled by Jordanian citizens only, including: administrative (e.g. secretarial and data entry), sales (e.g. sales clerks, showrooms sales jobs), gas and fuel stations clerical jobs, decoration and design (interior and exterior), electrical maintenance, car maintenance, hairdressing, driving, security and guarding, office boys, and any other job that is decided to be closed in the future.
- Semi-closed jobs; the list of closed jobs that can be conditionally opened to foreign workers. These exceptions require the approval of the Minister of Labour and concerned bodies such as unions or ministries. The jobs can be:
 - o Jobs that are conditional to limited access; quotations and approvals, including: Loading unloading workers, cleaning services, bakeries' workers, restaurants' workers, mosques and churches servants, jobs that don't include teaching in schools, kindergartens and nurseries, flight attendants, spa and physical therapy workers which doesn't include physicians, and translators.
 - o Jobs that are conditional to limited access; approval and acquiring a specialized skills work permit, which costs JOD2,500 per (approx.. USD 3,526) (MOL, 2019a). This list of jobs includes jobs from any of the following sectors: engineering, medical, education and vocational training, communication technology, finance and banking, insurance, tourism, fitness and sports clubs, aviation and other activities. However, the Minister of Labour formulates committees that are responsible for assessing the requests of such type of permits, individually. While these jobs shall meet the following requirements:

- Rare jobs: not common in the Jordanian job market, therefore, Jordanian applicants may not be available, and hiring a foreign applicant is a must.
 - Jobs with specific experience: the experience needed to perform the job is so precise and requires a high level of speciality that doesn't exist, or very rare among Jordanian applicants.
 - Applying new technologies that are new to the Jordanian market and need the expertise of a foreign workforce to be introduced to the market.
 - Exempted academic professions: similar to the above-mentioned jobs, academic positions can be filled with foreign professors, in case the required field of speciality is limited among Jordanians or new. However, this also requires the approval of the Ministry of Higher Education, providing that the job should be first publicly announced, and no Jordanian applicant showed a matching profile to the requirements.
- Opened Jobs: this list is only limited to jobs within four sectors, which are: construction, agriculture, manufacturing, and service sectors.
 - Foreign Investments: foreign corporates can hire non-Jordanians, however, this includes other conditions and specific quotations for Jordanian vs. non-Jordanian rates, which also differ from one industry to another. For example, Syrian investors were allowed to hire Syrian workers up to 30% in big cities, and 60% in remote areas and industrial cities (ILO Regional Office for Arab States, 2015).

3.3. Previous Studies concerning different refugees groups in Jordan

Palestinian refugees were excluded from the UNHCR statistics for refugees, as they have been receiving protection and assistance from a separate UN entity, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (Stevens, 2013, pp. 8, 9). Accordingly, figures on refugees' percentages over the population in Jordan has been misleading. Therefore, if we consider both statistics; Jordan has the highest ratio of refugee-to-population in the world, with almost 2.7 million registered refugees in September 2016 (De Bel-Air, 2016; Stevens, 2013).

This section represents different studies that have been focusing on different refugees groups; Palestinian, Iraqi and Syrian refugees.

3.3.1. Previous Studies Concerning Palestinian Refugees in Jordan

The Palestinian refugees' crisis is considered among the longest protracted displacement of refugees in the world, which started in 1948 until today (Merheb et al., 2006). Therefore, as Jordan is the country that Palestine shares the longest borders with, along with historical bonds between the two countries, Jordan has received the highest share of Palestinian refugees. The historical background about the Palestinian waves and their statistics will be explained in more details in chapter three. However, it is believed that 43% of the Jordanian population today are of Palestinian origins (El-Abed, 2021). Palestinian refugees live mostly in all Jordanian cities, however, there are still approximately 370,000 of them live in the ten recognized Palestinian refugee camps (UNRWA, 2019).

Therefore, numerous studies have been discussing social and economic issues related to the Palestinian refugees in Jordan since the arrival of the first wave in 1948. However, there is a shortage of studies that focus on the current situation of these refugees, especially with the labour market. The most logical justification could be that most of these refugees have granted Jordanian citizenship, however, there were 158,000 Palestinian refugees (later will be mentioned ex-Gazans) residing in Jordan at the end of 2017 (UNRWA, 2018). *More details about the Palestinian categories and their status in Jordan will be explained in the next chapter.*

One of the recent studies that focused on the Palestinian refugees in Jordan is the Migration Profile: Jordan study, by De Bel-Air, sees that those Palestinian refugees who have been displaced to Jordan in 1948, 1967 and 1991, have participated in Jordan's nation-building process and played a significant role in the country's economic growth. The study also referred to the importance of the remittances and savings of the Palestinians with Jordanian nationality who have immigrated to Gulf countries, especially after 1973's oil booming. While most of these who have worked in Gulf countries after the wars of 1948 and 1967, had family members and dependents in Jordan whom they sent money for, which has participated as well in developing the consumption-based economy. However,

approximately 350,000 of those Jordanians with Palestinian origins moved to Jordan after the second Gulf War in 1990 – 1991 (De Bel-Air, 2016).

Therefore, as most of the Palestinian refugees were granted Jordanian nationality, while those who haven't, were entitled to free access to jobs, there was no need to focus on their employability, however, at the beginning of 2016, it was required by those with temporary Jordanian passports, including ex-Gazans, to issue work permits and pay the requested fees similarly to the expatriate workforce. This action was new and hasn't been applied to those who were mostly living in Jordan since 1967. Ex-Gazans were working in the private sector, despite the regulations, as they were not entitled to issue work permits which had given them and their employers the chance to turn a blind eye to the actual regulations concerning non-Jordanians (Abu Amer, 2016; Al-Sarayreh, 2016). However, as of 2016, the new regulation affected those who had have secured jobs for so many years and were suddenly entitled to issue work permits. These permits also require continuous renewal of their passport, adding cost to the issuance of the permit. However, a study that has been prepared for Abdulla Al Ghurair Foundation for Education in 2019, sees that the only difference among ex-Gazans than other refugees in Jordan, that they have been granted a temporary Jordanian passport. This temporary passport is considered a residence permit for ex-Gazans today (Chan & Kantner, 2019).

However, although in Jordan, citizenship doesn't pass through the mother to the children, as citizenship is granted only by the father. Children of Jordanian mothers have been granted only since few years the rights to access public education, and health services, similar to Jordanian citizens. This includes many Palestinian citizens who reside in Jordan today, while they were exempted from issuing work permits only in 2019 (Immigration and Refugee Board of Canada, 2018; ILO, 2019).

3.3.2. Previous Studies Concerning Syrian refugees in Jordan

The Syrian conflict is considered the largest refugees crisis in today's world, which became a global issue after the massive waves of Syrian refugees have reached so many countries. With the continuity of this conflict in its tenth year, many studies have paid attention to the Syrian refugees' status in Jordan, as a neighbouring country that received a high share.

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These studies varied in topics as researchers have found the potential to write about almost all related matters such as health, safety, host communities, education and employment. Therefore, with the availability of plenty addition of studies that have focused on Syrian refugees' employability, it was difficult to include them all. Thus, this section focuses on the main ideas that were pointed out by many previous studies, including the studies that have been prepared by international organisations such as the International Labour Organisation ILO, UNHCR and the EU.

Challenges in Accessing the Job Market

Many studies that have been previously published about Syrian refugees' employability in Jordan have focused on the challenges in accessing the job market. However, the status of accessing the job market by the Syrian refugees changed as of 2016, since Jordan has agreed on improving the living conditions for Syrian refugees in Jordan, which includes easing the job access of these refugees by creating 200,000 work opportunities for Syrian refugees. This was granted in return for other benefits that were stated in the Jordan Compact agreement, which will be explained in details in a separate point (European Commission, 2017).

Therefore, most of the studies agreed on the following challenges:

- Access to the job market is limited to opened jobs list:

Despite that the Jordanian government has made an effort to ensure the participation of Syrian refugees in the job market, as will be explained later. The Refugees International's study concluded that the access of Syrian refugees to work opportunities remained restricted, as long as the MOL keeps closing many professions to non-Jordanians. The study also explained that the current legislations limit those with qualifications and expertise from work opportunities in the closed sectors, while increasing the competition among refugees from all nationalities along with other non-citizen workers for limited unskilled opportunities (Leghtas, 2018).

- Low skilled jobs and skills mismatch:

As a sequence of the previous point, concerning the access to limited opened jobs. A study that was conducted by the European Commission, stated that due to, 1) the limitations the

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Jordanian MOL has added on Syrian refugees access to the job market, 2) the low level of educational achievements of Syrian refugees in the past years, the competition on low-skilled jobs has increased. This was also justified as the Syrian refugee youths have mostly skipped tertiary education in preference to work, because of the urgent need for income. Therefore, the study shows that they were more likely to accept harsh conditions, low-paid and unskilled jobs as a result of social tensions (Errighi & Griesse, 2016).

- Working in the informal sector:

Access to informal work has increased among Syrian refugees as well as other refugees, due to many reasons, the field report of Refugees International organisation sees that one of the main reasons was that those refugees with qualifications and expertise of professions that are listed in closed sectors, in many cases work informally (Leghtas, 2018). This was also observed by the WANA institution's study, as these professions are entitled to higher salaries than those in the opened sectors, which are usually unskilled (Dryden, 2018). The Refugees International's study also explained that the limited available job opportunities through the formal market and the increased competition pushed many of the Syrian refugees to join the informal market. However, the study also indicated that those who didn't join the informal market, despite the need, fear of being deported back to Syria, being detained or sent to a refugee camp (Leghtas, 2018). Moreover, another study by Jordan INGO Forum sees the preference of not losing humanitarian aids given by international and UN agencies, was a motive for some Syrian refugees, who preferred to work informally, as these aids shall be suspended in case of employment (Jordan INGO Forum, 2018).

Moreover, it is believed that the percentage of informal employment among Syrian refugees has reached 52%, which may mean losing control over low wages, written contracts in addition to harsh and difficult working conditions, leaving room for potential abuse to occur (ILO and FAFO, 2020).

- Participation of Women in the Labour Market:

The participation of Syrian women in the Jordanian labour market was criticised in many studies that referred to the challenges. According to a study conducted by WANA institute, the Syrian women participation rate in the formal job market in Jordan was only 4%

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between January 2016 and May 2018, this was concluded from the issued work permits for Syrians (Dryden, 2018). Refugees International's study justifies that Jordan is considered one of the lowest-ranked countries in the world in terms of women participation in the labour market, which was also mentioned by WANA's study. The number of Syrian women who joins the Jordanian labour market remains low. While the study also criticised that the government policies only allowed Jordanian citizens to register home-based businesses, which could be an income solution for many Syrian women (Leghtas, 2018). However, according to the Arab Renaissance for Democracy & Development, this regulation was updated to include Syrians only by the end of 2018 (ARDD, 2019).

- Transportation Challenge:

Many studies have referred to this challenge, as a report published by the Danish Refugee Council DRC in 2017, highlighted that the transportation cost refugees need to pay to reach their work locations is a challenge that limiting their mobility. As not all employers provide transportation allowances or facilities, refugees who live in remote areas, camps or other cities, are unable to afford daily transportation cost, with their low income (DRC, 2017). While the ILO and FAFO study sees that the cost of transportation can reach in some cases 10 – 29% of refugees' income on monthly basis (Stave & Hillesund, 2015).

Moreover, the amount of time that some refugees need to spend on travelling from their homes which are located in remote areas, camps or other cities to their work locations through indirect routes, is also a challenging factor (Dryden, 2018).

Working Conditions:

One of the main purposes of this dissertation is to examine the working conditions of all refugees in Jordan. However, previous studies focused on the working conditions of Syrian refugees in Jordan for the past few years. Therefore, they were mostly focusing on the following conditions:

- Long working hours:

The working hours were highlighted in many studies, as in Stave and Hillesund's study, which compares general conditions between a group of Syrian refugee workers and another group of Jordanian workers. The study shows that Syrian refugees lean towards accepting

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longer working hours than Jordanian workers, while many of the Syrian participants confirmed working six or seven days a week. The study also shows that Syrian refugees who live outside the camps have longer working hours than those inside the camps, as 56% of the respondents worked for more than 48 hours per week (the maximum working hours as regulated by the Jordanian law), which in some cases reach up to 80 hours per week. While the share of those inside the camps and exceed the regulated working hours was 36% (Stave & Hillesund, 2015).

- Low wages/ salaries:

Stave's and Hillesund's study, showed that Syrian refugee workers are paid less than Jordanian workers, regardless of their years of experience. This can be due to either as explained in the study as the Syrian refugees are believed to be more able to work for low wages and under difficult conditions (Stave & Hillesund, 2015). Or as a result of the difference in the minimum wage line, the minimum wage of non-Jordanians including refugees is JOD150 (USD 212), and for Jordanian workers is JOD220 (USD 310). Which in some cases, has made many employers prefer to hire non-Jordanians, especially Syrians (DTDA & DI, 2020).

Stave's and Hillesund's study also explained other financial related concerns, such as the social security insurance and other benefits, which Syrian refugees lose when they work informally, as well as other benefits such as bonuses (Stave & Hillesund, 2015).

Working Opportunities

As previously explained, Syrian refugees are limited to work in open sectors, which are limited to agriculture, construction, manufacturing, and services sectors. a report conducted by WANA Institute projected an increase in jobs creation in the Jordanian market, which shall lead to an increase in the opened sectors for refugees, in case additional investments have been spent in Jordan. Accordingly, the report suggested four scenarios for the increase of job creation in the Jordanian market, which shall lead to more jobs for Syrian refugees. Therefore, the study only showed the estimations for the opened sectors towards refugees' access. The forecasted increase of created jobs was based on Okun's law, by estimating

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that for every 2% growth in a country's GDP, the unemployment rate decreases by 1%. Accordingly, in each scenario, a prediction was made on new investments which would result in creating a fixed proportion for the selected sectors, while 2014 actual data were used as a baseline (Alhajahmad et al., 2018).

- Scenario one: no additional investment is added, while the GDP growth continues at a modest rate, leading to a slight increase in jobs over the years.
- Scenario two: estimates that an investment of JOD1.5 billion (USD2.12B) is added to the Jordanian economy leading to a growth rate in the GDP by 11%.
- Scenario three: estimates that an investment of JOD2.5 billion (USD3.52B) is added to the Jordanian economy leading to a growth rate in the GDP by 17.8%.
- Scenario four: estimates that an investment of JOD3.5 billion (USD5B) is added to the Jordanian economy leading to a growth rate in the GDP by 25%.

Table 6 shows the projected numbers of the created jobs in each scenario for the years 2020 and 2025.

Table 6. Projected created jobs in the Jordanian market for the years 2020 and 2025, with additional investments scenarios.

Sector	Scenario One		Scenario Two		Scenario Three		Scenario Four	
	Jobs Created by 2020	Jobs Created by 2025	Jobs Created by 2020	Jobs Created by 2025	Jobs Created by 2020	Jobs Created by 2025	Jobs Created by 2020	Jobs Created by 2025
Agriculture	1,790	3,580	2,530	4,319	3,023	4,812	3,515	5,305
Construction	6,141	12,282	8,680	14,819	10,373	16,510	12,065	18,202
Manufacturing	11,016	22,032	15,571	26,584	18,608	29,619	21,645	32,653
Services	74,745	149,490	105,650	180,372	126,253	200,960	146,857	221,548
Total in Selected Sectors	93,692	187,384	132,431	226,094	158,257	251,901	184,082	277,708

Sources: WANA (Alhajahmad et al., 2018, pp.25-28)

Moreover, according to a study by the ILO, it's common for Syrian refugees to work in the closed sectors, using work permits of different jobs that indicate that they work for another profession from the opened sectors, such as agricultural worker (ILO, 2017).

Syrian Investors

As a result of the Syrian conflict, Jordan did not only receive refugees who were looking for shelter and work opportunities but also Syrian businessmen and investors, who have

moved their businesses to Jordan, for a more secure and stable economy. According to a study conducted by WANA institute in 2019, the Jordanian Ministry of Planning and International Cooperation stated that the Syrian investments in Jordan were up to JOD42 million (approx.. \$59 million), and JOD49 million (approx.. \$69 m.), in 2012 and 2013 respectively. These investments included factories in many fields such as food, furniture, clothes and others that were moved to the industrial areas in Jordan. In addition to significant participation of Syrian investors in the commercial sector, mainly in restaurants and cafes. As a result, these investments not only added a contribution to the country's GDP but also created many job opportunities for both Syrian refugees and Jordanians (Ajluni, 2019). Moreover, Syrian investors were allowed to hire Syrian workers up to 30% in big cities, and 60% in remote areas and industrial cities (ILO Regional Office for Arab States, 2015).

Jordan Compact

A partnership agreement was signed in London, in February 2016 between the European Union and Jordan. In which, Jordan has agreed on improving the living conditions for both Syrian refugees in Jordan and vulnerable host communities. In return, the European Union granted financial assistance in the form of grants, loans and other trade agreements through three years, from 2016 -2018. Therefore, Jordan had agreed to secure 200,000 jobs for Syrian refugees, as part of its role in the agreement (European Commission, 2017). In August 2020, the number of issued work permits for Syrian refugees has reached 200,180 permits since 2016 (UNHCR, 2020e). *This will be explained later in point 5.2.1.*

3.3.3. Previous Studies Concerning Iraqi refugees in Jordan

Jordan was the home for many Iraqis throughout many years; escaping several wars or insecure situations or search for work opportunities and a better life in the last decades. However, after the US-Led invasion of Iraq in 2003, a massive wave of Iraqi refugees arrived in Jordan at that time and the following years (Olwan, 2009). It was estimated that they have reached 750,000 at one point (Dalen & Pedersen, 2007). However,

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according to the UNHCR, there are only 66,773 registered Iraqi refugees, as of January 2021 (UNHCR, 2021c).

Therefore, only a few studies focused on Iraqi refugees' employability in Jordan, this could be due to the early presence of Iraqi refugees in Jordan. However, a study conducted for the Euro-Mediterranean Consortium for Applied Research on International Migration CARIM in the year 2007, referred to Article no. 12 of the Jordanian labour law no. 8 of the year 1996, which stated that "the employment of non-Jordanians, requires an approval from the Ministry of Labour, providing that a lack of relevant experience and ability among Jordanian workers has indicated". In addition, the study stressed that a priority of hiring was given to Arab workers, through obtaining annual renewable work permits, which were paid by the employers. This has justified the presence of Iraqi citizens in many positions, mainly in the medical and higher educational sectors, in the nineties and early 2000s (Olwan, 2009). However, the sentence that included the aforementioned priority to Arab professionals and workers was removed in 2010 (ILO, 2010). Another study was conducted in December 2010, stated that the easy access to job opportunities among Iraqi citizens in Jordan wasn't easy as it seemed, as highly educated Iraqis were granted job opportunities and work permits more frequently than others (Al-Qdah & Lacroix, 2011). This was also mentioned in a report that was issued by FAFO Institute for Labour and Social Research in May 2007, as the survey's participants results showed that approximately 80% share of the wealthy Iraqis confirmed having a work permit, while only 22% of the poorest surveyed Iraqis confirmed that they have had work permits (Dalen & Pedersen, 2007, p.18).

3.4.COVID-19 Pandemic in Jordan

As a part of the worldwide measures to contain the pandemic caused by the coronavirus COVID-19, Jordan responded by applying strict procedures to contain the spread of the virus. Therefore, according to a framework issued by the UN, which assess the socio-economic response of COVID-19 in Jordan, the government has taken several actions, including the issuance of defence orders to contain the pandemic and its impact on people

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and the country's economy. The framework summarized 14 defence orders, along with other actions between the 12th of March and 26th of June, 2020. However, as these actions have touched many socio-economic aspects, only the main points that are related to this study were concluded from the framework (UN, 2020).

One of the main points that are related to this study is that despite that Jordan had only one confirmed COVID-19 case at the time of this action, educational institutions including schools, universities and training centres were closed on the 15th of March, and digital learning was imposed alternatively. Furthermore, on the 17th of March, the international airports were closed and flights were suspended.

A more serious action taken on the 21st of March was the nationwide curfew, which was later relaxed but with the following restrictions (UN, 2020, pp. 33 - 35):

- On the 24th of March, only small supermarkets that were located inside the neighbourhoods were allowed to work from 10:00 to 18:00 and people were allowed to reach them on foot to buy their groceries.
- The full curfew continued to run on weekends; Fridays and Saturdays.
- Governorates and capital's neighbourhoods that have discovered COVID-19 cases were isolated from the rest of the country, with implementing strict curfew measures for several days.
- On the 29th of April, the government allowed the people to drive their vehicles based on the odd-plate scheme on alternating days, which was later suspended on June 4th with the end of the full curfew but continued applying a nightly lockdown from midnight to 6:00 AM. However, Friday curfew continued to be introduced when cases were high. While public transportation back to operate on the 12th of May with 50% capacity.

During the aforementioned period, the government issued defence order no. 6 on the 8th of April, which aims to protect workers' rights and salaries, according to the Jordan Times newspaper. The order stipulated that (JT, 2020a):

- March salaries should be fully paid to all workers, without deducting the lockdown period.

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- Employers who couldn't go back to operate their businesses due to the lockdown restrictions were allowed to reduce their employees' salaries by 50% for April and May of 2020.
- Employers who were allowed to operate during the lockdown could reduce the salaries of the employees who have worked remotely by a maximum of 50% for April and May, provided that the working hours were also reduced.
- Owners of businesses that have been harmed by the pandemic and were allowed to operate again, were allowed to reduce their employees' salaries, upon a mutual agreement, by a maximum of 30% for April and May. by a maximum of 20% for July and August (JT, 2020b).
- Employers who have terminated any of their employees' services during the lockdown period, were requested to bring them back to work. However, many businesses that have been seriously harmed by the pandemic, and couldn't survive longer, therefore, they have shut down and terminated their employees.
- National economic protection programmes were introduced by several bodies to help the employers overcome their losses during the lockdown, through zero-interest loans.

Later in April, on the 25th, migrant workers were able to apply for permission through specific platforms to return to their home countries. Furthermore, The Ministry of Industry, Trade and Supply gradually opened various sectors, first with opening financial auditing and consultancy services, beauty salons and barber shops, accessories and cosmetics shops, and dry-cleaning services on the 27th of April, while the economic and construction sectors were opened on the 6th of May. However, the employees' movement back and forth to their work locations, was still limited to the previously mentioned movement restrictions, although some companies managed to issue mobility permits to their employees. The public sector's institutions were back to work from the office on the 26th of May with a 30% capacity at any given time (UN, 2020, pp. 34 - 35). However, some sectors are still closed until the time of the study, such as cinemas, and events services. While fitness and sports centres were allowed to reopen their doors only on the 1st of February, 2021, with a capacity of 50%, although that they were allowed to reopen for a short time during the third-quarter of 2020, but were closed after (Roya News, 2021).

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Moreover, to keep the flow of the necessary supplies, the Food and Beverage sector was exempted from the previously mentioned lockdown measures. To organize that, mobility permits were issued for food and beverage manufacturers and their employees in addition to farmers. However, small farmers in the informal sector were not included with the exception. In addition to that, refugee workers who have been residing inside the refugee camps were not able to receive mobility permits even if their employers were allowed to operate (World Bank et al., 2020, p.11).

Therefore, just like all other countries, the pandemic has hit Jordan's economy, and the strict measures and numerous changes increased the loads on the economy and people. This has resulted in a noticeable jump in the unemployment rate from 19.3% in the first quarter of 2020, to 23.9% within the third quarter of 2020 (Department of Statistics, 2020).

4. Historical Background

As stated in the previous chapter, many refugees' waves have come to Jordan over the course of decades, not only from Palestine, Iraq, and Syria but other countries that had or still have conflicts today. In the past century, Jordan received other refugees from Circassia, Chechenya, Armenia, Sudan, Somalia and many other countries and ethnic groups that escaped political conflicts, persecution or wars, in which some of them became Jordanian citizens (Stevens, 2013, p.3).

However, this study only focuses on those refugees currently residing in Jordan, therefore, in this chapter, a historical background will be illustrated to give more theoretical details about the different refugees' groups that are included within the study and how they came to Jordan. In addition, a brief will be given about the Refugee Convention and Jordan's view on it, as well as the changes in labour regulations that directly affected the refugees' employability in Jordan in the past years.

4.1. Refugee Convention

in 1951 the United Nations Convention relating to the Status of Refugees was released and later entered into force on April 22nd, 1954 (*see appendix 4 for more details*). The convention for which the UNHCR acts as a guardian is a status and right-based post-second world war instrument, in which it had previously covered the events that occurred in Europe and before 1951. Therefore, an amendment was released in 1967 as a Protocol to remove the limitation of the convention's coverage and make it universal to include refugees anywhere and anytime. The convention is based on offering protection to refugees; as they shouldn't be penalized for breaching immigration rules through illegal entry to the countries in which they seek asylum. This might include being detained, or charged for criminal charges (UNHCR, 2010).

Moreover, the convention emphasized non-refoulement; as no one shall send back a refugee to a territory where he/ she don't feel secure and has threats of freedom or life. Lastly, the convention also ensures fair treatment of refugees to give basic minimum

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standards, such as access to education, health and documentation – which also includes granting a travel document.

According to Article I of the convention, a refugee definition is:

“someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.” (UNHCR, 2010, p.3)

However, the convention is not applied to anyone who falls under the definition, as those who have committed serious crimes, such as war crimes, or act against the principles of the United Nations are excluded from the convention (UNHCR, 2010). In addition, the refugees who are entitled to other UN agencies’ protection or assistance, other than the UNHCR are also excluded from the convention. This is applied to the Palestinian refugees, since they have been receiving protection and assistance from a separate UN entity, the United Nations Relief and Works Agency for Palestine Refugees in the Near East – UNRWA (Stevens, 2013, pp. 8, 9).

Today, 147 countries are party states of the 1951 Convention or its 1967 Protocol. However, and despite having the highest share of refugees in recent history, Jordan is not a signatory state of the convention (UNHCR, 2010, 2021a). According to the scholar Mohamed Y. Olwan, the Jordanian government’s main concern about the convention is that in the case of the UNRWA’s dissolution at any time, the UNHCR would take over the control and protection of the Palestinian refugees, which Jordan fear to affect the Palestinians right of return (Olwan, 2009, p. 6).

On the other hand, the Jordanian Constitution states through Article 21 that *“political refugees shall not be extradited on account of their political beliefs or for their defence of liberty.”*² (Saliba, 2016)

4.1.1. Jordan-UNHCR Memorandum of Understanding (MOU)

Jordan has applied the same laws of foreigners to refugees, with the absence of having a specific law for them. However, after the second Gulf war and with the new refugees’

² Original text of the Jordanian Constitution in Arabic: through the Jordanian Parliament website: <http://www.parliament.jo/node/137>

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waves that moved toward Jordan, the UNHCR signed a Memorandum of Understanding (MOU) with the Jordanian government in 1998. The MOU summarized the major principles of international protection, in which it, similarly to the convention, emphasized the principle of non-refoulement, the definition of refugee and access to health, education and other services. Moreover, the MOU also included that refugees with legal residency can work for their own (as self-employed) while applying an equal treatment of non-Jordanians' employment to other refugees who seek work opportunities (UNHCR, 2012). Although that the MOU was renewed in 2003 to include Iraqi refugees who fled to Jordan after the US-Led invasion, now, it is outdated and wasn't updated to include the current protection challenges, with the increased load on Jordan especially after the arrival of the Syrian refugees since 2011 (ILO Regional Office for Arab States, 2015). Therefore, Jordan doesn't really apply the UNHCR protection rules, for example in the case of Iraqi refugees who arrived in the early 2000s under residency laws, were treated as guests and not refugees (Olwan, 2009).

According to a report published by the ILO in 2015, one year before Jordan Compact, sees that as Jordan didn't sign the 1951 Refugee Convention nor its Protocol, which has raised the concern especially that Jordan has the highest ratio of refugees to citizens in the world. Which according to the study, against refugees' integration. (ILO Regional Office for Arab States, 2015, pp. 11-12).

The report also highlighted that Jordan refers to Syrian refugees as guests, similar to the Iraqis' case, which doesn't give them official recognition as refugees by the Jordanian law. In addition, the ILO sees that Syrians who entered Jordan as asylum seekers were not given a residency although they were registered as refugees with the UNHCR, which had limited them from accessing legal work opportunities. While refugees who live inside refugee camps and registered with the UNHCR are entitled to humanitarian aids and shelter, those who live outside the camps only receive the food vouchers which are given by UNHCR and WFP in case of needy, therefore, work is an essential need to cover the cost of living (ILO Regional Office for Arab States, 2015, pp. 11-12).

4.2. Refugees in Jordan – Historical Background

Among the refugees' waves that Jordan has received over the years and still residing in Jordan until today, Palestinians, Iraqis and Syrians are considered the largest groups of refugees. While Jordan also received small refugee groups from other Arab countries like Yemen, Libya, Sudan, and Somalia.

Iraqi and Syrian investors who moved to Jordan to establish their businesses or others who came to Jordan to work before the conflicts in their countries were considered as economic migrants and were not registered as refugees nor counted at the UNHCR statistics. As in the case of Syrians who have been in Jordan before the conflict, it is estimated that 500,000 to 700,000 Syrians were residing in Jordan at the beginning of 2011 (De Bel-Air, 2016).

Moreover, Jordan has adopted an open borders' policy of Arab nationals of the countries that Jordan has long and traditional ties with, such as Syria, Iraq and Egypt (Olwan, 2009, p.2). Therefore, many of these countries nationals have freely entered Jordan, before the change of this policy towards Iraqi and Syrian nationals in 2008 and 2013 respectively, due to the conflicts in both countries (De Bel-Air, 2016; Olwan, 2009).

Accordingly, actual numbers of those who fled to Jordan along with the refugees' waves were higher than the UNHCR statistics, hence, only the available statistics are mentioned below which are not accurately reflecting the full picture.

4.2.1. *Palestinian Refugees*

Palestinian refugees were excluded from the 1951 Refugee Convention, as they were receiving protection and assistance from another UN agency, the UNRWA. Moreover, Palestinian refugees are considered the largest group of non-Jordanians who are living in Jordan today (Stevens, 2013, pp. 8, 9). Although that they have been granted Jordanian citizenship mostly, the UNRWA has registered 2,272,411 Palestinian refugees living in Jordan (UNRWA, 2019). In addition, it is believed that 43% of the Jordanian population today are of Palestinian origins (El-Abed, 2021).

The arrival of the Palestinian refugees was through many waves starting from 1948, and refugees of each wave were treated differently.

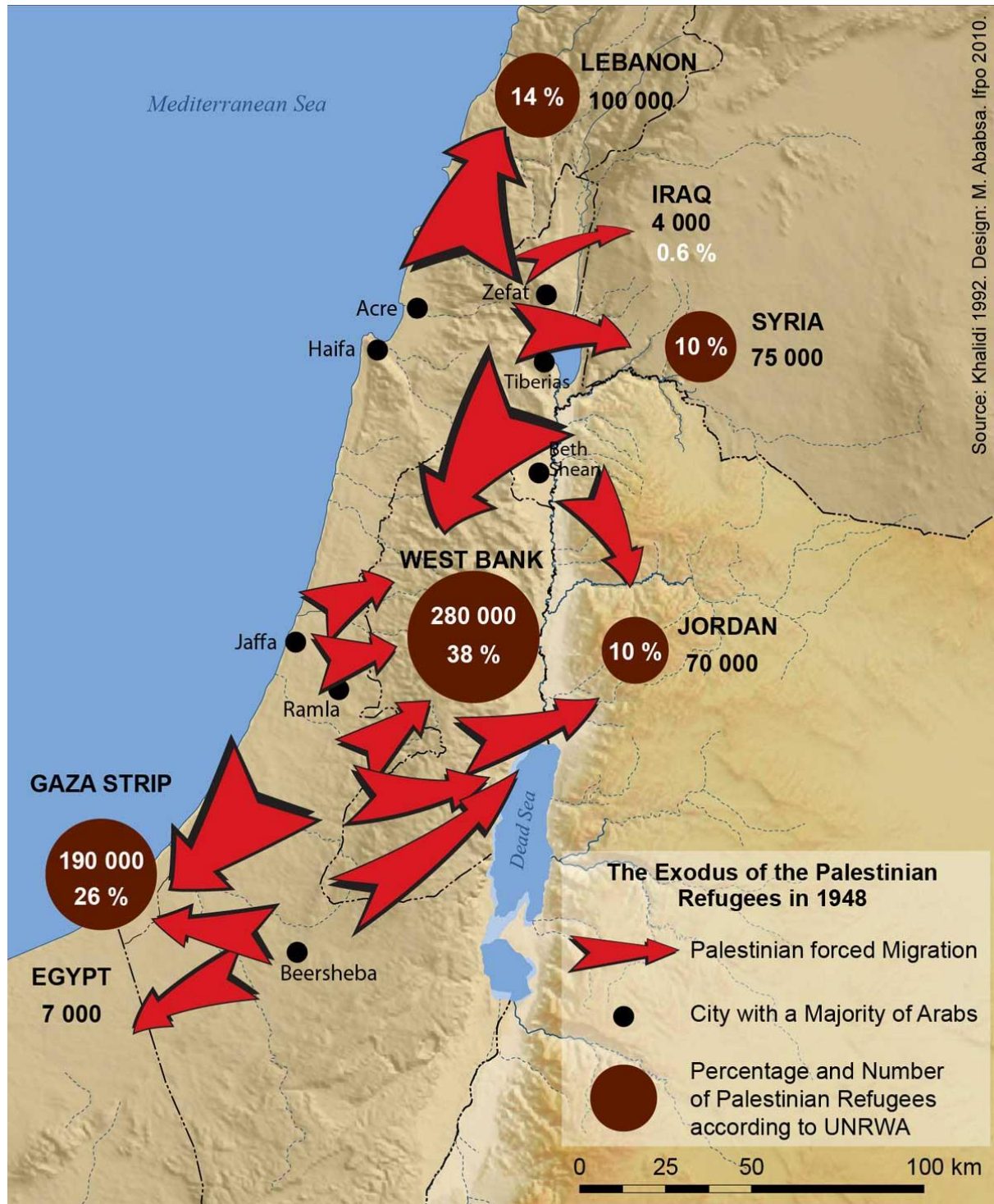
The first wave, 1948:

As a result of the Arab-Israeli war in 1948, it was estimated that 726,000 Palestinians from the occupied cities were displaced to the West Bank cities, and neighbouring countries; Jordan, Syria and Lebanon. Figure 2 shows the estimated numbers of the displaced Palestinians and the distribution over neighbouring countries and the West Bank in 1948 (Al Hussein, 2013).

Jordan received 10% of the Palestinian refugees inside its borders in addition to 38% who fled to West Bank, which was annexed by Jordan later in 1951 (Al Hussein, 2013). As a result, Palestinian refugees who were residing in Jordan and West Bank, in addition to the Palestinians from the West Bank, were given Jordanian citizenship according to the second point of Article 3 of the Jordanian citizenship law of 1954, which states that: “*Any person who was not Jewish and who had Palestinian citizenship before the 15th of May 1948 and whose ordinary residence in the period from the 20th of December 1939 to the 16th of February 1954 was in the Hashemite Kingdom of Jordan*” (El-Abed, 2021, p. 114) is a Jordanian citizen.

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Figure 2. The distribution of Palestinian refugees of 1948 war to the West Bank and neighbouring countries.



Source: *Atlas of Jordan* (Al Hussein, 2013, p.230)

The Second Wave, 1967

In 1967, a second Arab-Israeli war occurred and resulted in the occupation of the West Bank, East Jerusalem, and part of Syria and Egypt. Therefore, another wave of Palestinian refugees fled to neighbouring countries. Jordan received 440,000 Palestinians, where most of them were not considered refugees but as internally displaced Jordanian citizens from the West Bank, which was acknowledged as a Jordanian land at that time, in addition to refugees from Gaza (Al Hussein, 2013). Palestinians from Gaza were considered as refugees to Jordan and were excluded from the aforementioned Jordanian citizenship decision, as the Egyptian government imposed an administrative responsibility for Gaza strip for the years between 1948 until 1967. However, Egypt never recognized Gaza as an Egyptian land, therefore, Gazans were not granted Egyptian citizenship, unlike the Palestinians who were residing in West Bank who became Jordanian citizens (Perez, 2021).

On the 31st of July 1988, the Late King of Jordan, King Hussein announced the severance of administrative ties to the West Bank, which was initiated to recognize the project of announcing a Palestinian State in the West Bank. However, Jordan has maintained in recognizing the Palestinians who have been given Jordanian citizenship and were residing outside the West Bank at the time of the decision, as Jordanian citizens. Hence, most of the Palestinians who were displaced to Jordan after the 1948 and 1967 wars, are Jordanian citizens today (Al Hussein, 2013). An exception is made to 158,000 Gazans, who were not entitled to Jordanian citizenship. They still have been given a temporary Jordanian passport which works as a residence permit in addition to a travel document (UNRWA, 2018). Other Palestinians are living today in Jordan, who are not recognized as refugees by the UNRWA nor the UNHCR, as they came from the West Bank to Jordan and after 1988, but they are also entitled to the temporary Jordanian passport. This includes 2,700 Palestinians who have lost their Jordanian citizenship between 2004 and 2008. As they belong to a minority group of Jordanians with Palestinian origins who are holders of a residence permit of the West Bank, and they were frequently travelling or residing in West Bank during that period, which caused a withdrawal of their citizenship (Human Rights Watch, 2010).

Other Waves

Many other waves of Palestinians came to Jordan as a result of further conflicts in the host countries. As a result of the second Gulf War in 1990 – 1991, around 250,000 – 300,000 Jordanians of Palestinian origins relocated to Jordan. However, they were mostly entitled to Jordanian citizenship before their influx to Jordan (Al Husseini, 2013; Stevens, 2013).

Moreover, after the US-Led invasion of Iraq in 2003 and the following years, many Palestinian refugees who lived in Iraq tried to escape to Jordan. However, they were not allowed to enter the country, unless for spouses who were married to Jordanian women and their children. Therefore, Palestinian refugees from Iraq were allocated to refugees camps at the Jordanian-Iraqi borders. This humanitarian crisis received the attention of many countries who have participated in the coordinated moving of these refugees together with the UNHCR to resettle in the Scandinavian countries, Canada, New Zealand, Australia, Ireland, the USA, Brazil and Mexico (Olwan, 2009, p.4).

Moreover, after the start of the Syrian conflict, a new wave of Palestinian refugees escaped to Jordan from Syria, however, in April 2012 Palestinian refugees coming from Syria were not permitted to enter Jordan, except those married to Jordanian citizens and their children (Human Rights Watch, 2014). Therefore, the Palestinian refugees from Syria who managed to enter Jordan were counted as 17,000 at the end of 2017 (UNRWA, 2018).

4.2.2. Iraqi Refugees

Jordan was the home for many Iraqis during the past decades; escaping several wars or insecure situations, or search for work opportunities and a better life. The first wave of Iraqis that have come to Jordan in recent history, was in 1979, with thousands of Iraqis who were escaping the first Gulf war, which was between Iran and Iraq. Other Massive waves continued to flee to Jordan after the second Gulf war in 1991. While after the US-Led invasion of Iraq in March 2003, a massive wave of Iraqi refugees fled to Jordan at that time and the following years. As only at the beginning of the invasion in 2003, it was estimated that 250,000 to 300,000 Iraqis entered Jordan.

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The actual numbers of those who arrived after the invasion were not accurate. Though, it was estimated that the number of Iraqis has reached 750,000 Iraqi refugees at one given time in Jordan. The numbers have increased after 2003 due to sectarian violence and terrorism which has escalated in the following years after the invasion (Olwan, 2009). According to FAFO's report in May 2007, official numbers were found to be between 450,000 to 500,000, while 23% of them were in Jordan before 2003 (Dalen & Pedersen, 2007).

With an open-borders policy towards Iraqis, Iraqi citizens were exempted from visa to enter Jordan on arrival, as they were normally given a one-month entry on arrival at border points (Stevens, 2013, p. 15). While they were also able to apply for a three to six months visit visa (Olwan, 2009, p.3). Moreover, longer-term residence permits were given to those who were employed or could ensure a secure income through depositing an amount of USD 150,000 in the Bank of Jordan, in addition to investors, and students (Stevens, 2013, p. 15).

These one-year permits are valid till today but with more limitations, as the free-entry privilege has changed after terrorist bombings carried by an Iraqi touristic group, in three hotels in the Jordanian capital Amman, killing 60 people in November 2005. Jordan has applied a restrictive entry policy towards Iraqi citizens; where visas were valid for two to three days, and residence permits renewal became more complicated, except for students, employees and investors who were entitled to a one-year renewable permit. Moreover, as of May 2008, Jordan stopped the visa on arrival process, replacing it with an in-advance application, through licensed offices (Olwan, 2009). according to the UNHCR, there are only 66,773 registered Iraqi refugees, as of January 2021, 59.3% of them are within the working-age group of 18 – 59 (UNHCR, 2021b).

Iraqis entry to Jordan from the Iraqi-Jordanian borders is permitted with restrictive policy today. While similarly to Palestinian refugees from Syria, Iraqi refugees who were coming from Syria were not permitted to enter Jordan as of 2012 (De Bel-Air, 2016).

4.2.3. *Syrian Refugees*

Jordan as a neighbouring country to Syria has received many Syrian refugees in the past ten years due to the Syrian conflict. Today, approximately 663,210 Syrian refugees are living in Jordan and registered with the UNHCR, while 46.7% of them are within the working-age group of 18 – 59 (UNHCR, 2021d). However, the UNHCR statistics do not include Syrian economic migrants who were either employed for Jordanian companies before the conflict or investors who have moved or established their businesses in Jordan. It was believed that the number of Syrians in Jordan has reached 1.3 million in 2015, despite that the UNHCR registered numbers were 633,644 for the same year (De Bel-Air, 2016). In addition, the Department of Statistics projected population of 2020, estimated that the number of Syrians in Jordan would reach 1,441,924 (Department of Statistics, 2020a).

4.2.4. *Other Refugees*

According to the UNHCR, there are 22,432 refugees as of January 15th, 2021 residing in Jordan from nationalities other than Iraqis, Syrians and Palestinians. Unlike the aforementioned groups, this includes small refugee groups as 14,192 Yemenis, 6,038 Sudanese, 727 Somalis, and 1,476 other nationalities. Most of these refugees have arrived between 2011 and 2018, while 71.8% of them are within the working-age group of 18 – 59 (UNHCR, 2021c).

4.3. Changes of Labour Regulations Concerning Refugees

The Jordanian labour law has considered refugees as foreign labour and never made a distinction between both in any of its regulations. Therefore, this section illustrates the changes that have been implemented on the regulations that are made to organize the employment of the foreign workforce in Jordan. In addition, separate decisions were made in the form of exceptions to the different refugees' groups, which were sometimes based on international agreements or to solve a problem of an increasing population of a certain group.

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Jordan is currently applying the Labour Law number 8 of the year 1996, which has been through many amendments since it was published, while the most recent amendments were announced in 2019. Article number 12 is the article that regulates the employment of the foreign workforce, and table 7 explains the amendments that have been made to this article, as well as other decisions related to refugees' employability (ILO, 2019a). The original text of Article 12 as quoted from the original version of the Jordanian Labour Law number 8 of the year 1996, excluding amendments, according to the English translated copy by the International Labour organisation: “**Article 12:**

- A. *Non-Jordanian workers shall only be employed upon authorization by the Minister, or his duly mandated representative, provided that the work they undertake requires expertise and skills unavailable or insufficient within the Jordanian workforce. In such cases, priority shall be given to Arab experts, technical specialists and workers.*
- B. *Non-Jordanian workers shall obtain a work permit from the Minister, or his duly mandated representative, before being brought into the country or entering employment. Such work permits shall be valid for a maximum of one year and may be renewable on an annual basis.*
- C. *The Ministry shall collect a fee from the employer for the issuance or renewal of the work permit of a non-Jordanian worker. Such a fee shall be received as public revenue, and its amount shall be fixed by statute.*
- D. *Upon recommendation by the Ministry of Social Development, a severely handicapped person, or his guardian or trustee, may be exempted from the payment of the work permit fee for one non-Jordanian worker, if the disabled is in constant acute need of assistance in his day-to-day life, and if the functions of the non-Jordanian worker are limited to assisting the disabled.*
- E. *An employer or manager of an establishment, as the case may be, shall be fined no less than fifty and no more than one hundred Dinars for every month or fraction of a month during which a non-Jordanian worker is employed in violation of the provisions of this Code. The fixed minimum fine shall not be reduced in any circumstances and for any reasons whatsoever.*

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F. *The Minister shall order the deportation of a worker violating the provisions of this section, at the expense of the employer or manager of the establishment. Such orders shall be executed by the competent authorities.*” (ILO, 1996)

Table 7. Amendments that have been made to Article no. 12 of the Jordanian Labour Law and other decisions related to refugees’ employability.

Year	Item	Amendment
1998	Labour Law – Article 12	The article was extended to include that the employment of non-Jordanian is considered a violation in the following cases: ³ <ul style="list-style-type: none"> - Hiring the worker without issuing a work permit. - Working for another employer than the one stated on the work permit. - Practising another profession than the one stated on the work permit.
2006	Labour Law – Article 12	The fine that should be paid by the employers who violate the provision of hiring non-Jordanian workers, was changed to be <u>not less than JOD100 and not more than JOD150, for every foreign worker</u> ⁴ .
2009	Ministry of Interior – Announcement	An order was released by the Ministry of Interior to facilitate procedures related to Iraqis in Jordan, especially investors. This included ease of movement on borders, annual renewal of residence permits for family members including parents (Jarrar, 2020). In addition, investors who have been residing in Jordan for ten years or more were granted temporary residence permits of five years. As well as allowing them to purchase real states and cars, and driving. Which facilitated access to work permits (Ammon News, 2009; UNHCR, 2012).
2010	Labour Law – Article 12	The first point that included a statement of: “ <i>priority shall be given to Arab experts, technical specialists and workers</i> ”, was removed and replaced by “ <i>for the purposes of this section, the Minister may issue any instructions he deems necessary to organize the employment and recruitment of non-Jordanian workers</i> ” (ILO, 2010) ⁵

³ Direct link to original source: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98875

⁴ Direct link to original source: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98872

⁵ Direct Link to original source: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=85213

4. HISTORICAL BACKGROUND

Year	Item	Amendment
		The fine that should be paid by the employers who violate the provision of hiring non-Jordanian workers, was changed to be <u>not less than JOD200 and not more than JOD500, for every foreign worker</u> . ⁶
2011	Separate Decision no. 15/2011	Followed to the previous orders of 2009, the Ministry of Interior announced the opening of more work sectors for Iraqis, as they were representing the majority of the refugees' population at that time (UNHCR, 2012).
2016	Separate Decision – MOL	A decision by the Ministry of Labour was released to ensure that Palestinians with temporary Jordanian passports who live in Jordan, including Gazans, are requested to issue work permits and pay the fee just like other expatriates. This was applied to many Palestinians who are children of Jordanian mothers (Abu Amer, 2016; Al-Sarayreh, 2016).
2016	International Agreement – European Commission	As agreed by the Jordanian government and the EU through the Jordan Compact, 200,000 work opportunities were granted to Syrian refugees in Jordan, which gave an advantage to Syrian refugees more than other refugees' groups (European Commission, 2017). This also included a reduction of the work permit's fees for Syrians to be as minimum as JOD10 (USD 14) for processing the work permit requests and renewal (UNHCR, 2020a).

4. HISTORICAL BACKGROUND

Year	Item	Amendment
2019	Labour Law – Article 12	An additional point was added as point E, stating that: Children of Jordanian mothers ⁶ who are married to non-Jordanians are exempted from work permit issuance which is stated in this Article for points A and B. ⁷
2019	Labour Law – Article 12 Separate Decision no. 19/2019	<p>The fine that should be paid by the employers who violate the provision of hiring non-Jordanian workers, was changed to be <u>not less than JOD500 and not more than JOD1000, for every foreign worker</u>.⁸</p> <p>The MOL announced the closed professions that can be only accessed by Jordanians and semi-closed professions that can be partially accessed by non-Jordanians but with limitations (MOL, 2019c).</p>

*Source: different sources as (ILO, 2010), *UNHCR, 2012, 2020a), Ministry of Labour (MOL, 2019), public media (source of each point was cited in-text).*

⁶ Jordanian citizenship doesn't pass through mother to the children, as the citizenship is granted only by the father.

⁷ Direct link to original source: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=110390

5. Findings and Discussion

5.1. General Findings

This section includes figures and general statistics of the several sets of interviews that have been used in this study. Each set of interviews was analysed separately and summarized the participants' characteristics, general statistics of their responses, in addition to related figures that were extracted from the secondary data used.

5.1.1. *Organisations' Interviews*

Although that the Ministry of Labour acts as a centralized body that has all the related data of non-Jordanian workers, including the employers' information, the request to have a list of the companies that hire different nationalities to be included in this study was rejected. Therefore, many organisations were contacted as they were known for hiring non-Jordanians from Syria, Palestine, Iraq, and Yemen. However, it was difficult to convince the employers that hire non-Jordanians informally to participate in the study. Violating the MOL regulations for hiring non-Jordanians was either through hiring foreign employees without issuing the work permits or through exceeding the specific quotations for the foreign workforce percentages in each sector as shown in table 8. Therefore, 18 organisations participated in this study, as employers that hire refugees, and were distributed as:

- **Four** international organisations; two of them are not-for-profit
- **Ten** Jordanian companies
- **Three** Syrian companies
- **One** Iraqi company

These organisations were mostly hiring refugees formally, however, one of them confirmed exceeding the limits of the non-Jordanians quotation, specifically for Syrian workers, as the company is a Syrian firm that had been operating in Syria since 1970, then moved to Jordan due to the conflict and decided to keep many of its old employees, with a preference to hire Syrians for the vacant positions. In addition, four participating organisations confirmed that some of their foreign employees are now hired informally, as the renewal

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of their work permits was rejected. One case was for a Yemeni employee that worked for a restaurant and couldn't renew the work permit in the last two years as it was rejected, but the employer decided to keep him informally, while two other Iraqi employees had a similar situation with another company. In addition to other Syrians whose work permits were not renewed as they were working for closed jobs, while their employers are still working on solving the issue for a year.

Moreover, the participating organisations were distributed among several industries and services, therefore, they were entitled to different quotations of the foreign workforce as shown in table 8. The distribution of the participating organisations among sectors was as:

- Food and beverage manufacturing: **two** companies
- Furniture manufacturing: **one** company
- Detergent manufacturing: **one** company
- Garment manufacturing: **one** company
- Industrial & environmental equipment supplies: **one** company
- Not-for-profit organisations: **two**
- Business consultancy and services: **two** companies
- Education and training services: **one** company
- Restaurants and cafes: **five** restaurants that varied in products
- Catering service: **one** company
- Sweets' factory: **one** company

Table 8. Maximum quotations of non-Jordanian workers in different sectors.

Sector	Non-Jordanian Quotation-max	Notes
Gas Stations	50%	
Support Services (e.g. Cleaning)	50%	
Restaurants and Cafes – Classified (Tourist)	30 – 40%	The higher the classification, the less the percentage
Fast Food Restaurants	20%	
Restaurants and Sweet Shops – Local	45%	Percentage to be decreased annually
Bakeries	15 – 30%	Non-automated or automated
Hotels	12 – 25%	The higher the classification, the less the percentage
Beauty Centres	Determined upon request	
Manufacturing Industries		
Medical Equipment and Supplies	5%	
Mining/ Engineering	15%	
Chemical/ Food & Beverage/ Packaging & Printing	20%	
Wood & Furniture	35%	
Garment (Clothing)	40%	
Construction/ Plastic	60%	

Source: Ministry of Labour.⁸

5.1.2. Individual Interviews

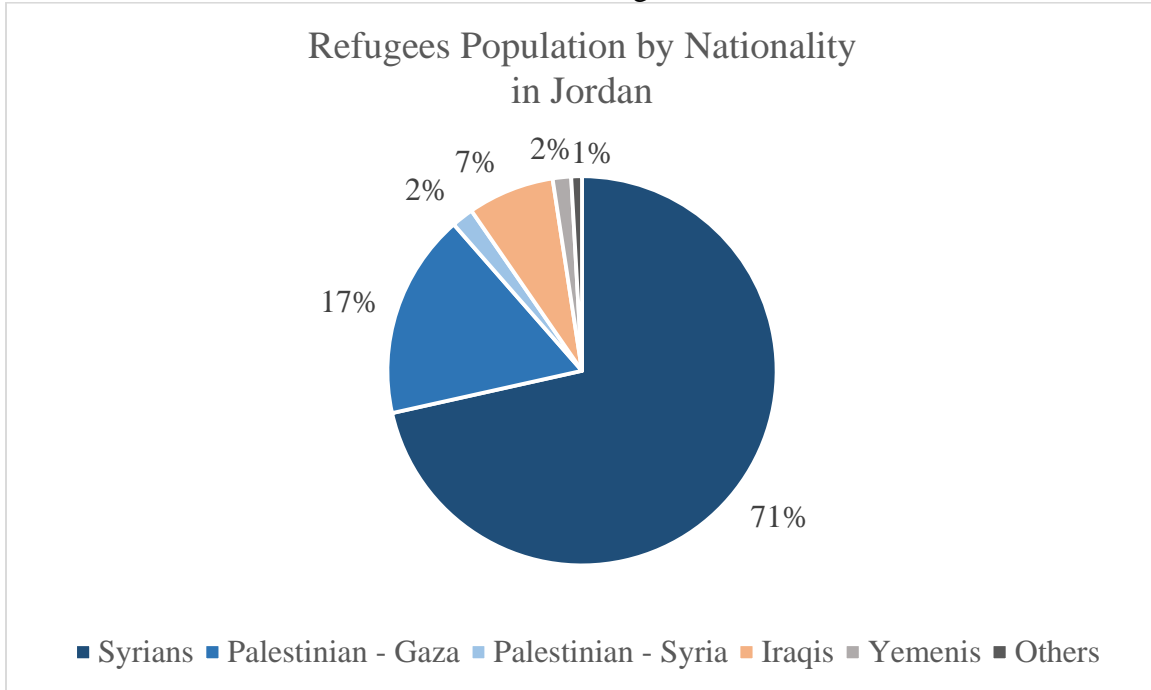
Figure 3 shows the percentages of refugees by nationality in Jordan according to the official numbers by UNHCR and UNRWA, however, these numbers do not include all those coming from the countries of conflict and reside in Jordan. While the Refugee Convention defines the refugee as “*someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.*” (UNHCR, 2010, p.3). Therefore, this research included participants that are not entitled to the refugee’s status by the UNHCR nor the UNRWA, but they fall under the refugee’s

⁸ Jordanian Ministry of Labour – Foreign workforce quotations per sector <https://cutt.ly/NINBb2W>

definition. This was a clear case of many Palestinians who have been living in Jordan for so many years now, they were not entitled to Jordanian citizenship nor registered as refugees with the UNRWA, as they were not residing within the borders of the countries that UNRWA has been working within. It was difficult to reach an accurate count of Palestinians who fall under this category, but as of 2015, they were counted as 634,182 Palestinians in Jordan (De Bel-Air, 2016). This includes Palestinians from the West Bank, who are entitled to Palestinian citizenship, and Palestinians from Gaza that were not living in West Bank nor Jordan in 1967, but have come to Jordan to live afterwards, in addition to other Palestinians who lost their Jordanian citizenship and were later recognized as Palestinian citizens. Part of these Palestinians is entitled to a temporary Jordanian passport, or Palestinian passport, while part of them are only entitled to a travel document issued by the Palestinian authorities, which doesn't even allow them to travel to or live in Palestine.

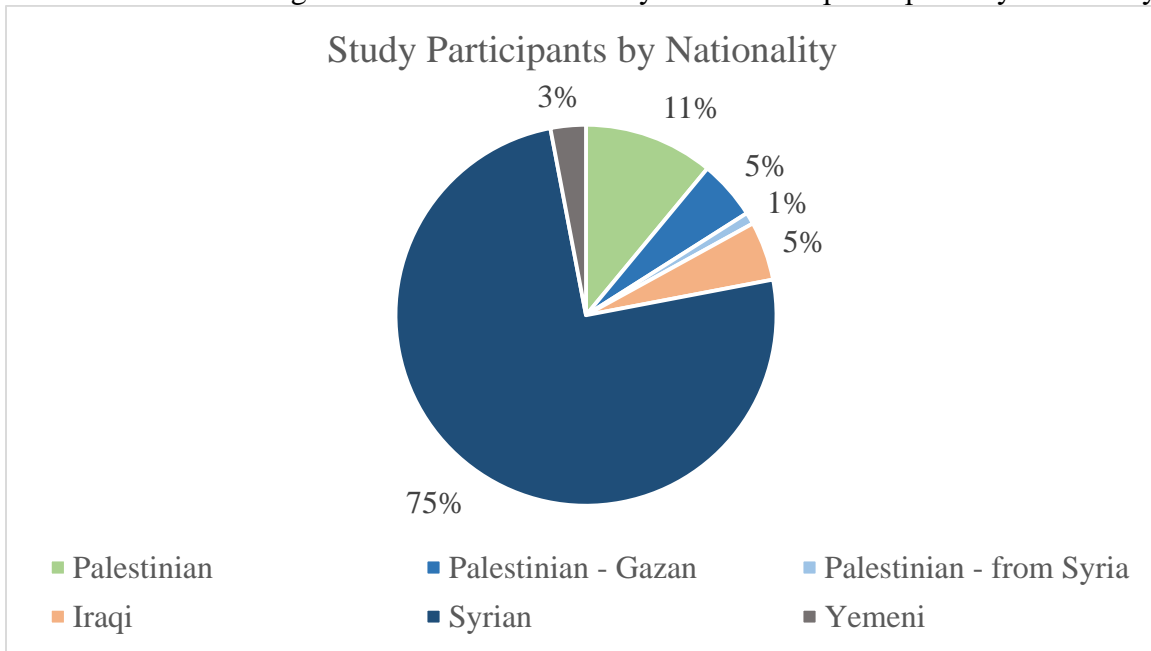
Therefore, considering the aforementioned reasons, these Palestinians are unable or unwilling to return to their country, and with the continuity of the conflict in their country, 11 Palestinian participants who have different cases were included in this study along with other refugees; figure 4 shows the percentages of participants by nationality. One of those participants had lost his Jordanian citizenship in 2017, although he was born in Jordan as a Jordanian and have lived almost all his life there. His case is similar to many others who are considered as a minority among Jordanians with Palestinian origins and managed to keep both citizenships, despite being granted the Jordanian citizenship by the law in 1951. These Jordanians might not be considered as other citizens, since they have to keep extending their Palestinian documents in order to maintain their Jordanian citizenship. Therefore, if they apply to renew their Jordanian documents such as renewing their passports, their Palestinian documents shall be reviewed by the Jordanian authorities too, and if they fail to extend their Palestinian documents, they may face complications. Accordingly, this participant lost his Jordanian citizenship for not renewing his Palestinian documents, thus, lost the "right of return" that Jordan tries to keep for this particular group (see Other Waves, page 40).

Figure 3. Distribution of refugees' population in Jordan by nationality - for those registered with the UNHCR and UNRWA.



Source: (UNHCR, 2021c; UNRWA, 2018).

Figure 4. Distribution of study's individual participants by nationality

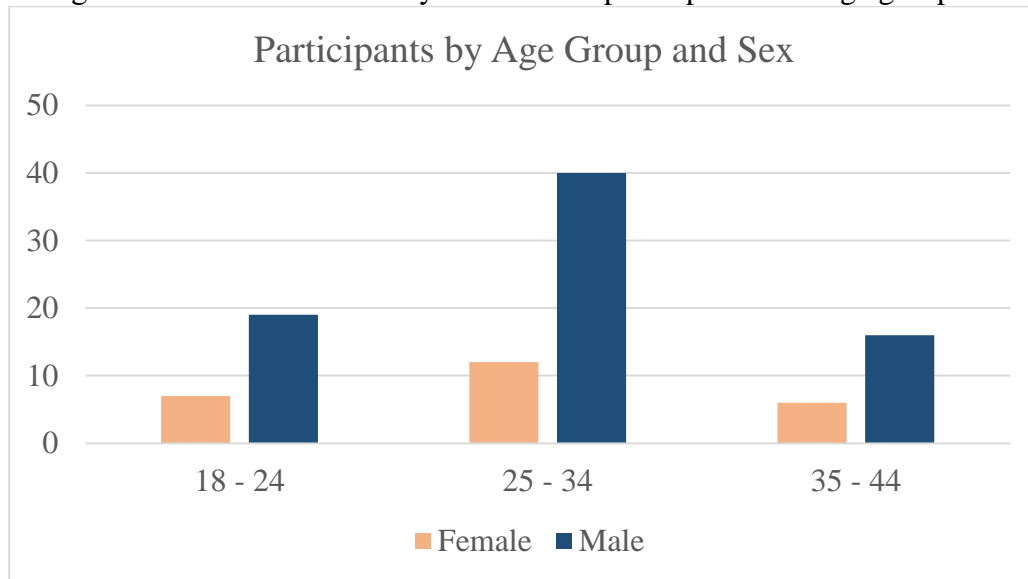


Source: own collection based on the interviews.

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Although the percentage of the participation of non-Jordanian women in the Jordanian job market was only 8.5% in comparison to 91.5% for men in 2019, the actual percentage is difficult to determine, as there are no actual statistics for those working informally. While 25% of the study participants were females in comparison to 75% of males (Labour Market Studies Unit, 2020). Figure 5 shows the distribution of participants over sex and age groups.

Figure 5. Distribution of study's individual participants over age groups and sex.



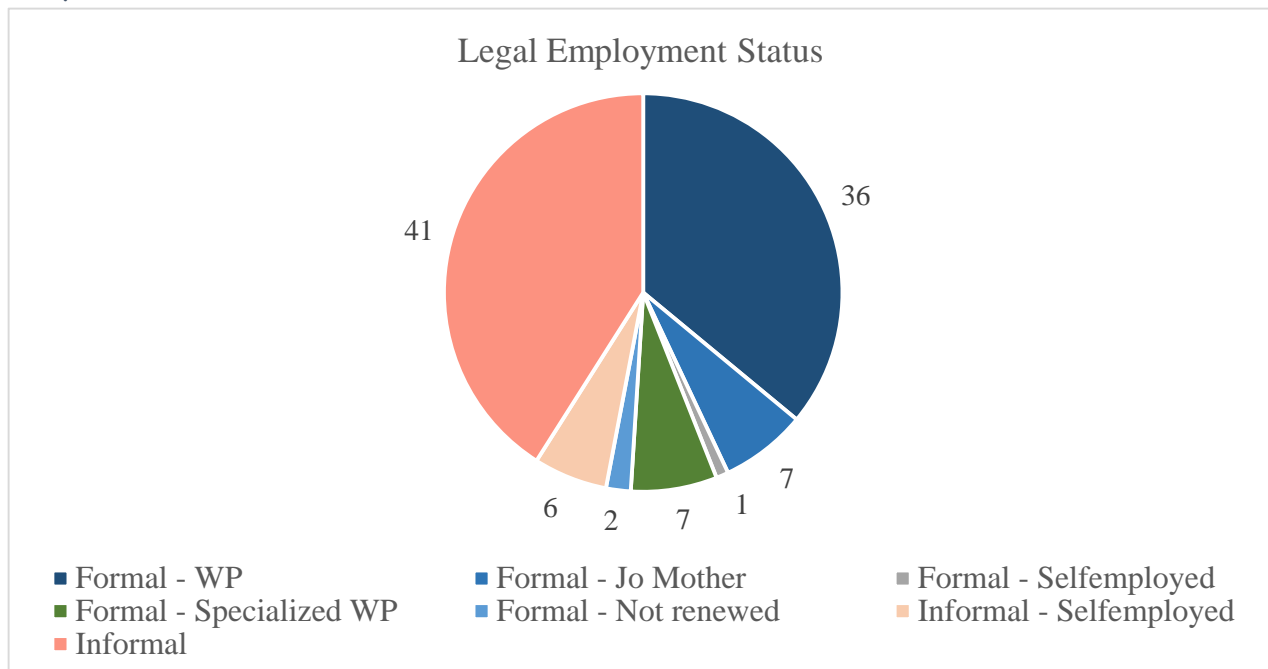
Source: own collection based on the interviews.

As for the employer nationality, **56** participants were employed by Jordanian employers, while **23** were employed by foreign employers, many of which are companies owned by Syrian investors, in addition to **20** participants who were employed by international entities, including NGOs. The study included self-employed and freelancers, however, most of them were offering their services to one of the above-mentioned employers, while only **1** Palestinian participant confirmed that he owns his own business, and according to him, the business has been registered with an old commercial register a long time ago, therefore, he considers himself lucky to have it. The participant stated that new applications of registering a business for Palestinians similar to his case may get rejected because they are required to have a Jordanian partner holding a minimum of 51% of the shares.

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However, not all participants are formally employed, since Jordan has applied strict regulations for non-Jordanian workforce access, including refugees. Many refugees today find job opportunities in informal ways, which will be explained later. Even if there are no accurate figures about the refugees who work informally, the ILO believes that the percentage among Syrian refugees has reached 52% (ILO & FAFO, 2020). Figure 6 shows the numbers of participants who confirmed that they work formally and those who confirmed being employed informally. This provides, as well, more details about the type of their legal status. 47% of participants were employed informally in comparison to 44% employed formally, in addition, there were 2 participants whose permits were pending at the time of the study. 7% of the participants are currently exempted from issuing work permits, thus can access any sector formally, including closed jobs, as they are children of Jordanian mothers. Moreover, table 9 summarizes other responses for the 100 individual participants, over several closed-ended questions.

Figure 6. Type of legal employment status of study's individual participants



Source: own collection based on the interviews.

1) Formal employment status, includes: those who have a valid work permit (WP), children of Jordanian mothers who are exempted from issuing a work permit as of 2019 (Jo

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Mother), self-employed with formal documentation, those who have a valid work permit but for specialized jobs (Specialized WP), and finally, those who have previously had a work permit but the renewal is under process.

2) Informal employment status, includes those who don't have work permits, while they are obliged to, in addition to those who confirmed that they are self-employed but do not have formal documentation.

Table 9. The responses of the individual interviews of participants on selected points.

Distribution of Jobs	Opened ¹		Semi-closed		Closed			
	35%		37%		28%			
Type of Employment	Full		Partial		Seasonal			
	75%		11%		14%			
Equal Pay (Compared to Jordanians)	Unknown		Less		Same			
	19%		37%		44%			
Working Hours Per Week	Less Than 30		30 – 48 ²		49 – 59		60 and Above	
	13%		67%		11%		9%	
Job Satisfaction	No		Partial		Yes		High	
	19%		36%		41%		4%	
Feel integrated within the society	No		Partial		Yes		High	
	13%		32%		39%		16%	
Social Security Insurance	Insured				Not Insured			
	48%				52%			

Source: own collection based on the interviews.

- 1) Jobs that are only available within NGOs and not classified as opened nor closed, were considered as opened.*
- 2) The regulated maximum working hours per week in Jordan is 48.*

5.2.Regulations

As could be seen in point number 4.3, page 42, there have been many changes to the working regulations for the expatriate workforce in Jordan. For instance, the original text

of Article number 12, which regulates the employment of non-Jordanians, stated that Arab experts, technical specialists and workers were the first options of replacement in case of not finding a qualified Jordanian for the jobs. However, in 2010 this statement was omitted, and since then, Arab labour has been treated equally to all other nationalities.

Moreover, despite the continuous waves of refugees that have been arriving to Jordan in the past twenty years, no changes were adopted to Article number 12 to absorb refugees and distinguish between them and other foreign workforces; only separate decisions were announced to regulate the employment of specific groups.

Such decisions were made for opening more work sectors specifically to Iraqi refugees in 2009 and 2011. However, as concluded from Iraqi participants, these exceptions are no longer applied, especially that Iraqis are now considered from restricted countries, whose work permits require the approval of the Ministry of Interior (see Work Permits Fees, page 61 for more details). In addition, one participating organisation, that is owned by Iraqi investors and has an operational office in Jordan, said that they used to hire Iraqi nationals in the past, however, in the past few years it started to be more difficult to renew their work permits and they were mostly rejected. Therefore, the organisation had to make a decision of either relocating these Iraqis to other branches in other countries or terminate their services, while they only kept two Iraqi employees who work informally, due to personal connection to the employer.

Moreover, decisions were not only made to ease the access to a particular group, but also to limit it sometimes. For instance, after so many years or even decades of enjoying free access to the job market, Palestinian refugees, who hold a temporary Jordanian passport, were suddenly requested to issue work permits in 2016. This decision harmed many of those already employed and worked in specific professions that suddenly became closed to them. This also included changes for Palestinian citizens who owned their own businesses in Jordan. One Palestinian participant said that although he lives in Jordan since 1990, he has to renew his residence permit annually, which is only permitted because he is married to a Jordanian. He also explained that he could keep his business until today only because his commercial register was issued long years ago before the process became more complicated, claiming that if he would like to issue a new register now, he would need a

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Jordanian partner with a share of 51%, while the acceptance is not guaranteed. In addition, he said that he can't buy a property; the only way to do so is to be registered under the name of his wife. The changes concerning Palestinians in Jordan were not only limited to those with temporary Jordanian passports; Palestinian participants who hold either the Palestinian passport or a travel document indicated that it is very difficult to access work opportunities in Jordan, as they are treated as foreign labour and has to go through complicated procedures.

After receiving Syrian refugees since 2011, Jordan had not mentioned them in any special decision until 2016, when they were formally allowed to issue work permits similarly to other non-Jordanian workers. This was a result of signing international agreements such as the Jordan Compact, which granted the right to work for the Syrian refugees in Jordan. An additional decision was made in 2018 by the Ministry of Labour through issuing new instructions to regulate the Syrian workforce in the Jordanian market. These instructions are believed to be part of the improvements Jordan has made to facilitate the Syrian refugees' access to jobs as agreed through the Jordan Compact. The instructions included (MOL, 2018):

- Introducing new short-term work permits for no longer than 6 months, which can be requested by employers for Syrian workers when they want to temporarily hire them, as long as these workers have never been granted a work permit in the past.
- Syrian refugees who reside inside the camps were allowed to have work permits for jobs outside the camps.
- The security card issued by the Ministry of Interior can be used as a formal identity card for issuing the permits.
- Syrian workers are exempted from the permit fees; they are only required to pay a processing fee of JOD10.
- The Minister of Labour is allowed to open some closed jobs and technical semi-closed jobs for Syrian workers, as long as it doesn't affect the Jordanians employability.

However, in the following section, the work permits of the Syrian refugees that were issued in recent years were analysed to see whether these regulations were truly applied, or whether the reality doesn't seem as optimistic as the decisions were intended to seem.

Back to **H1 which States that:** Refugees have different treatment in terms of employability (application of regulations), based on nationality.

It was noticeable that Syrian refugees have slightly more access to jobs than other refugees at the meantime in Jordan. In addition, Jordan has applied different treatment to different refugees groups over the decades. Therefore, if we consider this case bounded in time of the last three years, Syrian refugees have been granted more access to work opportunities, however, as experienced by other groups, this is subject to change.

Accordingly, H1 is true, and if we consider the current situation which shall be bounded in time to be more specific, Syrian refugees were given more access to job opportunities than refugees of other nationalities according to the period of the study, at least from 2017 until 2020.

More details that were discussed in later points supported H1, as the difference in work permit fees, which showed more preference to Syrian refugees compared to refugees from other nationalities. In addition to the registration of home-based businesses which was only available for Syrian refugees at the time of the study. More details about home-based businesses are discussed in point 5.4.3.

Why is there a difference?

As could have seen in the previous points, Syrian refugees currently receive better treatment than other refugees groups in terms of job market access. This was obvious among different facilities as the reduced work permits and the opening of various closed job categories specifically for Syrians access.

This can be justified through reviewing different secondary data as well as concluding the views from the previously illustrated literature. One of these studies is the Country Fiche issued by the ASILE project, which explained that Jordan's treatment of recent refugee

crises, such as Syrians, Iraqis and Yemenis was influenced by the country's experience with Palestinian refugees and their crisis in terms of granting rights. The Fiche also indicated that the country's law does not define who is considered a refugee, which can allow Jordan in applying a selective refugee accepting policy depending on a person's nationality. While according to the Memorandum of Understanding signed in 1998 between Jordan and the UNHCR, Jordan committed to respect the concept of non-refoulement and leave the UNHCR responsible for determining refugee status (Tsourapas & Verduijn, 2020).

Moreover, Jordan banned Syrian refugees from accessing the labour market formally until 2016, due to the high unemployment rate among its citizens. However, this was changed after Jordan has sought the international Community's participation in hosting the Syrian refugees in Jordan which resulted in mutual commitments made in London and Brussels. This included several bilateral and multilateral initiatives as a result of the global attention to Jordan Such as the Jordan Compact, which was signed in London in 2016 and through, the European Union agreed to open the market to Jordanian exports and to give loans and grants which aim to support Jordan in covering the cost of hosting Syrian refugees. In return, Jordan has accepted to ease the access to the Labour market for Syrian refugees in specific, despite all the challenges Jordan has been facing (Mencütek & Nashwan, 2020; Tsourapas & Verduijn, 2020)

These agreements were planned by the International Community exclusively as a response to the Syrian refugees' crises and their host community, which didn't include other non-Syrian refugees such as Iraqis, Yemenis and others, neglecting their needs in accessing the job market equally to Syrian refugees, as well as their need in accessing other services such as health and education (Tsourapas & Verduijn, 2020). This differentiation in treatment was also visible through accessing other means such as food vouchers, as non-Syrian refugees did not receive them from WFP, unlike Syrian refugees. However some of the non-Syrian refugees are entitled to monthly cash assistance from the UNHCR, which had distributed in 2020 monthly cash assistance to 33,000 refugee families, 3,000 of them were non-Syrian, giving a ratio of non-Syrian to Syrian refugees of 1:10, which is very similar to the actual ratio of the UNHCR registered refugees of 1.34 non-Syrian to 10 Syrian refugees in December 2020 (Leghtas, 2018; UNHCR, 2021f).

5.2.1. Work Permits

All non-Jordanian workers who are employed in Jordan are required to have work permits, either annually or for short periods in the case of temporary projects. Therefore, the number of work permits' reflects only those who are formally employed and registered with the MOL, excluding the refugees and other non-Jordanians who access jobs informally.

Among all refugees, Syrian refugees were granted additional opportunities since 2016 as previously explained through the EU-Jordan compact. As of August 2020, the issued work permits for Syrian refugees have reached 200,180 permits since 2016 (UNHCR, 2020e). However, the total number of the issued permits doesn't reflect an accurate figure about the offered opportunities. Therefore, to conclude the accurate offered opportunities, it was needed to review the monthly reports that were issued by the Ministry of Labour through the Syrian Refugee Unit. These reports used to be submitted to the UNHCR, ILO, and the EU, as stakeholders of the Jordan Compact, in order to give them an update about the progress of work permits issuance for Syrian refugees. Therefore, to reach an accurate conclusion about the actual number of Syrian refugees who benefited from the work permits issuance, table 10 shows the distribution of the issued permits through analysing the monthly reports of the years 2017 and 2018. Noting that other years' data were excluded due to inaccuracy in accumulative numbers or missing data.

Table 10. The distribution of work permits of Syrians in Jordan as per the type of issuance for the years of 2017 and 2018

Year	First Time	Recr. ¹	Renewal	Change of Workplace	Social Security Purposes ²	Temp. ³	Acc. Total Start	Acc. Total End	Total Per Year
2017	26,394	39	14,727	4,924	373	260	36,790	83,507	46,717
2018	13,428	-	20,341	10,617	687	578	83,507	129,154	45,651
Total	39,822	39	35,068	15,541	1,060	838	120,297		92,364
Pct.	43.11%	0.04%	37.97%	16.83%	1.15%	0.91%			
Acc. Pct.	43.16%		55.94%						

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Source: Data gathered from the Monthly Progress Report of the MOL Refugee Unit⁹

1) Recruitment included Syrians that came to Jordan from Syria after the permits' issuance.

2) Renewed work permits as per social security entitlements/ change of job status with the same employer.

3) Temporary permits were issued for cash-for-work projects (will be explained later).

To analyse the extracted data, the types of permits were grouped as:

- First group - New permits: which means that the permit's holder issued a work permit for the first time (new opportunity).*
- Second group - Renewed and amended: which means that the permit's holder was previously employed, however, his/ her permit was changed due to reasons such as, renewal, change of job status, or workplace.*
- Temporary: permits that were issued for a short period and don't guarantee a long-term job.*

Accordingly, approximately 56% of permits holders out of 92,364 permits that were issued in the years 2017 and 2018 were already hired in the previous years and only renewed the permits for the following year, which implies that the number of the received opportunities were duplicated for each year the permit's holder has renewed his/her permit.

Therefore, if we only consider that those who have renewed or amended their employment status as duplicated opportunities, (excluding the temporary permits which may also include holders that have been previously employed), the actual figures of received permits for the years 2017, 2018, and 2019 will be as shown in table 11. The table also shows the percentage of work permits that were given to Syrian refugees from the total permits that were given to non-Jordanians.

Table 11. The numbers of Syrian workers who have been hired from previous years in 2017, 2018 and 2019.

Year	Duplicated WP ¹	Others ²	Total	Percentage of Duplicated ³	Percentage from Non-Jordanians ⁴
2017	20,024	26,693	46,717	42.9%	12.3%
2018	31,645	14,006	45,651	69.3%	11.5%
2019	31,327	16,439	47,766	65.6%	11.2%

⁹ Internet source: through Relief Web <https://reliefweb.int/country/jor>

Source: Constructed from Table 10 and Table 5.

- 1) Duplicated work permits: these permits were renewed; permit holders have been hired from previous years.*
- 2) Others: includes the new recruitment and temporary permits.*
- 3) Percentage of duplicated: the percentage of Syrian workers who have been previously hired and renewed their permits, from the total number of permits given to Syrians.*
- 4) Percentage of Syrian workers who received work permits (formally employed) from the overall non-Jordanian permits.*

In conclusion, the 200,000 opportunities that were granted by the Jordanian government as it was committed to giving for Syrian refugees according to Jordan Compact, were interpreted as work permits. This reflects fewer numbers of those who actually benefited from the given job opportunities.

In addition, although that the Syrian refugees represent approximately 71% of the refugees' population in Jordan, their formal access to job opportunities in comparison to other foreign workforce is still insignificant, with percentages of only 12.3%, 11.5% and 11.2% for the years 2017, 2018, and 2019 respectively.

Work Permit Fees

The fee structure of work permit varies according to nationalities and sectors, therefore, table 12 shows the cost of work permits as of 2020. The data were mostly collected through personal communication with the MOL, in addition, some data are available on the Ministry's website in the Arabic language¹⁰ (Ministry of Labour – Media and Communication Unit, personal communication, September 17, 2020). Data related to Syrian refugees' permits are also available in English through a detailed document, prepared by the UNHCR, explaining the work permit procedures, cost, documentation, and other information that Syrian workers need to know (UNHCR, 2020a).

¹⁰ Ministry of Labour – Jordan, Service Directory <https://cutt.ly/rIJqWag>
Some data are available in English through EY auditing firm, Internet source:
https://www.ey.com/en_gl/tax-alerts/hc-alert--jordan-issues-regulation-on-work-permit-fees

Table 12. Work permits cost and requirements.

Category	Permit Fee	Medical Check-up Fee	Additional (Agricultural or Construction)	Process Details
Palestinian from Gaza ¹	14 – 520 JOD (19.75 – 733 \$)	85 JOD (119.9 \$)	Not discounted	Up to one month + Valid passport
Palestinian – Others	520 JOD (733 \$)	85 JOD (119.9 \$)	NA	14 days + Valid passport + Interior Ministry approval
Syrian – Outside the Camp	10 JOD (14 \$)	NA	45 JOD (63.5 \$)	14 days + Valid MOI card
Syrian – Inside the Camp	NA	NA	45 JOD (63.5 \$)	14 days + Valid MOI card ²
Others – Non-restrictive	520 JOD (733 \$)	85 JOD (119.9 \$)	NA	14 days + Valid passport
Others – Restrictive ³	520 JOD (733 \$)	85 JOD (119.9 \$)	NA	Up to 1 month + Valid passport + Interior Ministry approval + Bank guarantee from the employer
NGOs/ Embassies/ International Organisations (up to 6 employees) ⁴	10 – 100 JOD ⁵ (14 – 140 \$)	NA	-	
Specialized Permit (closed jobs) ⁶	2,500 JOD (3,526 \$)	85 JOD (119.9 \$)	-	-

Sources: Ministry of Labour (separate collected decisions), Ministry of Interior and official newspaper.

1) As of 2016, Palestinians from Gaza who live in Jordan were required to issue work permits and pay the same fee as foreigners, however, they can apply for special consideration at the time of each renewal, which can be reduced to JOD14 (Abu Amer, 2016; Al-Sarayreh, 2016).

2) Syrian refugees residing in Jordan are only requested to have a valid Ministry of Interior MOI card, which is issued in Jordan as a replacement of their identity card.

3) According to the Ministry of Interior in Jordan the following refugees' nationalities are considered restricted¹¹: Iraqi, Yemeni, Libyan, Sudanese, and Somali. Therefore, their work permits are subjected to approval by the Ministry of Interior, which in many cases rejects the request.

¹¹ Internet Source: Ministry of Interior – Jordan, Restricted Countries (Nationalities) https://moi.gov.jo/EN/Pages/Restricted_and_Non_Restricted_Countries_Nationalities

4) International Organisations that work in Jordan can only have the discounted permits for up to 6 employees, for extra employees, they are treated as other categories.

5) According to international agreements between the sending bodies and Jordan, the work permit can cost only JOD10, if not, the cost is JOD100.

6) Specialized work permits are for the jobs within the semi-closed sectors that can be opened to non-Jordanians in some cases, the requested fee is JOD2,500 as of September 2019 and also applied to Syrian refugees who work in closed or semi-closed jobs.

Moreover, according to order number 291/2019 of the Jordanian Ministry of Labour, non-Jordanian workers who work for the agricultural or construction sectors can issue flexible work permits which allow them to work as per diem workers, without the need to be employed with a certain employer. However, the cost of these permits should be paid by the workers themselves, as JOD1,500 (\$ 2,116) for the agricultural sector, and JOD2,000 (\$ 2,821) for the construction sector, in addition to the medical check-up fee (MOL, 2019b). While Syrian workers who are willing to be benefited from the same permit can only pay JOD10 (USD14) for processing the work permit, in addition to JOD45 (USD63.5) as mandatory insurance for those applying for construction permits (UNHCR, 2020a).

Furthermore, the permit fees showed huge differences between nationalities, as the cost of work permits for Syrian workers is much more affordable than other nationalities. This has been also noticed among some participating organizations, who confirmed covering the full cost in the case of Syrians, while partially participate in paying the cost of the permit for refugees from other nationalities.

As previously mentioned in the literature review, Jordanian citizenship is not transferred to children from their mother, therefore, until the latest amendment of the labour law in 2019, the non-Jordanian workers who are children of Jordanian mothers were treated as foreigners, and had to issue work permits. As in the case of Palestinian refugees, many of them are children of Jordanian mothers and had been issuing permits from 2016 until 2019. However, the current legislation concerning the children of Jordanian mothers is subject to change, as the amended text also includes that “the Ministers’ Council is authorized to amend the legislation to regulate the employment of non-Jordanians who reside in Jordan” (ILO, 2019b).

Back to **H2 which States that**: Despite the international agreements Jordan has signed such as the Jordan Compact, to facilitate the access of Syrian refugees to the job market, the actual number of Syrians accessing the job market formally is still very low.

Through analysing the work permits given to Syrian refugees in three years, from 2017 until 2019, the actual number of those who accessed the job market and existed during these years would be:

Those duplicated from 2016 + new in 2017 + new in 2018 + new in 2019

$$\begin{array}{ccccccc} \downarrow & & \downarrow & & \downarrow & & \downarrow \\ 20,024 & + & 26,693 & + & 14,006 & + & 16,439 = \mathbf{77,162} \end{array}$$

While the reported work permits count of these three years were **140,134**, the percentage of given opportunities was only **55%** (*which includes opportunities that were already counted in the previous year, 2016, representing 14.3% of the total opportunities*). Despite Jordan Compact stated on creating 200,000 opportunities for Syrian refugees until 2020, the number of actual beneficiaries might be less than half.

Moreover, it's also worth mentioning that while Jordan Compact didn't refer to job levels of those offered, Syrian refugees were mostly allowed to work in unskilled or semi-skilled jobs.

Accordingly, H2 is true.

5.2.2. Formal versus Informal Market

The restrictions applied to so many professions that are closed to non-Jordanians, along with the competition with all other nationalities on limited opportunities that left refugees with scarce legal work opportunities, especially for non-Syrians. Accordingly, many refugees in Jordan today have no choice but to choose informal employment paths to secure an income or to work for a job that they are more interested in.

This is a very sensitive topic to refugees and they often wouldn't talk about it since they are required to have legal work permits, hence, there are no clear numbers about those

working informally in Jordan and their nationalities; the percentage is believed to be high among refugees.

In this study, 47% of participants confirmed that they work informally, versus 44% who confirmed that they work formally, in addition to 2% who confirmed that work permits were still processing at the time of the study, and 7% who said that they were exempted from issuing work permits as children of Jordanian mothers and were allowed to work for all sectors except public one, as of 2019. Furthermore, many refugees fear to reveal the fact of being employed informally due to many reasons. Those reasons were summarized as of the participants' answers and additional secondary data as:

- Despite the fact that informal employment is connected to the impression of lower wages, long working hours and difficult conditions, many participants indicated that they have chosen informal jobs since they could work for the jobs in which they are experienced and qualified. These jobs are usually within the closed and semi-closed jobs' lists, and as they require a higher level of skills than the opened jobs' list, the income is sometimes higher. Participants didn't claim that informal jobs are highly paid, but the jobs they perform informally earn higher than those offered formally which are usually low-skilled.
- Other participants also indicated that they didn't have more options to choose between formal or informal jobs. This was more visible among non-Syrian refugees such as Iraqis, Yemenis, and Palestinians (except Gazans with temporary Jordanian passport). Those participants claimed that they tried many times to access the job market through formal channels, but they were rejected either by employers who were not willing to pay for their permits or by the Ministry of Labour which sometimes rejects permits' requests even within the opened sectors for nationals from restricted countries (e.g., Iraq and Yemen).
- Another reason was given by a secondary source of data, through Jordan INGO Forum, which claims that some refugees accept being employed informally as they fear losing the humanitarian aids given by international and UN agencies especially in the case of Syrians, which may stop in case of employment (Jordan INGO Forum, 2019).

As previously mentioned, the accurate counts of refugees in the informal market are difficult to determine, however, a survey was conducted by the ILO and FAFO in Jordan and Lebanon showed that a percentage of 52% of the Syrian participants were employed informally (ILO & FAFO, 2020).

Back to **H3 which States that**: Because Jordan didn't sign the refugee convention, and there's no proven statement to legalize the status of refugees, problems occurred.

In addition to H3a *Legalizing the status of refugees' employment will formalize the market (decrease the access to informal jobs) and will impose control over the informal market.*

It was noticed that many Palestinians are not recognized as refugees today in Jordan as they were not located within the UNRWA scope of work, nor recognized by Jordan which didn't sign the refugee convention. This was also seen for Iraqi and Yemeni refugees who were treated as guests and not entitled to other advantages similar to Syrian refugees for example. Not forgetting that also Syrian refugees are accessing the informal market due to the current labour law in Jordan that doesn't distinguish refugees from the foreign workforce, despite all the efforts Jordan has made specifically to Syrian refugees.

Therefore, since those working informally are already existing, and reserving a place within the market, the restrictions partially failed in imposing control over non-Jordanian employment. While in case Jordan recognizes the status of refugees of those who fall under the definition of a "refugee", and give them more access to jobs, the informal market will shrink, as most of the refugees would prefer to be employed formally.

Therefore, H3 and H3a are true.

5.3. Work Conditions

Work conditions is a broad topic that covers a wide range of elements. In this study, the focus, in general, was on: working hours, rest time and annual leaves, salaries and benefits, social security, and legal employment status which reflects career security. However, participants added additional elements, such as the time of payment, transportation, and discrimination. Moreover, the data collection process was implemented during the

pandemic caused by COVID-19, therefore, additional notes were taken according to those who experienced job loss or source of income partially or completely.

The previous studies that were concluded within the literature review highlighted different elements that described the working conditions of refugees, which helped in summarizing the main points to focus on within this study.

5.3.1. Salaries and Benefits

Salaries and benefits are considered the most important element that assesses the work conditions. This can be assessed through many aspects, such as minimum wage, equal pay, social security and other benefits.

Minimum Wage

Although the poverty line in Jordan was set at JOD366 (\$512) for a family of five per month, the minimum salary of non-Jordanians was as low as JOD150 (\$212) per month in 2020, which is also applied to refugees, while for Jordanian workers was JOD220 (\$310) per month in 2020 (DTDA & DI, 2020).

Therefore, the gap in the minimum wage helped in increasing the preference of employers to hire non-Jordanians, especially Syrians, who are believed to be more able to work under difficult conditions and for low wages (Stave & Hillesund, 2015). This has raised the concern among Jordanian workers who sometimes claimed that it was more difficult to compete with the presence of such a gap. Therefore, a tripartite committee was formed by an equal number of members from the MOL and representatives of employers and workers to assess work affairs. This committee came with a solution by raising the minimum salary of non-Jordanians to JOD230 (\$322), after increasing the minimum salary of Jordanians to JOD260 (\$367), while narrowing the gap of the minimum wage of both groups by 50% in the following two years (Jordan Times, 2020).

Participating organisations confirmed that they have a fixed minimum wage for all, except in the case of two employers, who confirmed that they refer to the minimum wage at the entry-level for Syrian employees.

Equal Pay

Participating organisations were asked whether they used different salary scale for their non-Jordanian employees, 14 out of 18 confirmed that they referred to the same salary scale for both. However, the participating employees from 3 of these organisations, said that they believed that they received less salaries than their Jordanian peers. Moreover, 2 of the participating organisations said that they had different scales at junior levels only, therefore, junior refugee workers received lower salaries than Jordanian workers at the same level. Furthermore, 2 participating organisations confirmed that they had a different scheme for refugees, not because they were any different, but as they followed a method of Cash-for-Work for refugees inside camps, which they referred to as a humanitarian service they offer as not-for-profit organisations to refugees residing inside the camps, to help them in generating an income through work. In addition, these two organisations confirmed that if they hire refugees at the regular posts, they will be entitled to the same salary scale as others.

As for the individual interviews, 44% of the participants believed that they received equal salaries as their Jordanian peers, in comparison to 37% who said that they received fewer salaries than their Jordanian peers, while 19% were not sure.

Social security

Although that social security is compulsory for employers in Jordan with a total share from the salary of 21.75%, from which the employer pays 14.25% and the employee pays 7.5%, many of the refugees who work informally lose the opportunity to have this right (Trading Economics, 2020). While all participating organisations confirmed that they pay their employees' social security shares, one organisation said that it doesn't pay the shares of those employed informally, for the fear of being investigated for hiring non-Jordanians without official permits.

Moreover, one Palestinian participant from Gaza and with a Palestinian travel document, confirmed that despite being insured for 15 years now with the social security, she couldn't withdraw her savings (which is allowed for foreigners at the end of their service), or be entitled to the retirement salary, until she would pay the penalties for the period she had worked informally. This shows a connection between the Social Security Department and

the MOL which means they can track those working informally and insured within the social security.

Moreover, 52% of the participants confirmed that they were not insured with the social security, out of which 69% said that they were employed informally, 13% were self-employed and only 18% said that they had work permits, however, they were not insured with the social security.

On the other hand, a participant who was also hired by one of the participating organisations confirmed that the company paid also his shares to the social security department as a sort of incentive for Syrian managers.

5.3.2. *Legal Employment Status*

With the strict regulations Jordan has applied to foreigners' employment, the number of refugees who are informally employed can't be determined.

While it's difficult to control the work conditions and workers' rights within the informal market, participants who confirmed more difficult conditions, including losing their jobs without any compensation during the COVID-19 pandemic lockdown in 2020, were employed informally. Table 13 shows the different responses among those formally employed vs. informally employed.

Table 13. Participants reviews regarding a set of concerns and a comparison between formal and informal market.

Concern	Formally	Informally
Work more than regulated (48 hours/ week)	16%	26%
Not insured with the Social Security service	18%	89%
Believe that salary is less than Jordanian peers	18%	57%
Doesn't receive benefits other than the salary	42%	77%
Not or partially satisfied with the current job	31%	71%

Source: own collection based on the interviews.

Moreover, the participants who were formally employed only raised non-job-related extra concerns, such as not being entitled to drive cars and the travel restrictions. On the other hand, in the case of informally employed participants, extra concerns were raised by part of them, such as late salaries or in some cases not getting paid at all, the feeling of being insecure as they were not working formally and could lose their jobs any time, especially that 69% said that they didn't sign a contract, and only agreed to work verbally. Other concerns were raised by some of the informally employed participants were the feeling of being discriminated, and not being able to develop their career. One participant said that he was promoted at the beginning of 2020, but because of the pandemic he was demoted to his old position and the promotion was cancelled. Although that the Jordanian labour law doesn't allow downgrading actions, this participant was employed informally and couldn't complain about it.

5.3.3. Working Hours, Rest Time, and Overtime Payment

The Jordanian labour law states that the maximum working hours per week shall be 48. 80% of the participants confirmed that they worked as per the regulated working hours per week (48 hours or less), and 20% confirmed that they worked more than the regulated hours, where 11% said that they worked up to 59 hours per week, while 9% confirmed that they worked 60 hours or more per week.

Those who worked more than 48 hours on weekly basis did not receive overtime for the extra hours they worked, as they agreed to work for more hours from the beginning regardless of what is stated in the Jordanian labour law, in return, their payment was fixed to the agreed working hours. It was noteworthy that 19 out of the 20 were employed informally. In addition, 2 participants from those who confirmed working within the regulated hours per week, said that they did not receive overtime when they were requested to work for extra hours.

9% of the participants confirmed that they did not have rest days, meaning that they work seven days per week and were not entitled to annual leaves unless deducted from their salaries.

Moreover, all the participants that were employed formally (including those with pending status), confirmed that they were entitled to the annual leave as per the Jordanian labour law of 14 days per year, along with other types of leaves such as sick leave, maternity and paternity leaves, and public holidays. This was explained as the MOL requests to have a signed copy from the contract which shall include the annual leaves. However, being entitled to such a benefit doesn't necessarily mean that the benefit is granted, therefore, few participants indicated that they couldn't ask for their leaves despite what is stated in the contract. This issue can't be generalized to all refugees in specific, as it needed to be thoroughly investigated and compared to other Jordanians who work for the same employer/ manager. On the other hand, 15 out of the 47 who confirmed being informally employed, said that they were not entitled to annual leaves unless deducted from the salary. It is also worth mentioning that 6 participants said that they were entitled to an annual leave of 21 days per year according to their employers' policy.

5.3.4. Job Satisfaction

Participants were asked whether they feel satisfied with their current jobs, and to rate it through four given points. **19%** said that they were not satisfied, referring to many reasons, including low salaries, working in a profession which doesn't match their qualifications, long working hours and high pressure especially on those who were informally employed, unequal treatment in terms of salaries, job title and promotion. In addition to other reasons that were more related to their employers and managers but not their status as refugees. Moreover, **36%** said that they felt partially satisfied, as they also referred to the different treatment in some cases, but mostly all agreed that being unable to work within their field of interest and what they were qualified for was the main factor affecting their job satisfaction. **38%** indicated that they were satisfied, while only **7%** indicated that they were highly satisfied, 3 of them are exempted from the work permit as children of Jordanian mothers and could work with their field of speciality.

5.3.5. *Integration*

Participants were asked if they feel integrated within the Jordanian society, and whether this was strengthened by their current job or not. Only **13%** answered that they did not feel integrated as they still feel discriminated against, and had harsh living conditions that don't allow them to feel integrated. They also said that their job didn't help in the integration process, as it made them feel more segregated, especially those with long working hours or residing inside refugees' camps. While **32%** confirmed that they felt partially integrated and highlighted the similarities between their original community and the Jordanian community, most of them believed that the integration process is incomplete as they were still not entitled to all the rights that could make them feel so. Participants with Palestinian nationality who were mostly born and raised in Jordan and not registered with the UNRWA as refugees stated that not being entitled to health insurance was a very serious issue. Unlike Palestinian refugees who were registered with the UNRWA have benefited from the UNRWA medical services. Those Palestinians who were not recognized as refugees couldn't freely access any medical services. Three of them confirmed that they were benefited from private health insurance, however, they were more concerned about their parents who were not covered by any insurance. Syrian refugees who were not benefited by medical insurance through their employers raised the same concern, however, some of them said that they were benefited through the medical services that were offered by many international NGOs specifically to Syrian refugees. Another concern that affected the integration, again, referred to closing a wide range of jobs for refugees could access. While **81%** of the participants have completed a degree at tertiary education level (including 8 at Community or Technical College, 65 at Bachelor's, and 8 at Post-graduate's levels), the jobs that they could access legally were still limited to unskilled or semi-skilled jobs. Accessing the jobs that they were qualified for was either impossible, illegal, or very expensive, especially in the case of applying through the specialized work permit that costs JOD2,500 (\$3,526) annually.

In addition, travel restrictions were mentioned among participants as a factor affecting the integration. The most difficult case was among stateless Palestinians, who were entitled to neither a Palestinian passport nor a Jordanian one, while they were only entitled to travel documents (the study included participants with travel documents issued by Syrian and

Palestinian authorities). Those participants stated they need to apply for visas for visiting any country, which is almost always rejected, in addition, they expressed their fear of not being able to return to Jordan if they travel. Other Syrian participants also said that although they were entitled to a refugee status through the UNHCR in Jordan, and had secured jobs, they needed to issue a document before travelling, through the Jordanian Ministry of Interior, which allowed them to return to Jordan. They considered this as a difficult procedure sometimes that affected their integration.

Moreover, **39%** of the participants confirmed that they were well-integrated, including all those who were benefited from their status as children of Jordanian mother since 2019, while **16%** said that they were highly integrated, and confirmed that their jobs played an important role in this integration.

5.3.6. Other Factors

Many other factors were also mentioned by participants, such as medical insurance, 24% said that their employers covered them with private medical insurance. While only a few participants confirmed that they have the access to public medical services or through NGOs, but in case they were not entitled to any type of insurance, they could only use private medical services which are expensive for most of the refugees. Moreover, Palestinians who are entitled to refugee status through the UNRWA are benefited from accessing the UNRWA medical services, while other Palestinians are not.

Another factor that was mentioned by a few participants, especially those employed informally, was the late distribution of salaries. This has been increasing since 2020 as the pandemic caused huge losses to employers, in addition to the lockdown restrictions that affected mostly all businesses. In addition, one Iraqi participant said that he worked in translating some documents for an employer who hired him informally through a verbal agreement, however, as he didn't receive any payment in return for his work for two months, he quitted the job.

Moreover, many participants complained about the access to transportation tools. While few companies provide transportation tools to their employees, especially those located in

industrial zones, transportation is considered a challenge for many others. Those who live in different locations far from work premises need to take multi transportation tools to reach their work on a daily basis. One Syrian participant who lives in Zaatari camp, north of Jordan, and worked in Amman, said that she spent 8 hours per day on her daily trip back and forth to work. This issue was solved by another participant who had the same case, by issuing a monthly permit for leaving the camp for 30 days for work purpose and renting a place with his mom along with other relatives in Amman. Transportation is also a challenge even for those who afford to buy their vehicles, as Jordan mostly doesn't allow refugees to drive or own a property or a vehicle. While some of them managed to solve the issue by issuing the specialized work permit which allows them to have a driving license, which needs to be renewed on annual basis along with their work permits. In addition, although those with specialized permits are allowed to drive, still they can't buy vehicles, therefore, they register their vehicles under the name of a Jordanian relative, a friend, or in some cases their employers, which is risky. In addition, those with the status of children of Jordanian mothers said that they had been allowed to buy cars (with a maximum number of 2) only for the last two years. One Iraqi participant said that this wasn't an issue for him, as in his case his father has secured a residence permit many years before, by depositing a specific amount of money in the Bank of Jordan, which allowed them to buy properties and cars, however, this was done in 2004.

Finally, although women's participation rate in the labour market is very low among refugees, which was highlighted by many previous studies, this issue is related to the host community as a whole and not specifically related to the refugees. As could have been previously seen, the Jordanian labour market is dominated by males with a percentage of 78-82% in the years from 2015 to 2019. This can be simply explained if we refer to the general concept in the Arabic culture in which men should finance their families, while women are not required to be financially independent. However, this can't be generalized to all today as it differs from a place to another, especially with the new economic changes, and the increase of women participation in the labour market, and in financing their families in many Arab countries today. Hence, women participation in the labour market in Jordan is still limited due to many reasons which should be studied thoroughly and separately. Therefore, highlighting the low participation of refugee women within the

labour market as an issue that only refugees would face, apart from linking this to the Jordanian community, could lead to a biased result.

5.3.7. COVID-19 Impact on Work Stability and Employability of Refugees

Although most of the interviews had been implemented during the pandemic situation of COVID-19, the research design was prepared earlier. Therefore, the implication of the pandemic on the refugees' employability wasn't discussed with all participants. However, a separate questionnaire was used with 27 participants to assess the impact of the pandemic.

The pandemic situation has led to huge losses for many businesses and industries all around the world, which has led to an unexpected decline in the employment rate. Countries applied pandemic measures differently: some countries haven't applied full curfew while others imposed strict curfews, consequently, the level of damage varied between industries, economies, and businesses. For example, it was obvious that travel and tourism-related businesses were among the most financially ailing businesses globally, with travel restrictions and the fear of the virus. However, other businesses from different sectors and industries couldn't survive, due to the local restrictions and economic situations in many low and middle-income economies.

In the case of Jordan, the government has struggled in making a balance. On one hand, by controlling the spread of the virus through enforcing strict lockdown measures, as well as suspending many businesses that are believed to help in transmitting the virus, and on the other hand, mitigating the impact on the economy and the financial stability of people.

As a result, the impact on employability was noticeable through the jump in the unemployment rate. According to the Department of Statistics in Jordan, the unemployment rate has changed from 19.3% in the first quarter of 2020, to 23.9% within the third quarter of 2020 (Department of Statistics, 2020).

Moreover, the pandemic also affected the casual and informal workers, since they were not covered by legal documentations and mostly relied on verbal employment agreements, as well as not being entitled to social security services. Therefore, according to the ILO, it is

believed that almost one-third of the informally employed Syrian refugees had lost their jobs because of the pandemic (ILO & FAFO, 2020).

As for the study participants, four out of nine participants who have confirmed that they were employed informally, said that they had totally lost their jobs at the beginning of the pandemic. In addition, the other five, have confirmed that their salaries were partially deducted, which shall be explained in the next point.

Furthermore, two of the formally employed, out of eighteen participants, have confirmed that they had to quit their jobs, as they were not paid during the lockdown despite what was agreed by their employer. Even after the lockdown was over, the workload had increased, and salaries decreased.

The additional load on refugees resulted in an increase by 18% in the poverty rate among Syrian refugees in Jordan, which was already high even before the pandemic. This was justified by the lack of financial support, except the support offered by the UNHCR, for those refugee workers who have been affected by the lockdown (World Bank, Joint Data Center of Forced Displacement, et al. 2020, p.11).

Unlike their Jordanian peers, who were entitled to several protection programs such as the National Aid Fund (NAF) of the Ministry of Social Development, and the Social Security program. The NAF has distributed cash and e-wallet assistance to several Jordanian families that were harmed directly by the lockdown. While the Social Security Corporation offered a program targeting those who fully or partially lost their jobs during the pandemic, through cash assistance over a short period of time (UN, 2020, p.16).

Moreover, the Jordanian government, in cooperation with the Central Bank of Jordan and many of the private sector organisations, have contributed to an initiative to support small and medium-sized enterprises. The initiative supported the businesses that were severely harmed during the lockdown, or those businesses that couldn't operate even after the end of the lockdown, due to the restrictions, through giving them low or zero-interest loans, providing that they don't fire any of their workers during the period of the loan (Kebede et al. 2020, p.18).

However, refugees were not entitled to most of these financial programs, although most of these working formally, are insured within the Social Security service. However, non-Jordanians born to Jordanian mothers, as well as Palestinian refugees originating from Gaza and hold temporary Jordanian passports, were included in one exception offered through the Social Security Cooperation for its insured workers' program. Nevertheless, one Syrian participant confirmed that he managed to find a way to withdraw an amount from his savings from the Social Security department, which was covering non-Jordanian workers. He explained that his other Syrian colleagues were not entitled to this service, as it required a specific insurance period at least.

An additional challenge was facing working mothers in general and working refugee women in specific, since digital learning was imposed, working mothers faced difficulty in assigning time to work-from-home with the presence of their children. Women participants confirmed that they were extra loaded with an additional teaching task, especially for children in elementary grades, which was added to their work tasks and housework. Moreover, after the return to work from the office in April and May, they found it difficult to leave their young children at home. As refugee mothers, they mostly do not have other close family members who could take care of their children; at the time, schools and kindergartens remained closed. This case was more visible among Syrian refugees since Palestinian refugees mostly have other relatives in Jordan. Later on, a separate decision was taken, which allowed the opening of nurseries in consideration of the working mothers' complaints in all cities in Jordan.

Despite the challenges, three participants have confirmed that they were able to find better work opportunities after the lockdown, which they see as a positive impact on their career caused by the COVID-19 pandemic.

Jordan's Pandemic Response and the Influence on Refugees' Income

As mentioned earlier, defence order number 6 allowed employers to reduce their employees' salaries in reference to different schemes. Therefore, those who have worked from home, or couldn't reach their work locations were subject to a 50% deduction for April and May, while others who managed to reach their work locations, were subject to a deduction of up to 30% for April, May, and June, and 20% for July and August. Despite

that this order was applied to all workers including Jordanians, other factors, such as the difference in minimum wage between Jordanians and non-Jordanians, as well as the lack of support programs for non-Jordanians, affected the refugees the most.

Sixteen participants out of the twenty-seven have confirmed a deduction from their salaries by mostly 50% when they were not able to work during April and part of May, while the deduction continued to be 30% after the opening till June and 20% for July and August for most of them, with reduced working hours. Eight participants confirmed that they haven't received the salaries for April and part of May, three of which had totally lost their jobs. Only three participants confirmed that their salaries were not changed during or after the lockdown, as according to them, they worked for Food and Beverage companies, that were not affected by the lockdown.

Moreover, five participants who worked for restaurants and hadn't received salaries during the lockdown, confirmed that they were paid per hour instead of a monthly salary for the first two months after the lockdown. This resulted in less income, as restaurants were struggling to operate with the same performance as before the pandemic, which resulted in reduced working hours for restaurants' workers. Moreover, they have also confirmed that their colleagues who were within the probation period at the beginning of the pandemic were fired. Two workers from the manufacturing industry confirmed that the reduced salaries decision wasn't applied to the higher management which was mostly filled by Jordanian citizens. Although that the defence order number 6, stated that salaries deduction had to be applied to all, including higher management. Moreover, they were involuntary given 15-day unpaid leaves for December and January.

Furthermore, although that part of the participants worked for industries that were operating during the lockdown, they confirmed that the transportation to their work location was a challenge. Even when a transportation service was provided, some of them mentioned that they were not able to reach the meeting point due to movement restrictions during the lockdown and since Syrian refugees are not allowed to drive in Jordan unless in limited cases, such as those entitled for senior professions' work permits, or university students.

One participant confirmed that he was promoted to a new position with his current employer before the pandemic, however, due to the losses his company had faced during the lockdown, the new position was closed and he had to go back to the old job.

Financial Assistance to Syrian Refugees During the Pandemic

Although the national financial support programs didn't include Syrian refugees, the UNHCR and World Food Programme continued in distributing food vouchers to the Syrian beneficiaries in Jordan. Ten participants said that they were entitled to the UNHCR & WFP food vouchers and had continued receiving them. The amount of these vouchers varied between JOD15 to 23 (approx. \$21 to 32.44) per person per month; depending on each family's situation.

Moreover, the participants also confirmed that they had received extra financial assistance which was specifically paid due to the lockdown impact on refugees. The received amounts varied between participants, as part of them confirmed receiving an amount of JOD300 (approx. \$423), distributed over two payments, others confirmed receiving a one-time payment of JOD85 (approx. \$120). Furthermore, according to the UNHCR Office in Jordan, additional cash assistance of USD25.4 million was distributed over up to three separate payments, depending on each family's situation, for approximately 51,000 vulnerable refugee families in Jordan, who have been impacted by the COVID-19 pandemic (UNHCR, 2020g).

Back to **H4 which states that:** Refugees face more difficult working conditions than the standard working conditions (general working conditions that are applied to any field).

It was noticeable that refugees sometimes face more difficult working conditions than standard conditions. For example, 52% of participants confirmed not being insured with social security although it is compulsory by law, and 55% of them indicated that their job satisfaction level is low. However, a deeper focus on those working informally gave a conclusion that those working informally were the ones that mostly confirmed facing more difficult conditions than those working formally. Out of those who confirmed working informally, 89% confirmed not being insured with the social security. 71% showed high

rates in confirming low job satisfaction level. The ones who said that they were not entitled to additional benefits were 77%, and those who believed that they received fewer salaries than Jordanian peers were 57%.

In addition, it was visible that refugees were more harmed by the pandemic situation caused by COVID-19 than their Jordanian peers.

Therefore, H4 is only true if it was adjusted to be more specific for those employed informally. While those who confirmed working formally mostly confirmed similar conditions to the standard. For example, only 16% of those working formally believed that they receive less than their Jordanian peers, despite the gap in the official minimum salary between Jordanians and non-Jordanians.

5.4.Opportunities

The currently available work opportunities for refugees are limited to those opened to non-Jordanians in construction, agriculture, manufacturing, and service sectors. However, refugees are also allowed to access semi-closed jobs with restriction on numbers. Although the MOL seems to narrow these opportunities, it was sensed that since introducing the new specialized permits in 2019, the MOL allows more refugees in accessing the Job market through paying the specialized work permit fee. This new permit can help the MOL generate an income of hiring skilled and qualified refugees, and in return use the income in developing Jordanian youths' projects such as Vocational Training. Accordingly, this section introduced several opportunities that were concluded through reviewing secondary data and interviews with home-based projects owners.

Due to the limitation of the scope of this PhD thesis, additional sources of information were eliminated such as the educational initiatives for employment purposes that were offered by international not-for-profit organisations. This will broaden the scope of the thesis, in addition to the little impact these initiatives were found to make through a separate research, as they were not well connected to the labour market needs.

5.4.1. Accessing Semi-Closed Jobs

As previously explained in point 3.2 in chapter three, page 18. Jordan has semi-closed a wide range of jobs that, although they are considered closed to Jordanian citizens access, these jobs could be exceptionally opened to foreign workers and specialists. The list of semi-closed jobs includes a wide range of specialities that refugees can practice, such as those in: education, medical, engineering, communication, aviation, and fitness clubs' sectors. In addition to other unskilled and semi-skilled jobs that are subject to specific quotations for each sector, such as workers of restaurants, bakeries, spas and physical therapy.

Through personal communication with a representative from the Ministry of Labour, it was concluded that refugees can access semi-closed jobs anytime if they apply through specialized work permits. According to the representative, those permits are usually processed and accepted in case the applicant's security check record is clear by the Ministry of Interior (Ministry of Labour – Media and Communication Unit, personal communication, September 17, 2020).

However, the difference in cost between the regular permit and the specialized permit is huge; the regular permit's cost in the case of Syrian citizens is JOD10 (\$ 14), and for other nationalities, it varies between JOD14 – 520 (\$19.75 – 733), while the cost of the specialized permit is JOD2,500 (\$3,526). Nevertheless, it's still a solution for refugees who are willing to access the job market through formal paths. While not all employers agree to pay such a cost, one participant confirmed that she had an agreement once with a former employer to pay the cost by herself through monthly instalments, not to lose her job.

In addition, apart from the legal employment status, participating organisations confirmed that the reasons behind hiring refugees are mainly:

- Some organisations that were owned by foreign investors indicated that they preferred hiring employees from their countries of origin, as a sort of social responsibility as well as maintaining their former employees who had been employed with them for a long time.
- Other Jordanian employers indicated that they preferred hiring refugee workers, as they found them more loyal and committed to their jobs, which was explained by

- the employers that this might have originated from their serious need to work and settle down. Other employers also indicated that Syrians mainly are more skilled in their specialities, especially those employers who work in the food industry.
- All employers confirmed that they preferred giving a work opportunity to someone who really needs it. The participating NGOs confirmed that their original purpose is to help refugees in generating a sustainable income through the cash-for-work initiatives, which will be explained in details next.

Only two employers confirmed that they didn't have an intention to hire refugees or any nationality in specific, while they accepted all applications of those residing in Jordan, regardless of their nationality

5.4.2. *Cash for Work (CFW)*

As a way to help refugees generate an income, Cash-for-Work schemes are support programs that are offered by NGOs in refugees host communities to help refugees in making an income through working for several projects in a permitted way, either those owned by the NGOs or their partners. Many not-for-profit organisations are offering several programs in Jordan to assist both vulnerable Jordanian citizens and refugees, mainly Syrian refugees in generating income (Food Security Cluster, 2019).

However, many organisations don't provide cash in exchange for certain activities, but instead, they would offer other services, such as basic items, training programs, or even reimbursement for transportation in case the project is located outside the camps. Therefore, it was agreed to change the terminology from CFW to Incentive-based Volunteering Schemes (IBVs) by organisations in Jordan. These schemes have helped refugees inside the camps who were facing difficulties in leaving the camps and finding formal work opportunities. In addition, as some of those residing inside the camps struggled with the lack of personal documentation, these schemes permitted them to work as volunteers in return for cash with NGOs, at highly skilled, skilled, and unskilled levels (UNHCR, 2020d). It's worth mentioning that Syrian refugees who live inside the camps are entitled to humanitarian services, assistance, and accommodation, however, these initiatives aim more to make the refugees independent and feel valuable, with almost 17%

of the total refugees' population in Jordan, are living inside the camps as of January 2021 (UNHCR, 2021c).

Two of the participating organisations were offering these programs to a wide range of beneficiaries who resided within the Syrian camps in Jordan. While these jobs didn't mean to make profits and were only offered for a humanitarian purpose, all organisations that offered such services had agreed to adhere to fixed incentive rates and job rotation periods for their beneficiaries, to avoid any kind of competition. The fixed rates are different according to the job levels (G. Al-Qudah, personal communication, September 17, 2020):

- Semi-skilled: not requiring specialized or technical skills, which is implemented through a 3-month training with rotation. The incentive rate is JOD1 per hour (\$1.41). Examples: trainees of the next levels, cleaners, and guards.
- Skilled: requiring minimal skills, which is implemented through 3 – 6 months production workshop. The incentive rate is JOD1.5 per hour (\$2.12). Examples: Tailoring or hairdressing trainees.
- Highly skilled: requiring specific high-level skills, which is contracted up to one year. The incentive rate is JOD2 (\$2.82). Examples: Office assistants, carpenters, medical assistants, and storekeepers.
- Technical: requiring specific high-level skills, with an unspecific contractual period, but preferably with rotation every two years. The incentive rate is JOD2.5 (\$3.53). Examples: Teachers, supervisors, and engineers.

Working hours were limited to 6 hours per day, and if extra work was requested it should be compensated as per the above rates. In addition, all types of leaves are not mandatorily paid, as this is according to each organisation's policy. Both participating organisations confirmed that they had given paid annual, maternity, breastfeeding (one-hour per day for one year), and sick leaves, since they couldn't offer additional incentives than the fixed rates, they believed that these were the extra allowances with which they could differentiate and compensate their employees with.

Back to **H5 which states that:** Working opportunities of refugees are limited but possible to increase as the Jordanian labour market can absorb more of them.

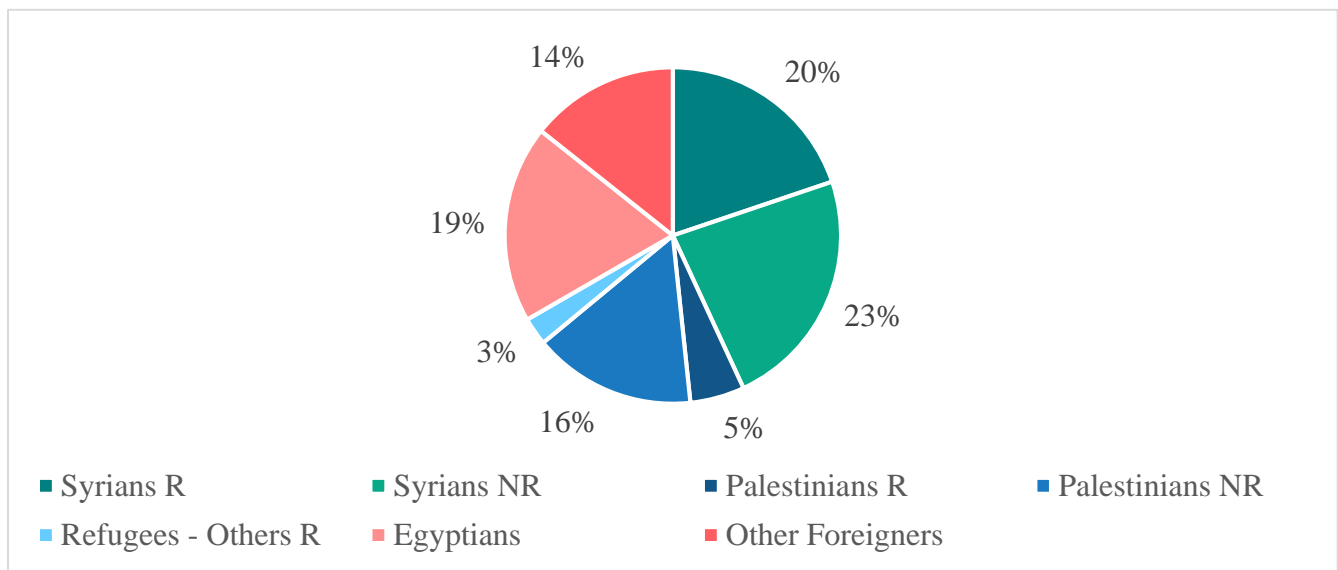
5. FINDINGS & DISCUSSION

It has been noticeable that refugees' opportunities are limited to those that are opened to non-Jordanians of any nationality. Therefore, if the current regulations changed to include more refugees than other nationalities while maintaining the access of Jordanian citizens to the job market untouched, more refugees would be able to have jobs. This can be seen as in 2019 alone, when 348,736 opportunities were given to non-Jordanians, with a dominance of Egyptian workforce in the market, while Syrians, Yemenis and Iraqis all together formed only 12.8%, with a total of 44,820 (numbers were taken from table number 5, page 18). Palestinian refugees were excluded as there is no accurate number of their share within the formal job market, however, they would be included to those under "Rest of Arabic countries", which means less than 2,729 in 2019 according to table 5 (Labour Market Studies Unit, 2020).

These low percentages contradict the share of refugees from the non-Jordanians' population as could be seen in figure 7.

Accordingly, H5 is true, since the Jordanian job market already absorbed high numbers of foreign workforce, more opportunities can be given to refugees instead of importing.

Figure 7. Non-Jordanians' population as projected by the Department of Statistics for 2020, added to the UNHCR & UNRWA data



Source: (Department of Statistics, 2020a; UNHCR, 2021b, 2021d, 2021c; UNRWA, 2018)
Syrian R: The registered refugees according to UNHCR.

Syrian NR: non-registered Syrians according to the Department of Statistics counts.

Palestinians R: The registered refugees according to UNRWA.

Palestinians NR: non-registered Palestinians according to the Department of Statistics counts.

Refugees – Others R: the rest of registered refugees according to UNHCR (e.g. Iraqis and Yemenis)

5.4.3. Home Based Business (HBB)

More opportunities can be available for refugees through home-based projects. Although that the current regulations don't allow refugees from other nationalities except Syrians to officially register their business. Only Syrians were allowed to register their home-based businesses as of the end of 2018, for businesses that are limited to food preparation, handcrafts, and tailoring (ARDD, 2019). However, many refugees today are working from home through their home-based projects as a way to generate an income, especially after closing a wide range of professions to Jordanian citizens' access only.

The registration starts first with registering a company either as a joint or limited responsibility company, which are considered costly options. Another option is registering as an individual establishment, which is considered the easiest and most affordable option for refugees, where they only need to pay a cost of JOD35 (\$50), to the Ministry of Industry and Trade. Following that, refugee entrepreneur needs to issue a license through the municipal entity of where he/ she lives, which is conditional to the following (ARDD, 2019, pp. 7-9):

- The project owner must live in the same house he/ she asks the permit for.
- Provide proof of owning or renting the house by the refugee him/ herself or a family member, along with the approval of the original owner in case the house is rented.
- The area used for the home business should not exceed 15% of the total land area of the house.

Accordingly, despite that Syrians were allowed to register their businesses as of 2019, the registration process might seem complicated to many of them, therefore, many home-

project owners prefer not to officially register their businesses, which is also the case of Jordanian home-project owners.

Therefore, to assess the home-based opportunities, twelve entrepreneur participants were interviewed from two nationalities: Syrian, and Palestinian. The participants were interviewed after the pandemic caused by COVID-19, therefore, they were asked to assess their experience before the pandemic, while they also added their concerns after it.

The entrepreneur participants were first asked if they have registered their business officially with the Ministry of Industry and Trade. While Palestinian participants confirmed that they couldn't as they were not permitted to do so by the time of the study, other Syrian participants indicated the following challenges that prevented them from registering their businesses:

- Most of the refugees in Jordan live in rented houses, and since the approval of the original owner of the house is mandatory, most of the participants said that this step was very challenging; landlords usually refuse to give their approval for such commercial activities to occur within their residential properties. In addition, sometimes they requested to increase the monthly rent as they were convinced that these home projects would provide a high income, therefore, the rent cost should be increased as a commercial rent cost, which is higher than residential rent cost. One participant who already processed the first step and issued a commercial register through the Ministry of Industry and Trade, couldn't continue with the license as the landlord requested to change the contract with a very high rent that she couldn't afford.
- Some participants never tried or thought about registering their businesses, as they had concerns about being entitled to income taxes and other fees, as they said that their income hardly covered their expenses and they couldn't afford additional deductions.

Therefore, the twelve entrepreneur participants didn't register their businesses, while only one of them proceeded with the commercial register but not the license.

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Furthermore, entrepreneur participants mentioned several challenges that they faced while operating their businesses, which they have sometimes linked to their status as refugees. These challenges were:

- Logistic challenges: this was more visible among Syrian refugees as they were not allowed to drive; this has limited them to choose a third-party delivery service to deliver their products to their clients. This had been considered a challenge to some of them, especially those making food products, which required a fast delivery service to maintain the quality. Another logistic challenge was raised by one refugee who resided inside Al Zaatari camp, who said that she had to go through a third party (intermediary) to sell her products, as she is not entitled to leave the camp.
- Financial challenges: all participants confirmed that it was difficult to open a bank account, while only two of them managed to open bank accounts through two different banks that did not ask for proof of employment for non-Jordanians like other banks. The bank issue prevented them from having an online payment method with their clients, while they were limited to the cash and wire-transfer through exchange offices, which are not preferable options for online shoppers. In addition, not having a bank card prevented them from using paid digital ads as well, unless it was done through another person.
- Marketing challenges: 10 out of 12, confirmed using social networks to market their products, mainly Facebook and Instagram, however, eight of them said that these channels were not very useful, while they saw that the “word-of-mouth” through their existing clients was more effective and the most reliable tool. However, they also confirmed that they had never been trained on using social networks and were not mostly aware of the extra features that were used for digital marketing purposes. Only two participants among the twelve confirmed that they have been trained previously on using social networks and were introduced to digital marketing, confirming that they found it useful.
- Pandemic challenges: while all participants were asked to answer as per the situation before the pandemic caused by COVID-19, all of them confirmed having huge losses during the lockdown, which lasted for 6 weeks. Most of them continued

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to struggle after the lockdown, as according to them, their sales had dramatically decreased due to the economic situation that affected consumer spending, especially for luxurious or unnecessary products.

Despite all these challenges, and excluding the pandemic's painful effect on small businesses, eight out of twelve entrepreneur participants said that the income they earn from their home-based business covered their expenses and was the only source of income they received. Other entrepreneur participants either had another job and considered the home project's income as an additional income, or were depending on another family member's income, while the home project's income was supportive. It was also noteworthy that four of the participants were entitled to the UNHCR food vouchers of JOD15 to 23 per person per month.

Moreover, many entrepreneur participants confirmed using an intermediary, despite that they preferred to sell their products and services directly to the customers. However, using an experienced intermediary solved many obstacles refugees are facing within their home projects. There are many solutions available today in Jordan either through temporary bazaars that are usually organized by a local NGO and for a short period, through which entrepreneurs are allowed to exhibit and sell their products. In addition, with the strong presence of technology today, online marketplaces are available for entrepreneurs who can display and sell their products online, whether through social networks or specialized platforms. One of the outline interviews was conducted with a representative from a specialized online platform that helped Jordanian and refugee entrepreneurs, who gave more details about the home-based businesses in Jordan and the services they can offer. *“Souq Fann is a unique online platform that targets home-based entrepreneurs and artist and offers them the opportunity to display and sell their products online. This includes many services such as marketing through Souq Fann’s platform in addition to social media pages, packaging, shipping for domestic and local markets, in addition to money collection and customer services on behalf of the main seller”* (E. Redondo, personal communication, November 15, 2020). According to entrepreneur participants who had used Souq Fann services, the bank account, marketing and delivery issues were solved, as Souq Fann offered the online shopping service on their behalf, and in return, paid them either in cash or wire-transfer through Western Union after deducting a service fee. The wire transfer and

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cash payment services were introduced as solutions for refugees as well as other Jordanians who found it difficult to have a bank account (E. Redondo, personal communication, November 15, 2020).

Back to **H6 which states that:** Home-based projects and freelancing are solutions for income generating for refugees, in a challenging job market.

It was noticeable that home-based projects offered income solutions to refugees despite the challenges home-projects owners were facing. However, more efforts should be implemented to include more refugees.

Accordingly, H6 is true.

Moreover, this section supported H1, as we could conclude that Syrian refugees were allowed to register their home businesses at a time when refugees from other nationalities were not allowed. This means that a different treatment was applied to refugees in terms of easing work opportunities and based on their nationalities.

5.5.Summary

The findings of this study can be summarized according to the study's main aspects as:

✓ **Regulations:**

- It was found that Syrian refugees have slightly more access than other refugees in the meantime in Jordan. However:
 - It's been noticed that Jordan has applied different treatment to different refugees' groups over the decades which was limited to a period of time, therefore, the current flexibility given to Syrian refugees is also subject to change.
 - Despite the new instructions that were made in response to the international agreements Jordan has signed, the actual number of Syrian refugees who have been accessing the job market is still very low. This was clear through analysing the work permits given to Syrians for three years, 2017, 2018 and 2019. Which showed that only 55% of permit's holders were new (*which included those who*

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have been employed in the previous year, 2016, representing 14.3% of the total permits count), while 45% of the permit's holders were duplicated in these three years.

- Many Palestinian, Yemeni and Iraqi refugees were not treated as refugees in Jordan nor entitled to other advantages similar to Syrian refugees. This was more visible with permits' cost.
- Many refugees including Syrians are accessing the informal market due to the current labour law in Jordan that doesn't distinguish refugees from the foreign workforce, despite all the efforts Jordan has made specifically to Syrian refugees. Therefore, the restrictions partially failed in imposing control over non-Jordanian employment.

✓ **Conditions:**

- It was noticeable that refugees working informally faced more difficult general working conditions (that can be found in any field) than the standard conditions, such as not being entitled to the Social Security benefits, receiving lower salaries and reflecting low job satisfaction. While mostly they were harmed by the pandemic situation caused by COVID-19 more than their Jordanian peers.
- It was also found that work conditions were more controlled through the formal market, while refugees mostly received treatment that was similar to the standard, except for the payment, where the minimum wage was different by the Jordanian labour law.

✓ **Opportunities:**

- Refugees' current work opportunities are limited to those opened to non-Jordanians of any nationality.
- If the expatriate workforce in Jordan was replaced by the refugees who are currently living in Jordan, it would increase the work opportunities of refugees without affecting the work opportunities given to Jordanians. This was proven with

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the low percentage of refugees' participation (excluding Palestinians) of 12.8% among the total number of the foreign workforce in Jordan.

- Home-based projects can be good income solutions to refugees despite the challenges home projects owners were facing. However, more efforts should be implemented by stakeholders to include more refugees from other nationalities than Syrians, and to increase the fields they are allowed to operate businesses within.

6. Conclusion & Recommendations

In conclusion, despite that Jordan has been always considered a host country for many refugees, it doesn't have its own rules and procedures to accept asylum seekers. Instead, Jordan preferred to welcome them as guests, which doesn't give them a clear long-term view about their stay in the country. This was also visible through the Jordanian labour law, without giving a clear distinction of refugees' employability than foreign workforce from other nationalities. In addition, it was also noticed that the recent Syrian refugees' crisis received more attention from the international community and donor countries. Which gave a focus on their situation in Jordan, apart from other refugees that have been residing in the country for so many years, and still struggling to secure livelihood means.

Moreover, the Jordanian Labour Law was continuously changing in terms of foreign workforce employability. While separate decisions were made to regulate certain refugees groups' employability for a limited time. These refugees groups have slightly and temporarily enjoyed more flexibility than other groups in accessing the job market. In addition, the changes have also affected many of those who originated from countries of conflict but were children of Jordanian mothers, as Jordanian citizenship doesn't pass through mother to children. Although that they were exempted from issuing work permits only in 2019, the fear of losing this privilege still exists, since the amended regulation is subject to change.

More views were concluded about the informal market. Since Jordan doesn't give a proven statement to legalize the status of refugees, nor distinguish them with specific laws to allow their access to legal job opportunities, the number of refugees accessing the job market informally is believed to be very high. These refugees who are forced to search for sustainable livelihood means in order to survive with their families, are ready to accept informal job opportunities, regardless of their conditions.

Accordingly, to reduce the potential abuse and unsatisfactory working conditions that may occur in informal jobs, as well as imposing control over informal employment of refugee workers, in Jordan. It is highly important that the Ministry of Labour seriously recognizes

refugees as a potential source of labour, instead of importing a foreign workforce. This can also happen while protecting Jordanian workers' rights through:

- Consider going back to the original text of Article number 12 from the Jordanian Labour Law, which stated: “*Non-Jordanian workers shall only be employed upon authorization by the Minister, or his duly mandated representative, provided that the work they undertake requires expertise and skills unavailable or insufficient within the Jordanian workforce. In such cases, **priority shall be given to Arab experts, technical specialists and workers.***” Where a priority was given to Arab workers, considering that the majority of refugees in Jordan today are Arab citizens. Or replace it with a priority to protracted refugees that exist in Jordan.
- Apply equal treatment to refugees regardless of their nationality. It has been noticed that refugees are receiving a different treatment, for example, the permit fee, which has given a preference to a group more than the other. It was also noticed that refugees from the same nationality, as Palestinians, were receiving a different treatment, based on their documents and the status they were entitled to.
- Make a clear differentiation in work regulations that are related to the foreign workforce and those related to refugees. Since Jordan has imposed quotations over the foreign workforce employment in many sectors as well as closing a wide range of jobs to Jordanian access only. The MOL can add an additional layer of beneficiaries that includes all refugees after the Jordanians, and give a priority in employment to refugees first before other internationals.
- Giving access to refugees first, who already existed in the country and can't return to their country of origins, will minimize the population of foreigners in Jordan. This will help Jordan in minimizing the pressure on the natural resources, infrastructure and public services. One of the main problems that are related to the increased population in Jordan is the scarcity of water. One serious indicator showed an increase by 40% of water demand in the Northern governorates in the last few years, after receiving Syrian refugees (Breulmann et al., 2021). Therefore, decreasing the number of expatriates who only come to Jordan to work, accompanied by their families sometimes, will add value in this regards.

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- Open more job categories to refugees' access, by including other professions from other sectors. This can be controlled by imposing quotations on the total numbers of hired refugees per company. In addition, the MOL can request specialized permits for jobs that require a high level of skills, thus, generates high income. In addition, MOL should also introduce flexible permits to include all jobs that can be paid by the refugee him/herself. This will solve an issue with the employers who fear to pay an additional cost for permits and choose either to reject hiring refugees or employ them informally.
- Remove the gap in salaries between refugees and Jordanians shall lead to benefits to all; the competition between the Jordanians and refugees in terms of cost won't exist, while refugees will receive equal treatment in payment.
- Formalization of the informal market can be done by recognizing the right to work for refugees, since refugees who have been working informally already reserved a place in the market, which can't be considered a vacant opportunity for Jordanians. However, the employers who hire refugees informally still have incentives to prefer hiring Syrians over Jordanians, and considered the only beneficiaries since they don't pay for the permits, are not requested to pay additional benefits such as social security and can manipulate the salaries and working conditions. Therefore, legalizing this access is an urgent need to impose more control over work conditions at least.
- As Jordan has a shortage in TVET outcomes, refugees youths could be guided through specialized training programs to fill the needed gaps.
- Open the access of freelancing permits, which can be processed under the umbrella of the specialized permits. This will help many refugees in generating an income through online or freelancing jobs such as translation, graphic design, web and programming services. While it was noticed through the study that most of those self-employed participants were working informally, by giving such a solution, many of them would prefer to go through formal paths, although it costs more.
- Open the access to register home-based businesses to include all refugees, and increase the list of permitted home businesses. In addition, easing the procedure of establishing home-based businesses, as many of these conditions are difficult to

meet, such as; allocating a specific area for the home project which doesn't necessarily apply to all type of projects. In addition to the approval of the house's owner, is still an obstacle for many entrepreneurs today, including Jordanians, as long as related activities won't cause any harm (such as damage to the house's belongings or decoration, noise .. etc.). This will definitely motivate more entrepreneurs to register their home projects, thus, enforce the control of the products that are being traded in the market, and ensure if these products meet quality standards and required licenses.

- Consider the years of residence in which refugees of protracted displacement have spent living in Jordan, for easing the regulations gradually. It was noticed that many of the participants were born in Jordan or have been living there for so many years, yet they were treated like other foreigners. These refugees won't be able to return to their country of origin, therefore, Jordan has become their home, and by treating them as foreign workers, they will feel segregated.

Future Research Directions

Despite that the sample used in this research is not representative due to its size, the actual purpose of the research was achieved in exploring the situation as a whole. Many of those interviewed expressed clear ideas and agreed on specific points about how they were treated, what conditions they were facing, and the limitation of the available opportunities. This had led to reliable conclusions that could be used to describe the general situation of refugees in Jordan. However, future research directions shall be implemented to focus more specifically on each group, especially the Palestinian refugees, as it was noticed that the availability of the studies focusing on the work regulations and conditions of the Palestinian refugees was very limited. Accordingly, more investigation shall be applied to analyze the history of the Palestinian refugees' access to work opportunities and the changes applied to each sub-group of these refugees (such as ex Gazans or those from the West Bank). Moreover, further research shall focus on the governmental decisions and the motives behind these decisions that resulted in this differentiation which was changing over time. Constant follow-up on the changes of the regulation is needed, as it was concluded that the

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applied regulations were continuously changing, which had affected refugees differently, especially those born to Jordanian mothers who were still not entitled to full citizens' rights at the time of the study. Focused research on future work opportunities that analyses the job market and its need can be useful for the topic too, this includes the needs, the tertiary education outputs and the initiatives focusing on filling these needs.

Lastly, leaving refugees of protracted displacement in the long run with limited access to work, facing unfair treatment, and unsatisfactory conditions, at the time that they are in crucial need to work and finance their families and themselves, will leave them segregated, and push them towards being more dependent on humanitarian aids or other forms of assistance or money sources, which may later lead to harmful results on the community. While giving them the mean to financially survive will make them more integrated, secure, and active producers.

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APPENDICES

Appendix 1

Organisations Interviews

The interview should be held with a representative from/ HR department/ Project or Shop Manager.

- Nationality of the Company (Jordanian, Syrian, International)
 - Industry (sector)
 - Total Number of Employees
 - Number of Employees with refugee status, and what is their nationality (refer to their nationality in the following questions).
 - Do you have employees from other nationalities
1. Why does the company hire employees from the (ex. Syrian nationality)? Please explain the reasons
 2. Does the company have its own quotation for hiring employees from (ex. Syrian nationality)? Include those employed informally, if any.
 3. How does the company search for its (ex. Syrian) workforce? Do you have agreements with organizations or initiatives that provide you with qualified candidates? Personal Connections? Internally?
 4. What is the base of calculating the (ex. Syrian) employees' salaries? Do you follow a unified salary scale or have a specific scale for them?
 5. Does the company offer other benefits than salaries to its employees in general? (Ex. Medical insurance, incentives and bonuses, training opportunities, allowances ... etc.)
 6. Are these benefits also apply to non- Jordanians?
 7. Is the company responsible for issuing the work permits for the (ex. Syrian) employees? Who is in charge of the following: Issuing, follow-up and renewal, pay the fees.
 8. If the foreign employee is from a senior executive level, do you apply for the specialized work permit or change the job title for a regular permit? Does the company cover the cost of the work permit upgrade?
 9. Are the (ex. Syrian) employees registered and benefited from the social security?

Appendix 2

Individual Interviews

The interview should be held with refugees that are currently employed (either formally or informally).

- Age
 - Gender
 - Nationality
 - In which year you moved to Jordan
 - Academic degree and major
 - Years of experience within the academic speciality
1. When did you start working with your current employer?
 2. Do you work within your field of speciality? Please mention your current field.
 3. Years of experience within the current speciality
 4. What is your exact job title?
 5. Work type: full time/ part-time/ seasonal
 6. How many hours do you work per week?
 - Seasonal, less than 20 hours per week
 - Part-time between 20-29 hours per week
 - Part-time between 30-39 hours per week
 - Full time between 40-48 hours per week
 - 49 hours per week or more. Indicate exactly how many hours.
 7. Do you receive an additional payment (overtime) in case you work more than 48 hours per week?
 8. Are you formally employed? Do you have a work permit?
 9. Which of the following applies to you?
 - I have a work permit
 - The company renews my work permit annually and pays for it
 - My work permit matches my job title
 - I have signed a work contract that includes: the job title, salary, and job description
 - I am registered with social security and the company pays my fees
 10. Do you think that you receive an equal salary to your Jordanian peers within the same level?
 11. Do you receive other benefits in addition to your salary?
 12. Are you satisfied with your current job (highly, satisfied, partially, no)? Please explain why
 13. Do you feel integrated within the Jordanian community and why (highly, integrated, partially, no)? Does your current job participated in this integration? Please explain

Appendix 3

Self-employed Interviews

The interview should be held with refugees that are currently owning a business/home project (either formally or informally).

- Age
 - Gender
 - Nationality
 - In which year you moved to Jordan
 - Academic degree and major
 - Years of experience within the academic speciality
1. Tell me about your project? How did you gain the required know-how?
 2. How many hours do you work per day? Is this your only job?
 3. Do you believe your project generates a sustainable income for you? Does it cover all your expenses, partially, a small contribution?
 4. Do you depend on other sources of money?
 5. How do you sell your products? Directly, through intermediary, online, offline..
 6. How do you get paid? Cash, bank transfer, wire transfer
 7. Do you use any online channels to market or sell your product or service? Please explain more
 8. How would you describe your experience with online channels? Have you received any specialized training in digital marketing?

Appendix 4

UNHCR Refugee Convention & Protocol – Introductory Note & Final Act¹²

INTRODUCTORY NOTE

by the Office of the
United Nations High Commissioner for Refugees
(UNHCR)

GROUNDING IN ARTICLE 14 of the Universal Declaration of human rights 1948, which recognizes the right of persons to seek asylum from persecution in other countries, the United Nations Convention relating to the Status of Refugees, adopted in 1951, is the centrepiece of international refugee protection today.⁽¹⁾ The Convention entered into force on 22 April 1954, and it has been subject to only one amendment in the form of a 1967 Protocol, which removed the geographic and temporal limits of the 1951 Convention.⁽²⁾ The 1951 Convention, as a post-Second World War instrument, was originally limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe. The 1967 Protocol removed these limitations and thus gave the Convention universal coverage. It has since been supplemented by refugee and subsidiary protection regimes in several regions,⁽³⁾ as well as via the progressive development of international human rights law.

(1) United Nations General Assembly resolution 429(V) of 14 December 1950, available at <http://www.unhcr.org/refworld/docid/3b00f08a27.html>

(2) The Convention enabled States to make a declaration when becoming party, according to which the words "events occurring before 1 January 1951" are understood to mean "events occurring in Europe" prior to that date. This geographical limitation has been maintained by a very limited number of States, and with the adoption of the 1967 Protocol, has lost much of its significance. The Protocol of 1967 is attached to United Nations General Assembly resolution 2198 (XXI) of 16 December 1967, available at <http://www.unhcr.org/refworld/docid/3b00f1cc50.html>.

(3) See, for example, the Organization of African Unity (now African Union) Convention governing the Specific Aspects of Refugee Problems in Africa 1969, adopted in Addis Ababa, 10 September 1969; the European Union Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, Official Journal L 304, 30/09/2004 P. 0012 – 0023. The Cartagena Declaration on Refugees, adopted at a colloquium held at Cartagena, Colombia, 19–22 November 1984, while non-binding, also sets out regional standards for refugees in Central America, Mexico and Panama.

¹² UNHCR Refugee Convention and Protocol – Internet source:

https://www.unhcr.org/3b66c2aa10?fbclid=IwAR3_gwryiclfuKYDhXqFXZ0nm5q2-wziRecbsl0vB8Zuu3mlfc6hs5yoN8

The 1951 Convention consolidates previous international instruments relating to refugees and provides the most comprehensive codification of the rights of refugees at the international level. In contrast to earlier international refugee instruments, which applied to specific groups of refugees, the 1951 Convention endorses a single definition of the term “refugee” in Article 1. The emphasis of this definition is on the protection of persons from political or other forms of persecution. A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

The Convention is both a status and rights-based instrument and is underpinned by a number of fundamental principles, most notably non-discrimination, non-penalization and *non-refoulement*. Convention provisions, for example, are to be applied without discrimination as to race, religion or country of origin. Developments in international human rights law also reinforce the principle that the Convention be applied without discrimination as to sex, age, disability, sexuality, or other prohibited grounds of discrimination. The Convention further stipulates that, subject to specific exceptions, refugees should not be penalized for their illegal entry or stay. This recognizes that the seeking of asylum can require refugees to breach immigration rules. Prohibited penalties might include being charged with immigration or criminal offences relating to the seeking of asylum, or being arbitrarily detained purely on the basis of seeking asylum. Importantly, the Convention contains various safeguards against the expulsion of refugees. The principle of *non-refoulement* is so fundamental that no reservations or derogations may be made to it. It provides that no one shall expel or return (“*refouler*”) a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom.

Finally, the Convention lays down basic minimum standards for the treatment of refugees, without prejudice to States granting more favourable treatment. Such rights include access to the courts, to primary education, to work, and the provision for documentation, including a refugee travel document in passport form. Most States parties to the Convention issue this document, which has become as widely accepted as the former “Nansen passport”, an identity document for refugees devised by the first Commissioner for Refugees, Fridtjof Nansen, in 1922.

The Convention does not however apply to all persons who might otherwise satisfy the definition of a refugee in Article 1. In particular, the Convention does not apply to those for whom there are serious reasons for considering that they have committed war crimes or crimes against humanity, serious non-political crimes, or are guilty of acts contrary to the purposes and principles of the United Nations. The Convention also does not apply to those refugees who benefit from the protection or assistance of a United Nations agency other than UNHCR, such as refugees from Palestine who fall under the auspices of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Nor does the Convention apply to those refugees who have a status equivalent to nationals in their country of asylum.

Apart from expanding the definition of a refugee, the Protocol obliges States to comply with the substantive provisions of the 1951 Convention to all persons covered by the refugee definition in Article 1, without any limitation of date. Although related to the Convention in this way, the Protocol is an independent instrument, accession to which is not limited to States parties to the Convention.

Under the Convention and Protocol, there is a particular role for UNHCR. States undertake to cooperate with UNHCR in the exercise of its functions, which are set out in its Statute of 1950 along with a range of other General Assembly resolutions, and, in particular, to facilitate this specific duty of supervising the application of these instruments. By its Statute, UNHCR is tasked with, among others, promoting international instruments for the protection of refugees, and supervising their application.

The fundamental importance and enduring relevance of the Convention and the Protocol is widely recognized. In 2001, States parties issued a Declaration reaffirming their commitment to the 1951 Convention and the 1967 Protocol, and they recognized in particular that the core principle of *non-refoulement* is embedded in customary international law.⁽⁴⁾ Moreover, the General Assembly has frequently called upon States to become parties to these instruments.

(4) Declaration of States parties to the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees, Ministerial Meeting of States Parties, Geneva, Switzerland, 12-13 December 2001, UN Doc. HCR/MMSP/2001/09, 16 January 2002. The Declaration was welcomed by the UN General Assembly in resolution A/RES/57/187, para. 4, adopted on 18 December 2001.

Accession has also been recommended by various regional organizations, such as the Council of Europe, the African Union, and the Organization of American States. As UNHCR prepares to commemorate, in 2011, the 60th anniversary of the 1951 Convention, it is hoped that more States will accede to these instruments. Today, there are 147 States Parties to one or both of these instruments.

In view of the increasing recognition of the fundamental significance of the Convention and the Protocol for the protection of refugees and for the establishment of minimum standards for their treatment, it is important that their provisions be known as widely as possible, both by refugees and by all those concerned with refugee problems.

Additional information on the Convention and the Protocol, including accession details, may be obtained from UNHCR, or directly from the UNHCR website at www.unhcr.org.

Geneva, December 2010

FINAL ACT
of the United Nations Conference of Plenipotentiaries
on the Status of Refugees and Stateless Persons

I. The General Assembly of the United Nations, by Resolution 429 (V) of 14 December 1950, decided to convene in Geneva a Conference of Plenipotentiaries to complete the drafting of, and to sign, a Convention relating to the Status of Refugees and a Protocol relating to the Status of Stateless Persons.

The Conference met at the European Office of the United Nations in Geneva from 2 to 25 July 1951.

The Governments of the following twenty-six States were represented by delegates who all submitted satisfactory credentials or other communications of appointment authorizing them to participate in the Conference:

Australia	Italy
Austria	Luxembourg
Belgium	Monaco
Brazil	Netherlands
Canada	Norway
Colombia	Sweden
Denmark	Switzerland (the Swiss delegation also represented Liechtenstein)
Egypt	Turkey
France	United Kingdom of Great Britain and Northern Ireland
Germany, Federal Republic of	United States of America
Greece	Venezuela
Holy See	Yugoslavia
Iraq	
Israel	

The Governments of the following two States were represented by observers:

Cuba
Iran

Pursuant to the request of the General Assembly, the United Nations High Commissioner for Refugees participated, without the right to vote, in the deliberations of the Conference.

The International Labour Organisation and the International Refugee Organization were represented at the Conference without the right to vote.

The Conference invited a representative of the Council of Europe to be represented at the Conference without the right to vote.

Representatives of the following Non-Governmental Organizations in consultative relationship with the Economic and Social Council were also present as observers:

CATEGORY A

International Confederation of Free Trade Unions
International Federation of Christian Trade Unions
Inter-Parliamentary Union

CATEGORY B

Agudas Israel World Organization
Caritas Internationalis
Catholic International Union for Social Service
Commission of the Churches on International Affairs
Consultative Council of Jewish Organizations
Co-ordinating Board of Jewish Organizations
Friends' World Committee for Consultation
International Association of Penal Law
International Bureau for the Unification of Penal Law
International Committee of the Red Cross
International Council of Women
International Federation of Friends of Young Women
International League for the Rights of Man
International Social Service
International Union for Child Welfare
International Union of Catholic Women's Leagues
Pax Romana
Women's International League for Peace and Freedom
World Jewish Congress
World Union for Progressive Judaism
World Young Women's Christian Association

REGISTER

International Relief Committee for Intellectual Workers
League of Red Cross Societies
Standing Conference of Voluntary Agencies
World Association of Girl Guides and Girl Scouts
World University Service

Representatives of Non-Governmental Organizations which have been granted consultative status by the Economic and Social Council as well as those entered by the Secretary-General on the Register referred to in Resolution 288 B (X) of the Economic and Social Council, paragraph 17, had under the rules of procedure adopted by the Conference the right to submit written or oral statements to the Conference.

The Conference elected Mr. Knud Larsen, of Denmark, as President, and Mr. A. Herment, of Belgium, and Mr. Talat Miras, of Turkey, as Vice-Presidents.

At its second meeting, the Conference, acting on a proposal of the representative of Egypt, unanimously decided to address an invitation to the Holy See to designate a plenipotentiary representative to participate in its work. A representative of the Holy See took his place at the Conference on 10 July 1951.

The Conference adopted as its agenda the Provisional Agenda drawn up by the Secretary-General (A/CONF.2/2/Rev.1). It also adopted the Provisional Rules of Procedure drawn up by the Secretary-General, with the addition of a provision which authorized a representative of the Council of Europe to be present at the Conference without the right to vote and to submit proposals (A/CONF.2/3/Rev.1).

In accordance with the Rules of Procedure of the Conference, the President and Vice-Presidents examined the credentials of representatives and on 17 July 1951 reported to the Conference the results of such examination, the Conference adopting the report.

The Conference used as the basis of its discussions the draft Convention relating to the Status of Refugees and the draft Protocol relating to the Status of Stateless Persons prepared by the *ad hoc* Committee on Refugees and Stateless Persons at its second session held in Geneva from 14 to 25 August 1950, with the exception of the preamble and Article 1 (Definition of the term

“refugee”) of the draft Convention. The text of the preamble before the Conference was that which was adopted by the Economic and Social Council on 11 August 1950 in Resolution 319 B II (XI). The text of Article 1 before the Conference was that recommended by the General Assembly on 14 December 1950 and contained in the Annex to Resolution 429 (V). The latter was a modification of the text as it had been adopted by the Economic and Social Council in Resolution 319 B II (XI).

The Conference adopted the Convention relating to the Status of Refugees in two readings. Prior to its second reading it established a Style Committee composed of the President and the representatives of Belgium, France, Israel, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America, together with the High Commissioner for Refugees, which elected as its Chairman Mr. G. Warren, of the United States of America. The Style Committee re-drafted the text which had been adopted by the Conference on first reading, particularly from the point of view of language and of concordance between the English and French texts.

The Convention was adopted on 25 July by 24 votes to none with no abstentions and opened for signature at the European Office of the United Nations from 28 July to 31 August 1951. It will be re-opened for signature at the permanent headquarters of the United Nations in New York from 17 September 1951 to 31 December 1952.

The English and French texts of the Convention, which are equally authentic, are appended to this Final Act.

II. The Conference decided, by 17 votes to 3 with 3 abstentions, that the titles of the chapters and of the articles of the Convention are included for practical purposes and do not constitute an element of interpretation.

III. With respect to the draft Protocol relating to the Status of Stateless Persons, the Conference adopted the following resolution:

THE CONFERENCE,

HAVING CONSIDERED the draft Protocol relating to the Status of Stateless Persons,
CONSIDERING that the subject still requires more detailed study,
DECIDES not to take a decision on the subject at the present Conference and

refers the draft Protocol back to the appropriate organs of the United Nations for further study.

IV. The Conference adopted unanimously the following recommendations:

A

(Facilitation of refugee travels)⁽¹⁾

THE CONFERENCE,

CONSIDERING that the issue and recognition of travel documents is necessary to facilitate the movement of refugees, and in particular their resettlement,

URGES Governments which are parties to the Inter-Governmental Agreement on Refugee Travel Documents signed in London on 15 October 1946, or which recognize travel documents issued in accordance with the Agreement, to continue to issue or to recognize such travel documents, and to extend the issue of such documents to refugees as defined in Article I of the Convention relating to the Status of Refugees or to recognize the travel documents so issued to such persons, until they shall have undertaken obligations under Article 28 of the said Convention.

B

(Principle of unity of the family)⁽¹⁾

THE CONFERENCE,

CONSIDERING that the unity of the family, the natural and fundamental group unit of society, is an essential right of the refugee, and that such unity is constantly threatened, and

NOTING with satisfaction that, according to the official commentary of the *ad hoc* Committee on Statelessness and Related Problems (E/1618, p. 40), the rights granted to a refugee are extended to members of his family,

RECOMMENDS Governments to take the necessary measures for the protection of the refugee's family especially with a view to:

(1) Headline added.

- (1) Ensuring that the unity of the refugee's family is maintained particularly in cases where the head of the family has fulfilled the necessary conditions for admission to a particular country,
- (2) The protection of refugees who are minors, in particular unaccompanied children and girls, with special reference to guardianship and adoption.

C

(Welfare services)⁽¹⁾

THE CONFERENCE,

CONSIDERING that, in the moral, legal and material spheres, refugees need the help of suitable welfare services, especially that of appropriate non-governmental organizations,

RECOMMENDS Governments and inter-governmental bodies to facilitate, encourage and sustain the efforts of properly qualified organizations.

D

(International co-operation in the field of asylum and resettlement)⁽¹⁾

THE CONFERENCE,

CONSIDERING that many persons still leave their country of origin for reasons of persecution and are entitled to special protection on account of their position,

RECOMMENDS that Governments continue to receive refugees in their territories and that they act in concert in a true spirit of international co-operation in order that these refugees may find asylum and the possibility of resettlement.

E

(Extension of treatment provided by the Convention)⁽¹⁾

THE CONFERENCE,

EXPRESSES the hope that the Convention relating to the Status of Refugees will have value as an example exceeding its contractual scope and that

⁽¹⁾ Headline added.

all nations will be guided by it in granting so far as possible to persons in their territory as refugees and who would not be covered by the terms of the Convention, the treatment for which it provides.

IN WITNESS WHEREOF the President, Vice-Presidents and the Executive Secretary of the Conference have signed this Final Act.

DONE at Geneva this twenty-eighth day of July one thousand nine hundred and fifty-one in a single copy in the English and French languages, each text being equally authentic. Translations of this Final Act into Chinese, Russian and Spanish will be prepared by the Secretary-General of the United Nations, who will, on request, send copies thereof to each of the Governments invited to attend the Conference.

The President of the Conference:	Knud Larsen
The Vice-Presidents of the Conference:	A. Herment, Talat Miras
The Executive Secretary of the Conference:	John P. Humphrey

DECLARATION

I, the undersigned **Doaa Mazen Fahmi Jarrar** by signing this declaration declare that my PhD thesis was my own work; during the dissertation, I complied the rules of the doctoral dissertation prescribed by the Doctoral School, especially regarding references and citations.

Furthermore, I declare that I did not mislead the supervisor (s) or the programme leader with the dissertation.

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Sopron, **2021, May, 20**

PhD