

IS THE HUMANITARIAN SECTOR PRACTICING WHAT IT PREACHES?

What an examination of refugee response framework in Jordan tells us about the humanitarian sector's real feelings on **localization, impartial aid, and humanitarian principles.**

Aaron Williams

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ABOUT THE AUTHOR

Aaron Williams has spent over 13 years in the Middle East and North Africa (Jordan, Libya, Lebanon and Palestine) where he worked in the humanitarian, social enterprise, digital storytelling, and rights advocacy spaces. He most recently was the Co-Founder of a now entirely locally and refugee-led organization, **Sawiyan**, that partners with African-origin refugee communities in Jordan to cultivate community-driven solutions to issues these communities face. Aaron has advised and contributed to a variety of humanitarian reports, assessments and briefings over the years that have provided crucial insight to humanitarians, scholars, and rights activists on the unique challenges different marginalized refugee and migrant populations face in the MENA region and the approaches and policies needed to ensure Refugee Response Planning is inclusive, prioritizes the most vulnerable, and allows refugees themselves to be co-designers of the systems that will greatly influence their lives. Aaron currently leads **Locally Led**, an organization that aims to support community and refugee-led organizations, volunteer initiatives and refugee-led research in the Middle East, North Africa, Latin America, South Asia, and North America. His writing focuses on migration, humanitarian reform, ethical philanthropy, and the intersection between community organizing and social entrepreneurship.



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Executive Summary

The approach to which Jordan engages, prioritizes, or seeks to support a certain marginalized population has been deeply influenced by each wave of forced migration the country has experienced throughout its history. Even though it has received praise from many humanitarian agencies, donors, and media outlets for being welcoming of refugees over the years, many forget that Jordan is not one of the many countries that have signed the 1951 UN Refugee Convention or the 1967 Optional Protocol. This translates to a country that has indeed been open to host those seeking refuge within its borders over the years, but as long as it gets to define what and who is a 'refugee'. The country has chosen, throughout its history, to exclude different at-risk, UN-registered refugees and asylum seekers populations from protections, support, and specific liberties in the name of regional political alliances, national security, or claims limited or reduced capacity. Though the Government's approach to refuse to recognize status of certain marginalized communities has created dispute between at-risk refugees, humanitarians and the Government of Jordan at different points over the years, it has come to be expected.

However, in this report, we learn how over the past decade, key members of the humanitarian sector in Jordan have been complicit in the creation and sustaining of refugee response framework that is partial, discriminant, and excludes the refugees and asylums seekers from Yemen, Sudan, Somalia, and Iraqi origin, leaving them with limited assistance, protection, or recognition of the rights and protections that should be ensured to them under the UN conventions. In the ill-fated process of creating the Jordan Response Plan (JRP) with the Government of Jordan, a number of key humanitarian stakeholders (both humanitarian agencies and donors) were charged with designing and maintaining the Refugee Response portion of the JRP, as the government-maintained responsibility and authority over the Resilience portion of the Response Plan. This report finds that in the process of both the creation and maintaining of the JRP, the responsible parties:

- i) skipped typical protocol to conduct proper contextual and crisis analysis usually expected in refugee response plan formulation
- ii) did not provide adequate space for critically important voices from local civil society working closely with non-Syrian refugee and asylum seeker communities, and
- iii) did little to combat partial, ear-marked financing from key donors that compounded the already problematic nationality-based assistance scheme

iv) continually ignored, and at times attempted to obstruct, locally and community-based advocacy movements and initiatives working to shed light on the marginalized non-Syrian communities

The result was a Jordan Response Plan that excluded over 90,000 refugees and asylum seekers of non-Syrian origin from formal humanitarian framework and created a critically desperate experience in refuge for these populations that could have been avoided. As it stands the JRP-- and the stakeholders who continue to uphold its present format-- are in violation of the humanitarian principles of impartiality and non-discrimination. Principles universally recognized and touted by many of the sector's leading agencies.

Humanitarians concerned with the growing vulnerability of non-Syrians have led a grassroots advocacy movement centered around 'One Refugee Approach', which calls on humanitarians to deliver impartial, non-discriminate assistance based on the vulnerability of a refugee and not on their nationality in any and all refugee response efforts. Against the odds, and the initial resistance of larger, more influential aid organizations, this movement (comprised of local and international NGOs and community-based organizations) creatively utilized members' strengths and positionality to create real change in approach and policy at the local, donor, and humanitarian level.

As the report unfolds, questions will naturally begin to come to the surface regarding what the story of the non-Syrians, the JRP, and the approaches of stakeholders involved tells us about the sector's commitment to its principles and its willingness to truly commit to the cause of localization. Some of the key conclusions to the questions posed include:

- The humanitarian framework that presently exists in Jordan falls far short of living up to the humanitarian principles of impartiality and non-discrimination. Instead, it is a system that has been systematically set up to cover the needs of only one of many populations seeking refuge within the borders of the country.
- Clearly shows the effects of an aid industry that is plagued by donor-states earmarking funding to specific issues, populations, and humanitarian programs that serve the national interests of donor-states and not the interest of principled, effective humanitarian response.

- A sector that seems to be failing in efforts to achieve its aim to prioritize localization (See the Grand Bargain).¹ Those who hold the power and determine policy are still the large, politically powerful agencies and their donors. Critically important locally-led community-based organizations, rights groups, and refugees have little voice or ownership over how aid is coordinated or implemented.
- A sector that grants the host government excessive power to dictate who is considered vulnerable, a refugee, or an ally. Instead of prioritizing an approach to localization that gives local organizations and refugees themselves a stake in the decisions and plans that affect them, they've opted for the vague 'Paris Agreement' approach to localization that has allowed for the host government to exercise excessive influence over what humanitarian principles can be actively pursued and what cannot; what populations can be protected what cannot; what topics can be publicly discussed and what cannot.
- That sees leading agencies time and time again refusing to stand up to governments, such as the Government of Jordan, when gross violations of humanitarian principles and the UN Conventions take place.
- That depicts the growing issue of having one agency as the sole governing body over refugee response efforts. The power dynamic has dramatically affected the Refugee Agency's (UNHCR) ability to be accountable for areas it falls short and for those short comings to be addressed.

¹ A highly publicized agreement by key humanitarian agencies aiming to bring local partners into the very center of the design, coordination, and governance of humanitarian action.

Introduction



INTRODUCTION.

Though modern humanitarianism had definitely not been immune to criticism and calls for reform in the past, the global frustration over the past decade stemming around racial, economic inequality and the rise of authoritarianism in countries once deemed as models for progressive politics, brought a new level of strength to the frustration voiced by academics, rights advocates, and humanitarian practitioners. These critics have called out the inability of many humanitarian entities--and donor states--from the Global North, to live up to the humanitarian principles and human rights conventions they so often champion. The same conventions and principles they have demanded for so long of the Global South-- and the world at large—to live up to.² Critics have explained that earmarking influenced by the political interests of aid donors,³ the reluctance to allow those with the most at stake in humanitarian contexts (refugees/host communities/local organizations) sufficient ownership over response planning,^{4 5 6 7} the willingness of humanitarians to compromise their mandates in favour of political/financial capital,⁸ the unhealthy power dynamics caused by the Refugee Agency's mandated control over refugee response,⁹ and the growth of international charities into powerful corporate brands that wield immense political power, have compromised the present humanitarian system's ability to honour its core foundational principles--- namely neutrality, impartiality, and non-discrimination.¹⁰

These accusations should be the kind that shake the humanitarian community to its foundational core, to say the least. Why? Because much of the contemporary humanitarian system justifies its very existence and relevance on these founding principles and ethics. Whether a UN agency, humanitarian non-government organization, or human rights group, most actors give reference to the 1965 Foundational Principles¹¹ as the foundation or inspiration to their own organization's mandates. This document calls all humanitarians to adhere to the principles of humanity, independence, neutrality, voluntary service, unity, universality, and impartiality in all cases of humanitarian practice. And if not the Principles,

² Hugo Slim, "Is Racism Part Of Our Reluctance To Localise Humanitarian Action?". *Humanitarian Practice Network*, 5 June 2020, available at: <https://odihpn.org/blog/is-racism-part-of-our-reluctance-to-localise-humanitarian-action/>

³ From interview with senior official at a donor agency, 18 September 2020.

⁴ From interview with senior official in philanthropy, 30 November 2021.

⁵ Obrecht, Swithern, and Doherty, ALNAP, *The State of The Humanitarian System Report*. 2022.

⁶ Abdirahman, Khalif. ALNAP-NEAR: *Locally led humanitarian action in Somalia*. 2022

⁷ Support To Life Turkey. ALNAP-NEAR: *Locally led humanitarian action in Turkey*. 2022.

⁸ Middle East Research and Information Project, No. 279

⁹ From interview with senior specialist at UN agency, 27 September, 2020

¹⁰ Referring to the universally recognized ICRC Foundational Principles.

¹¹ International Committee of the Red Cross, *Fundamental Principles of the Red Cross and Red Crescent Movement*, Geneva, 11 April 2016.

most of the widely known humanitarian actors almost certainly give reference to the Human Rights Conventions, Refugee Conventions, or the 1994 ICRC Code of Conduct (which is highly influenced by the '65 Foundational Principles).¹² UN OCHA describes humanitarianism's global humanitarian mandate as practicing humanitarian assistance on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions¹³ regardless of region, context, or crisis you are working within. Precisely, humanitarians should provide assistance impartially and without discrimination.

A sector that has spent much of the past decade preaching the gospel of local ownership and the Grand Bargain,¹⁴ see's only 3% of all aid financing making its way to local organizations (22% under the goal sector leaders laid out in the Grand Bargain). A sector that routinely celebrates its efforts of allowing local civil society a 'seat at the table' is forced to face a reality that, in humanitarian contexts across the world, deeply problematic structures of power and authority allow those with the most financing and political power to govern and dictate how a humanitarian response is carried out and the issues to be prioritized. A reality that often sidelines some of the most crucial perspectives of insight into humanitarian response and rights protection—the perspectives of community-based organizations positioned closely with the marginalized and the perspectives of refugees themselves.

Over the past 10 years, some of the consequences of a humanitarian system no longer prioritizing its principles has begun to be clearly seen through the ongoing refugee response effort in the country of Jordan.¹⁵ It is here, in Jordan, where a growing number of humanitarians, rights groups, and scholars claim that key humanitarian donors and agencies have been complicit in the creation and sustaining of refugee response framework that is partial, discriminate, and excluding the refugees and asylums seekers from Yemen, Sudan, Somalia, and Iraqi origin, leaving them with limited assistance, protection, or recognition of the rights and protections that should be ensured to them under the UN conventions. Critics claim that the humanitarian framework presently set up to govern refugee response in Jordan is not in line with what humanitarians call the '*One Refugee Approach*', which calls on humanitarians to deliver impartial, non-discriminate assistance based on the vulnerability of a refugee and not on their nationality in any and all refugee response efforts.¹⁶

How can some of the world's leading agencies and humanitarian donors ignore, and

¹² See UN Depository of Universal Declarations.

¹³ United Nations Office for the Coordination of Humanitarian Affairs, *What Are Humanitarian Principles?*, 12 June 2020.

¹⁴ See 2016 Grand Bargain

¹⁵ Protection Working Group, *One Refugee Approach: Persons Of Concern From Countries Other Than Syria--Jordan Protection Working Group Guidance Note*, July 2019.

¹⁶ One Refugee Approach Working Group, *The One Refugee Approach In Jordan: Situation Report* September 2020.

intentionally exclude, the plight of almost 100,000 refugees and asylum seekers it is mandated to protect? In the following report you will be taken through a study of Jordan, where we will examine:

- i. how the history of migration in Jordan has shaped the country's current approach to refugee response and
- ii. the present humanitarian framework that both the Government of Jordan and its humanitarian partners (humanitarian organizations and donors) have created to govern one of the world's most critically important refugee response efforts---and why the framework they have set up includes certain populations and excludes others.
- iii. The consequences of excluding certain, at-risk populations from refugee response framework in Jordan and
- iv. the history of a grassroots movement, led by community-based organizations and rights advocates, that has successfully mainstreamed the cause of the '*One Refugee Approach*' and principled refugee response in Jordan.

Throughout the report we will aim to analyze whether or not the present framework is in line with the humanitarian principles of impartiality, non-discrimination and the recently coined '*One Refugee Approach*'. The report will conclude with an analysis of what the present context, influences, and state of the refugee response effort in Jordan says about the status of principled humanitarianism, impartial aid, and if the sector truly values the insight of local and community-based actors. Though the analysis and case study has been informed by a review of some of the most relevant academic writing and humanitarian reporting related to the aforementioned topics, most importantly, the report is intimately informed by a diverse sample of in-depth interviews with key stakeholders at the iNGO, UN, donor and community-based level in Jordan. My colleagues and I feel it is the narratives, experiences and perspectives provided by these uniquely positioned stakeholders that brings the following report a level of depth, insight, and nuance that has not yet been covered in previous research/reporting investigating the topics of focus.

Following the conclusion, recommendations will be provided targeting first stakeholders to humanitarian response in Jordan, then global humanitarian policy stakeholders-- providing advice on the approach and reform needed to create more inclusive, principled humanitarian framework both in the Jordan and global contexts.

1

An Overview of Jordan's Migration History & Resulting Policies of Exclusion



Section 1: An Overview of Jordan's Migration History & Resulting Policies of Exclusion

The approach to which Jordan engages, prioritizes or seeks to support a certain marginalized population has been deeply influenced by each era of forced migration the country has experienced, beginning in the late 1940s. Whether it be the forced migration of Palestinians fleeing Israeli occupation in their homeland in 1948, 1967, and 80s, the enforced return of Palestinians living in refuge in the gulf in the early 90s,¹⁷ the influx of Iraqi refugees the country experienced as thousands fled war and the U.S. occupation in their country, or the variety of others fleeing war, revolution, and marginalization from places such as North Africa, Jordan has played host to a variety of refugee populations with unique challenges pertaining to each.¹⁸ Jordan now hosts over 2 million Palestinian refugees, just under a million Syrian refugees, and over 90,000 refugees from countries other than Syria such as Sudan, Yemen, Somalia and Iraq. Each wave of migration has prompted the government to develop the legal framework it has today to govern humanitarian assistance, funding, and these populations access to assistance.

Even though it has received praise from many humanitarian agencies, donors, and media outlets for being welcoming of refugees over the years, many forget that Jordan is not one of the many countries who have signed the 1951 UN Refugee Convention or the 1967 Optional Protocol. Instead, Jordan introduced its own law (Article 21, 1952) that stated:

“(i) Political refugees shall not be extradited on account of their political beliefs or for their defence of liberty. (ii) Extradition of ordinary criminals shall be regulated by international agreements and laws.”¹⁹

One rights group official working in Jordan explains that contrary to what many think “There’s never really been any reference to international norms in regards to refugee law in Jordan.” In the case of Jordan, when the Refugee

¹⁷ Géraldine Chatelard, *Jordan: A Refugee Haven*, Migration Policy Institute, 2010.

¹⁸ *Middle East Research and Information Project*, above note 8, No. 279.

¹⁹ Hashemite Kingdom of Jordan, 1952. Constitution Of The Hashemite Kingdom Of Jordan. Hashemite Kingdom of Jordan, Article 21.

Convention finally came about in '51, the Kingdom was already dealing with the significant surge of Palestinian refugees pouring across its borders from Israeli-occupied Palestinian land, so the idea that they would have to offer protection to all the current refugees they were hosting, and anyone who came later, was terrifying to Jordanian authorities at the time. With no other Middle Eastern neighbour in the region agreeing to recognize the conventions either, there was no pressure for them to do so.²⁰ Also, curiously, in the 1952 article, the Government of Jordan does not give a specific definition of what it defines as a “refugee.” Rights experts say this gives authorities flexibility to pick and choose who is and isn’t a refugee in any given context.²¹ The government did, however, sign a 1998 MOU with UNHCR, amended in 2014, which outlined the major principles of international protection standards and confirmed the principle of non-refoulment, committing Jordan, on paper, to not deport UN-registered refugees or asylum seekers. The MOU also provides the legal basis for the stay of asylum seekers in Jordan---pending refugee determination by UNHCR-- and of mandated refugees for a limited period of time after status recognition.²²

In Jordan today, refugee response in Jordan has been developed largely as a result of the million or so Syrian refugees who have sought refuge within the country’s borders as a result of the Syrian crisis. Humanitarian aid in Jordan is orchestrated and governed by the Jordan Response Plan For the Syrian Crisis (commonly referred to as the JRP), which acts as the main instrument for planning and funding of humanitarian assistance to refugees in the country.²³ When discussing the JRP it is extremely important to understand that this particular Response Plan was created by the Government of Jordan in coordination with a number of key humanitarian actors and aid donors.²⁴ Understanding who created and maintains the JRP is crucial to understanding the rest of this report. In addition to the JRP, the globally publicized 2016 Jordan Compact has also proved deeply influential to both policy and perception of the refugee response landscape in Jordan. The Compact which acts as a major funding agreement between the Government of Jordan and the European Union, aimed at turning the Syrian refugee crisis into an opportunity for economic growth.²⁵ Under this current framework, though UNHCR registers refugee and asylum seekers from Syria, Sudan, Somali, Yemen, Iraq, and other countries—in line with common UNHCR protocol-- only Syrian refugees are technically recognized by Jordanian authorities.²⁶ Under these present circumstances, refugees and asylum seekers from countries other than Syria, though registered with

²⁰ Interview with a rights group official, September, 2020.

²¹ Anonymous interview with regional expert conducted on the 25 August, 2020.

²² Rochelle Johnston, Anna Kvittingen, Dina Baslan, *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria, With A Focus On Yemenis And Sudanese*. 2019.

²³ Ministry of Planning and International Cooperation, 2015. Jordan Response Plan For The Syria Crisis 2015.

²⁴ Protection Working Group, above note 9, July 2019.

²⁵ Katharina Lenner and Lewis Turner, “Learning from the Jordan Compact”, *Forced Migration Review*, No. 57, February 2018.

²⁶ One Refugee Approach Working Group, above note 10, September 2020.

UNHCR, are not recognized as refugees or asylum seekers by the government of Jordan, which means the government does not oblige itself to recognize the rights and protections ensured to these individuals under the Refugee Conventions.²⁷ Jordanian authorities have provided a mixed-bag of reasoning over the years for their stance on this issue. Authorities explain that these refugee populations are not refugees but ‘migrants’ exploiting the immigration system.²⁸ This explanation, of course, ignores the reality of the decades-long civil conflict and more recent popular revolution in Sudan, the decades-long war in Somalia, and the ongoing war and famine in Yemen. When pressed on the issue, government officials most often transition to their stance that there is also a risk to national security when it comes to these populations.²⁹ They explain that they have concerns that extremist groups such as Al-Shabab and Al-Qaeda could infiltrate Jordan. However, to this date, there have been no known instances of Sudanese, Somali or Yemeni extremist presence in Jordan. However, there has been known presence and Jordanian arrest/apprehension of Syrian and Iraqi Islamic State, Nursra, and Al-Qaeda presence in Jordan over the past decade.³⁰ In addition to the explanations the government provides rights advocates, humanitarian practitioners, and local researchers also provided explanations of why Jordan has taken such a hard-line stance on these populations including:

- i) Jordanian authorities have complicated political alliances with parties involved in all three conflicts and the admission that there are refugees from the aforementioned countries (Sudan, Somalia, and Yemen) is an admission to a state of war, conflict, or turmoil in Sudan, Somalia or Yemen that could compromise their political capital with other parties.³¹
- ii) Much of the humanitarian funding allocated to Jordan over the past ten years, which is the Jordan economy’s highest source of revenue, has been earmarked for Syrian refugee response and has been deeply influential in influencing the government to create a ‘hierarchy of refugees’ within refugee response planning in the country.³²

In addition to Jordanian authorities refusing to recognize the rights and status of these marginalized communities, refugees and asylum seekers of Sudanese,

²⁷ See note above 16.

²⁸ Interview with a human rights researcher, July 2022.

²⁹ Interview with refugee rights researcher, March 2021.

³⁰ *Country Reports on Terrorism 2019: Jordan*. U.S. Department of State.

³¹ A reiterated point made in multiple interviews with stakeholders.

³² Rochelle Davis, Abbie Taylor, Will Todman, and Emma Murphy. *Sudanese And Somali Refugees In Jordan Hierarchies Of Aid In Protracted Displacement Crises*. Middle East Research and Information Project. 2016.

Somali, and Yemeni origin are also not recognized or covered under the Jordan Response Plan---with an exemption made for Iraqi refugees after a strong push from Iraqi diplomats.^{33 34} Their exclusion from the JRP leads, also, to their exclusion from the Compact. From the surface, the exclusion of Sudanese, Somali and Yemeni refugees/asylum seekers from the JRP seems to be a pre-mediated fault of the government, but the reader should not make hasty judgement just yet. In the next section, we will dive into the details of why there are other complicit parties that very well should shoulder much of the blame for the exclusion of these populations.

This blatant lack of recognition of the status and rights of registered Sudanese, Somali, and Yemeni refugees and asylum seekers, the legal framework being used to justify such a stance, and the exclusion of these populations from the JRP has raised significant concerns to many humanitarian practitioners, researchers and local activists in Jordan. Some of the more significant concerns include:

1) Article 21, of Jordan's 1952 constitution, which protects political refugees 'from extradition on the account of their political belief' is, in fact, in line with UN Refugee Conventions. However, its vague language is providing Jordanian authorities with a loophole they are exploiting in the case of the communities of concern. The absence of no other language pertaining to refugees in the Constitution should give reason for concern.³⁵ Nor is there any reference within both the Constituion or present-day Jordanian legal framework of what the Government defines as a 'refugee' or any substantial list of rights ensured to them. Such limited legal framework dedicated to how the government sees, responds and engages with refugees and asylum seekers sets a troublesome precedent and technically allows the flexibility to Jordan to decide for itself what is and isn't a refugee at its own convenience.³⁶ This obviously creates significant vulnerability towards politically motivated decisions and favoring certain refugee populations over others, essentially giving way to a system of refugee hierarchy³⁷ that was alluded to earlier in the report.

2) Sudanese, Somali, or Yemeni refugees and asylum seekers not being covered or even mentioned in the Jordan Response Plan is a glaring omission---A violation of the humanitarian principle of impartiality. The JRP similarly only identifies one refugee population as the focus of what it protects and to whom it will funnel all aid assistance towards. With some

³³ Interview with staff member of a humanitarian agency, August 2021.

³⁴ Ministry of Planning and International Cooperation, 2020. *Jordan Response Plan For The Syria Crisis 2020-2022*. Ministry of Planning and International Cooperation.

³⁵ Hashemite Kingdom of Jordan, *Constitution Of The Hashemite Kingdom Of Jordan*, Article 21, 1952.

³⁶ Dallal Stevens, "Legal Status, Labelling, and Protection: the Case of Iraqi 'Refugees' in Jordan", *International Journal of Refugee Law*, Vol. 25, No. 1, 2013.

³⁷ *Sudanese And Somali Refugees In Jordan Hierarchies Of Aid In Protracted Displacement Crises*. See note 26.

additional, limited exceptions made for Iraqis. Through this setup, Syrians are rightfully given assistance, the Government of Jordan and humanitarian sector benefit, but 90,000 refugees of non-Syrian origin are excluded. This essentially promotes a culture of earmarked funding which further violates principles of impartiality, non-discrimination, and even potentially cultivates a culture for apolitical humanitarian aid to be compromised.

3) There are significant issues regarding these populations' access to legal residency and the protections that come with it. Unlike the special procedures that have been introduced to regularize Syrians' presence in Jordan, annual residency for Iraqis, Yemenis, Sudanese, and Somalis remain regulated by the standard (and restrictive) conditions of the Law on Residence and Foreigners' Affairs.³⁸ These are dealt with by the Public Security Directorate (PSD). This legislation is the same for any foreigner, including migrant workers, tourists, and investors, entering the country. Under this legislation, they can be "legally present" up to three months after arriving in Jordan (one month initially and then for an additional two months if they apply for an extension) and then can request a further three-month extension. After this point, they are not legally present unless they pay overstay fines and/or receive a one-year residency. Refugees who are not "legally present" over their legal stay period in Jordan can be arrested and deported. UNHCR claims that if the individual in question is registered with them as a refugee/asylum seeker they can work on their eventual release,³⁹ but many humanitarians dispute how efficient UNHCR has been at negotiating releases and preventing deportations.⁴⁰ With a high majority of refugees in Jordan staying in Jordan at a minimum of 5 years, one can clearly see how precarious present refugee residency policy is.

4) Neither the legal framework nor the JRP limits the Government of Jordan in its authority to dictate and regulate funds. The Government often demands that 30-50% of beneficiaries of projects be Jordanian.⁴¹ Without any sort of regulation, the government may dictate that funding goes entirely to Syrian response, or significantly towards government and host community capacity support. This obviously shows the partiality within local framework. Response funding and distribution is dictated by nationality, displaying partiality.

5) With non-Syrians not being recognized under the current JRP, aid agencies, development, charity, and community development organizations seeking project or funding approvals for their projects engaging non-Syrians refugees

³⁸ Polzer and Hammond, 2020. Invisible Displacement. *Journal of Refugee Studies*, 21(4)

³⁹ Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria, With A Focus On Yemenis And Sudanese, above note 13.

⁴⁰ Anonymous interview with a specialized researcher 28 October, 2021.

⁴¹ Hanna Röth, Zina Nimeh and Jessica Hagen-Zanker, "A mapping of social protection and humanitarian assistance programmes in Jordan", Overseas Development Institute, No. 501, 24 January 2017.

run the risk of rejection. Projects targeting Syrians are processed by the Jordan Information Management Platform for the Syria Crisis (JORISS) through MoPIC (Ministry of Planning and International Cooperation), representing the vast majority of project approvals. Organisations with proposed projects targeting non-Syrian refugees are required to submit applications for funding and project approval first through the ministry their organization is registered under, then to MOPIC, then through another ministry (usually Ministry of Social Affairs or the Ministry of Interior), before submitting to the Prime Minister's office for final approval.⁴² If an application specifically states that the project is aimed towards non-Syrians, it will be rejected. Organizations working with non-Syrians often have to describe their projects as “projects targeting all refugees or marginalized people groups” if they wish to have a chance of getting approved. This addition of a separate approval process poses an obstacle and raises concern about delay.⁴³ Still, while using the approach of vaguely describing their specific target groups, there is still high risk of rejection. Locally-led organizations with limited ability to pay for a professionalized ‘government liaison’ or with limited connections to ‘influential’ folks within the GoJ apparatus suffer the greatest while dealing with this issue.⁴⁴

6) In January of 2019 the Government of Jordan made a decision to suspend all registration of Sudanese, Somali, and Yemeni refugees indefinitely.⁴⁵ At the time of the writing of this paper, registration for these populations was still suspended with no end in sight.⁴⁶ This decision again is in violation of the humanitarian principles of impartiality and the ‘one refugee approach’.

7) In the summer of 2020 the Ministry of Education and the Ministry of the Interior introduced a new policy in which refugees and asylum seekers from countries other than Syria must present a work permit or residency permit in order to have their children registered in Jordanian schools.⁴⁷ Obviously, under the JRP, non-Syrian refugees and asylum seekers do not have the right to work or seek residency and continue to retain their refugee or asylum seeker status. As such, this policy effectively bans non-Syrians from registering their children in schools. The Ministry of Interior would eventually make an exemption for Iraqi refugees, in the summer of 2020

⁴² Interview with director of a locally-led organization, August, 2020.

⁴³ Protection Working Group, above note 9, July 2019.

⁴⁴ See note 36 above.

⁴⁵ One Refugee Approach Working Group, above note 10.

⁴⁶ Interview with a Jordan-based advocacy specialist, September, 2020.

⁴⁷ Protection Working Group, Minutes of Meeting, 2020.

after negotiations with Iraqi government officials, but refused to make the same exemption for all other refugees.⁴⁸ In late 2020, after protest from humanitarian organizations concerned for the excluded populations, authorities eventually agreed to a waiver that would allow Sudanese, Somali, and Yemeni refugees to remain in public schools for the coming year, but still made it clear that this was only temporary, and that these populations would have to prepare for a reality with no access to public education in the near future.⁴⁹ This waiver would later be extended to the end of 2021, but authorities still communicated that the waiver was temporary. All in all, again another example of systematic exclusion of these populations by the Government of Jordan.

8) Until the Fall of 2020, due to their lack of recognition by the Government of Jordan, registered refugees/asylum seekers of non-Syrian origin had to pay the same rates at hospitals and health care clinics as an uninsured expat.⁵⁰ After years of advocacy, the Government finally signed a waiver allowing non-Syrian refugees/asylum seekers to have access to the same reduced rates that Syrian refugees paid. Humanitarians claimed this a victory, but as 2021 played out, humanitarians working with non-Syrian refugee/asylum seekers began to realize that a) there was paperwork and a long approval process attached to non-Syrian individuals attempting to get access to these reduced rates b) that many in these communities discussed waiting long periods of time to get an answer on critical medical procedures that were time sensitive c) and that many that applied we're getting rejected.⁵¹

9) In 2021, following years of advocacy by organizations and donors concerned with this exclusion the Government proposed a separate JRP that would only be for non-Syrians. Though some humanitarians and advocates celebrated this development, initial understanding of those close to the situation say that though a non-Syrian specific JRP could finally cause the Government to formally acknowledge these individuals as refugees/asylum seekers, the GoJ would likely utilize this new legal framework to further tighten restrictions on access to assistance, pursuit of livelihoods and other

⁴⁸ Protection Working Group, above note 9.

⁴⁹ From an interview with an anonymous UN staff member, 30 October, 2021.

⁵⁰ *Realizing The Rights Of Asylum Seekers And Refugees In Jordan*, above note 13.

⁵¹ From interview with refugee community representative, May 2021.

protections these populations require to sustain life in Jordan.⁵² Humanitarians in Jordan working with these populations worry even that a new non-Syrian specific JRP could further formalize some of the restrictive policies mentioned above and provide the government with more leeway to restrict humanitarian access to these populations.⁵³

The concerns described above provides significant evidence of a humanitarian, refugee, and immigration system is built more hierarchy, with certain refugees prioritized above others:

"Absolutely, without question, Jordanian framework is one based on refugee hierarchy and is no way impartial..."⁵⁴

⁵² Anonymous interview with a Country Director of an NGO.

⁵³ Anonymous interview with a Country Director of an NGO.

⁵⁴ Anonymous interview with human rights official conducted on 25 August, 2020.

Humanitarian complicity in the facilitation of discriminatory response framework.

2



Section 2: Humanitarian Complicity In The Facilitation of Discriminatory Response Framework.

Though the Government of Jordan bears responsibility for the current situation in which non-Syrians are routinely treated in a discriminatory manner, significant evidence has shown that the humanitarian community – composed of UN agencies, INGOs, and donor-states - has been complicit in the creation and sustaining of response framework in Jordan that is exclusive and not in line with humanitarian principles.

The Jordan Response Plan was created in partnership with key humanitarian drivers and donors

Though we won't dive into an entire history of aid financing and implementation in Jordan, due to the evidence provided in the previous sections describing the origin and development of Jordanian humanitarian and refugee law, paired with the examination of the present Jordan Response Plan (JRP) that we are about to take, a number of concerns and questions of why international humanitarian agencies have been willing to continually sign off on exclusive framework should naturally come about.

When the present JRP was created, both the Government of Jordan and its humanitarian and donor counterparts referred to the Paris Agreement on Aid Effectiveness as the inspiration for the creation of the JRP. This was a forum in which humanitarians and key donors agreed to a practical, action-oriented roadmap to improve the quality of aid and its impact on development. Among key declarations humanitarian and development actors agreed to uphold were:

That developing countries set their own strategies for poverty reduction, improve their institutions and tackle corruption and that donor countries align behind these objectives and use local systems.⁵⁶

Though the declaration had brought forth a welcome reprioritization of making aid and development more localized, the stipulation that humanitarians should completely fall in line with the framework a host country proposes has already proved to be problematic. First, though an organization like UNHCR has always seen itself as a neutral partner with host governments working in tandem to develop effective and principled aid response, the Paris Agreement precisely encouraged an even stronger

⁵⁵ Ministry of Planning and International Cooperation, Jordan Response Plan For The Syria Crisis, 2015.

⁵⁶ Organisation for Economic Co-Operation and Development, The Paris Declaration On Aid Effectiveness, March 2005.

buy-in from UNHCR and their humanitarian partners.⁵⁷ Buy-in to this agreement could significantly compromise the agency's ability to be both neutral-- through tying themselves to a Government's policy that could cause the Refugee Agency to be seen as political-- as well as their ability to be impartial in their deliverance of humanitarian assistance and protection. Second, taking into consideration how highly political and significantly partial humanitarian funding has become globally, there should be significant concern that politicized, partial aid financing paired with an unwavering allegiance to a host country's proposed humanitarian response plan, could lead to vulnerable individuals being entirely side-lined. One senior philanthropy official explains the concern:

"If a certain population doesn't fit within the political aspirations of that particular country, they fall through the cracks. A lot of development or humanitarian organizations have to make that choice---whether they secretly try to reach that marginalized community...or abide by the national response plan. Are they going to uphold their own principles of impartiality or are they going to abide by what the government says they can and can't do?"⁵⁸

In the case of Jordan, understanding the complex situation the Paris Agreement-influenced framework can put humanitarians, refugee, and human rights advocates in should have caused those contemplating what a future JRP would look like to pause...and re-think what their positionality would be in any such joint-humanitarian approach with their Jordanian hosts. As the Jordan Response Plan came into form years later, one can be highly certain, that for some reason, they did not.

With Jordan, it is extremely important to acknowledge--as we critically look at and evaluate the shortcomings of the GoJ⁵⁹ and the approach to refugee response-- that both the Jordan Response Plan (or JRP) and the Jordan Compact were both given the sign-off by major humanitarian agencies and donors as well and that these internationally recognized agencies and donors

⁵⁷ Organisation for Economic Co-Operation and Development, above note 50.

⁵⁸ Anonymous interview with a senior philanthropy official conducted on 7 September, 2020

⁵⁹ GoJ is an often used acronym used by practitioners and researchers to refer to the Government of Jordan

were precisely seen as co-founders in both sets of framework. In the latest adoption the 2020-2022 JRP the Ministry of Planning and International Coordination proudly explains that the JRP:

Presents a pioneering model on humanitarian crisis response, a three-year rolling plan updated annually, where needs and proposed response are developed through the task forces composed of line ministries, donors community, UN agencies and NGOs to mitigate the impact of Syria crisis.⁶⁰

MoPIC explains further on its website that the JRP(or JRPSC as it is also called) is a:

Strategic partnership mechanism between the Government of Jordan, donors, UN agencies and NGOs for the development of an integrated refugee, resilience-strengthening and development response to the impact of the Syria crisis on Jordan.⁶¹

Additionally, the acting Minister of Planning during the formation years of the JRP expressed his gratitude to the UN Resident Humanitarian Coordinator, all UN agencies, and NGOs (though he does not specify which NGOs) for their tireless effort in making the JRP a reality.⁶² Now here comes one of the more crucial bits of information to this report. The initial draft of the JRP was divided into two pillars of focus, the *Resilience* and the *Refugee Response*. For the most part, the Government took a significant role and leadership of developing the Resilience related framework and strategy for the JRP, whereas the Refugee Response portions was taken on by the humanitarian actors that were invited to assist the government in the design of the document.⁶³ To ensure absolute clarity, the responsibility of Refugee Response within the JRP was given to humanitarian actors.

These are just a few examples that depict the significant shared ownership international humanitarian organizations had in designing the current Jordan Response Plan that has since failed to identify and address the needs of 90,000+ Iraqi, Yemeni, Sudanese, or Somali refugee groups.⁶⁴ As a matter of fact, these groups were not mentioned a single time in any of the five different iterations of the JRP since 2015. In the years that followed, five separate times the Government of Jordan, humanitarian organizations, and donors reconvened. Agencies with knowledge of the existence and need of non-Syrian refugees in the country. And five separate times these agencies and donors endorsed a new JRP that did not include these refugee populations. A decision by leading humanitarian agencies to endorse a plan that did not fall in line with the humanitarian principles of non-discrimination or impartiality, nor fell in line with the 'One Refugee Approach'.⁶⁵

⁶⁰ Ministry of Planning and International Cooperation, *Jordan Response Plan For The Syria Crisis 2020-2022*, 2020.

⁶¹ Ministry of Planning and International Cooperation, 2020.

⁶² Ministry of Planning and International Cooperation, 2015.

⁶³ From an interview with an official of a donor state to Jordan, 17 September, 2020

⁶⁴ Protection Working Group, above note 9.

⁶⁵ From an anonymous interview with an official of a donor agency, 18 September, 2020

Understanding why failures were made with JRP: Lessons from stakeholders.

How did humanitarians miss so badly? Why did they seem to routinely have a ‘blind spot’ when it came to Sudanese, Somali, Yemeni, and Iraqi refugee communities? Why were decisions, policies, framework made the way there were? One individual intimately involved in the discussions and planning of the original JRP gives her perspective:

"Its fair to point out that the JRP never evolved from just focusing on Syrians... and we did not move towards these more inclusive approaches until years later. Years and years we repeated the same thing, and donors repeated the appeal every year. Looking back there seems to be a lack of vision and leadership on every side. We just carried on doing the same."⁶⁶

Another stakeholder, a former UN staffer, explains that throughout a majority of iterations of the JRP over the years the Refugee Agency continued to earmark funding mostly towards Syrian refugees: “At the end of the day the money rules who is going to be prioritized, so it’s no surprise through those initial years of the JRP, assistance in Jordan has not been impartial.”⁶⁷

One government official from a donor state to Jordan explains that the Response Plan, and the entire machinery the JRP involved, was a direct reaction to the Syrian response, thus leading to donors financing aid response, earmarked to serve that purpose:

“So, from the very beginning impartial, inclusive humanitarian assistance to all vulnerable refugees, that were not Syrian, became a structural systematic challenge in the response. They didn’t talk about Sudanese and Somalis and migrant workers...they only gave the money for Syrian refugees. Honestly, for years there was this tension of ‘well, this was how the money was pledged by our donors, where it was earmarked...’ and it created all these challenges-----

⁶⁶ From an anonymous interview with an official of a donor agency, 18 September, 2020

⁶⁷ From an anonymous interview with a former senior official of a donor state to Jordan, 19 September, 2020

---trying to meet the needs equally of the vulnerable individuals left outside the framework that was set up.”⁶⁸

It wasn't until the 2017-2018 period, after a number of community-based organizations working with non-Syrians populations had raised awareness to a number of key donors to Jordan on the consequences of exclusion of these populations, that there was any serious momentum in 'rethinking' the JRP.⁶⁹ It was at this point where the 'One Refugee Approach' concept, which calls humanitarian actors to govern and 'provide assistance based on vulnerability and not nationality,'⁷⁰ began being more widely used in humanitarian circles as a method of pushing for the humanitarian principles of impartiality and non-discrimination. Even so, there was significant hesitation and sensitivity among many in the donor and humanitarian community to push Jordan to adopt the 'One Refugee Approach'. During conversations discussing whether to ask the Brussels Conference to officially endorse the One Refugee Approach, and that it be implemented in future iterations of the JRP, some donors and humanitarian agencies expressed concern that if Brussels endorsed the document, it would create sudden changes in the international burden sharing (such as Europe, the United States, Canada, and other key donors). In other terms, the shift to responsibility for all refugees would increase financial aid required from those countries. A source attending the meeting explained that those present at the conference wanted to endorse the document, but adopting would have resource implications for governments. Implications that could be a 'headache' to⁷¹ sort out. The 'One Refugee Approach' would eventually be adopted as merely a concept but not as a policy to pressure countries such as Jordan. Pressuring Jordan on this issue was deemed 'too sensitive at the moment'.

One government official from a donor to Jordan expresses frustration about how typical protocol for humanitarian planning and strategy development for refugee response was ignored. This official explains that humanitarian leadership was mainly worried about setting up framework that would allow agencies to come into Jordan and immediately respond to need, but never once implemented a comprehensive conflict-sensitive analysis or contextual analysis before developing a Refugee Response strategy/approach that humanitarian stakeholders were responsible for in the JRP. It's important to note that both forms of analysis is usually required and considered an essential part in refugee

⁶⁸ An anonymous interview with a senior official of a donor state to Jordan, above note 2.

⁶⁹ Anonymous interview with a Country Director on 20 August, 2020

⁷⁰ United Nations High Commissioner for Refugees, *UNHCR Continues To Support Refugees In Jordan Throughout 2019*, 2019.

⁷¹ An anonymous interview with a senior official of a donor state to Jordan, above note 2.

response planning throughout the sector.^{72 73} The official goes on to expand:

“I feel like that is something that we continue to do wrong over and over again around the world. Not just in Jordan but around the world. In the context of Jordan and the Middle East we should really learn from this. We really need to do the contextual analysis upfront, as soon as possible. Only then can we start drawing up the plans to start a response plan. The consequences that have taken place because of this lack of thought... have taken years to undue.”⁷⁴

Many stakeholders involved in the fight for refugee equality within the JRP spoke of the problematic positionality of the Refugee Agency (UNHCR). This criticism of UNHCR’s positionality it’s not new, rather it’s been a re-occurring criticism, globally, of the agency for decades. Critics say the authority UNHCR’s mandate provides the agency in humanitarian efforts can carry with it a significant imbalance in power between itself and the iNGO, locally-led organizations, and refugee-led initiatives⁷⁵ which has led to a context in which its accountability to humanitarian principles have come into question for some.

In cases of IDP response, UNHCR works alongside cluster group leaders (whom are often chaired by a combination of UN or iNGO partners) to develop coordinated response and set policy within a given context, whereas in a refugee context, UNHCR’s High Commissioner cannot transfer or delegate his accountability. A recent UNHCR document explaining the differences between the two models explains that in Refugee Response: “Refugee protection and assistance is linked to the finding of durable solutions, which goes beyond the coordination of an emergency and humanitarian assistance and the intended scope and timeframe of the cluster approach.”⁷⁶ The document goes on to explain why the mandate is non-transferable to other humanitarian organizations:

“Bound by legal instruments and UN resolutions, the Mandate is “non-transferable” meaning in no situation, stand-alone refugee or mixed, can accountability for refugee and persons of concern be transferred or delegated to another UN entity or other actor.”⁷⁷

Some in the humanitarian industry explain that in the Refugee Response model,

⁷² Interview with an embassy official, August 2020.

⁷³ Interview with an donor representative, August 2020.

⁷⁴ An anonymous interview with a senior official of a donor state to Jordan, above note 2.

⁷⁵ Polzer and Hammond, 2008. Invisible Displacement. *Journal of Refugee Studies*, 21(4).

⁷⁶ UNHCR Inter-Agency Coordination Service, 2020.

⁷⁷ See note 70

the power dynamics involved create space in which the Refugee Agency is accountable to no one but itself, leading to incidents where it may overstep principles such as impartiality, become far less neutral than it should, and yet regardless of whether it's iNGO and local civil society partners call them on it or not, they will only admit fault or make a change unless the agency itself deems it proper to do so. Additionally, it could also lead to a scenario in which, in its sole authority over a response effort, UNHCR could force other humanitarians to choose whether to stand for their principles or create tension with the very entity leading the response effort.⁷⁸

Advocates for a more inclusive JRP explain that UNHCR's mandate and its close relationship with a host government like Jordan has cultivated an environment where voices of community-based organizations working with non-Syrian communities and advocacy related to these community's needs was stifled by the Agency due to the Agency's desire to be the 'sole communicator to Jordanian authorities on sensitive matters like the non-Syrians'. Critics say that UNHCR's unwillingness to have organizations with intimate knowledge of non-Syrian need, vulnerability, and lived experience involved in the forums and discussions that determined different iterations of the JRP as being deeply consequential to the un-challenged exclusion of these populations.^{79 80}

Is it just a mere accident though? That these non-Syrian populations were continually excluded from each iteration of the JRP---A JRP co-designed by leading humanitarian agencies and donors? That funding continually earmarked towards Syrian during this period? That a contextual analysis was not taken on before Response Planning was taken on? An answer to these questions may be provided by looking back at the quote we provided earlier in this section:

“If a certain population doesn't fit within the political aspirations/interests of that particular country, they fall through the cracks. A lot of development or humanitarian organizations have to make that choice---whether they secretly try to reach that marginalized community...or abide by the national response. Are they going to uphold their own principles of impartiality or are they going to abide by what the government says they can and cant do?”⁸¹

⁷⁸From interview with former senior UN agency staff member, 18 September, 2020

⁷⁹Interview with leader of community-based organization

⁸⁰Interview with Country Director of an iNGO.

⁸¹An anonymous interview with a senior philanthropy official, above note 3.

The Jordan Compact, once celebrated as an innovative way to give refugees a legal pathway to work, also fails to be impartial.

Enter the Jordan Compact. An internationally celebrated and promoted concept that prominent development agencies claimed brought a creative solution to providing some refugees in the country with a legal pathway to work.⁸² In their 2018 evaluation of the Jordan Compact, Lenner and Turner concluded that due to the fact that donor governments and the World Bank condition funding to the Compact based on number of work permits issued, implementing agencies in Jordan have focused more on ways to increase the number of work permits issued without first making any concerted attempt to tackle the conditions that push refugees into poor and precarious working conditions and keep them there. In turn, these implementing agencies or their donors, once again, did not include non-Syrians at any point of the implementation of the Compact⁸³ -- yet another violation of impartiality and following a re-occurring theme of a significant lack of contextual insight by the creators of the Compact.

Almasri elaborates on the exclusion in her case study of the Compact. The global celebration and promotion that occurred in the early years of the Compact drew attention from highly influential donors, who offered political interest and funding with the intention of stimulating the local economy and labor markets. Unfortunately, yet again, both the founders of the Jordan Compact and those who financed it did not dedicate the time for sufficient contextual and economic analysis in existing labor market dynamics and completely ignoring other critically important information regarding employed nationality groups that were not Jordanian or Syrian.⁸⁴ This not only resulted in the exclusion of non-Syrian refugees and migrants from the Compact but would later have significant influence in further narrowing Jordanian labor policy to be one of 'access by nationality'. Almasri explains that though labor market nationality-based prioritization strategies have never been outside the norm in Jordan, the extension of these policies into nationality-based migrant labor laws is a unique dynamic that the Jordan Compact and its associated incentives prompted.⁸⁵

Others working in aid financing to Jordan say that the Compact, in reality, is a very public trade agreement to keep 2 million refugees in Jordan. One donor explains that the Compact, from both Jordan and Europe's political motive, was one that kept Syrian refugees outside of Europe and helped Jordan gain more donor funding---A win-win for both political sides but a loss for refugees themselves.⁸⁶ In the example of the Jordan Compact, providing employment opportunities was framed as a livelihood opportunity for the refugee,⁸⁷ but in all actuality, when one looked at the kind of jobs and wages being provided to the refugees in this context, the pay is below what the minimum wage would be in the country, let alone a living wage.

⁸² (2018) Making Refugees Work? The Politics of Integrating Syrian Refugees Into the Labor Market in Jordan, Middle East Critique 28 (1): 65

⁸³ *Forced Migration Review*, above note 19.

⁸⁴ Shaddin Almasri (2021) The Political Economy of Nationality-Based Labor Inclusion Strategies: A Case Study of the Jordan Compact, Middle East Critique, 30:2, 185-203.

⁸⁵ See note 78

⁸⁶ An anonymous interview with a senior official of a donor state to Jordan, above note 2.

⁸⁷ An anonymous interview with a senior philanthropy official, above note 3.

This donor elaborates:

“Hands end up being shook between heads of garment factories, the Ministry of Labor and organizations working in camps where the garment factories, Government of Jordan, and organizations working in camps benefit, while the refugee is exploited and their human rights encroached upon.”⁸⁸

Another senior development stakeholder expresses that though the Jordan Compact has some positive aspects, such as finally getting the government to agree to a legal pathway to work for a small portion of Syrian refugees, the negative aspects that have come to light over the years are significant.⁸⁹ The stakeholder argues that the Compact was an example of stakeholders trying to get creative within an extremely complex environment. Though well-intended creative thinking can be commended, it does not account for why some of the aid and development sector’s most influential entities chose to only include Syrians to benefit from the intended benefits of the Compact.

Even with knowledge of the Compact’s shortcomings, and calls to re-consider it’s initial design, the World Bank agreed to extend funding to the Jordan Compact, as constructed, in 2020.⁹⁰

⁸⁸ An anonymous interview with a senior philanthropy official, above note 3.

⁸⁹ From an interview with a UN agency staff member, 14 September, 2020

⁹⁰ Protection Working Group, above note 9.

3

The Consequences of Non-Syrian Exclusion



Section 3: The Consequences of non-Syrian exclusion from the Jordanian humanitarian framework

Given their lack of recognition and exclusion from the Jordan Response Plan, non-Syrian refugees are not systematically included in vulnerability, needs, and other humanitarian assessments which NGOs working with these populations say leads to a fragmented needs overview over their vulnerability and undermines efforts to achieve a strategic and coordinated response to the needs of these refugees.⁹¹ A recent briefing by the Protection Working Group explains that not being recognized by the JRP will cause non-Syrians to remain ‘invisible’ to the funding and planning mechanisms of humanitarian and development action in Jordan. Johnston, Baslan, and Kvittingen explain that if refugees from countries other than Syria are not prioritized, if their rights as refugees and asylum seekers are not adequately fought for and protected by the humanitarian community, and if they are not included as part of major planning processes; subject to assessment and analysis; and included in funding calls, then the consequences could be catastrophic.⁹² With a recent Government of Jordan decision to suspend all registration of Sudanese, Somali, and Yemeni refugees in January of 2019, humanitarians concerned with these populations claim that the risks have heightened and clearly shows a significant sway towards a system that has created refugee hierarchy, where access to services and assistance are based on nationality rather than vulnerability.⁹³ This fear heightened more recently after a recent UNHCR admission that due to non-Syrian refugees' lack of coverage by Jordanian refugee framework, they would not be able to receive the COVID-19 emergency response by Jordanian social services, that would be available to refugees covered by the JRP. The agency's officials admitted that this reality had made these populations extremely vulnerable given the present circumstances relating to the COVID-19 pandemic.⁹⁴

Consequently, refugees of other nationalities than Syrian have been under-represented in large-scale UN and INGO assistance programs, and NGOs working with these populations are often over-burdened with referrals of non-Syrian cases from other larger agencies. It's been estimated that non-Syrian refugees receive an estimated five times less assistance per capita than Syrians from large-scale assistance programs.⁹⁵ According to a UNHCR Post Distribution Monitoring Survey of 2017, NGOs were ten times less likely to provide cash assistance to non-Syrian refugees receiving UNHCR cash assistance than to Syrian refugees receiving UNHCR cash assistance.⁹⁶ Community-based organizations working with these populations also complain of being unable to find partners willing to accept their referrals of non-Syrian cases due to the fact that a majority of their humanitarian partners exclusively target Syrians.⁹⁷

Both prior to and throughout the coronavirus context, limited cash assistance to assist in covering basic living costs has been insufficient for these communities

⁹¹ Protection Working Group, above note 9.

⁹² *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria*, above note 5.

⁹³ One Refugee Approach Working Group, above note 10.

⁹⁴ Livelihoods Working Group, Minutes to Meeting, 2020.

⁹⁵ Mennonite Central Committee, *A Three Refugee Approach? Project Approvals For Non-Syrian POCs*, Amman, 2018.

⁹⁶ United Nations High Commissioner for Refugees, *UNHCR Jordan Cash Assistance: Protecting The Most Fragile And Supporting Resilience, Post Distribution Monitoring Report*, Amman, 2017.

⁹⁷ From an interview with a director of an NGO, 1 August, 2020

that have no legal access to the job market, are not recognized under the JRP, and are thus excluded from cash-for-work programs.⁹⁸ There have been, in fact, a handful of organizations that have explored the possibility for cash for work programs. Unfortunately, the Government of Jordan requires those benefiting from cash-for-work programs to have valid MoI (Ministry of Interior) cards--- something else that has been made available to Syrians but not to Sudanese, Somali, and Yemeni refugees. Given the barriers to the formal labour market, non-Syrian refugees are forced to work in the informal economy, which leads to heightened risk of exploitation for these populations. A recent World Food Program Vulnerability Assessment found that 80 percent of non-Syrian refugees face exploitation in the workplace,⁹⁹ 20 percent of Somalis claim they were not paid for work they completed, and 16 percent of Sudanese reported they were forced to work longer hours than originally agreed. Exclusion from formal humanitarian framework, exploitation in the workplace, and limited/withheld wages also contribute to the fact that 34 percent of non-Syrian refugees surveyed by WFP were food-insecure, with Somalis and Sudanese being particularly vulnerable as 23 to 24 percent experience food insecurity despite efforts made to fill the gap.¹⁰⁰

Progress was recently made when the Minister of Health allowed non-Syrian refugees to have access to the same subsidized healthcare costs that Syrians have.¹⁰¹ Refugees from the communities of concern however explained that in order to get access to these new benefits, they must fill out government forms that take months to get approval for issues that require immediate care or treatment. Others said that these medical coverage forums are often rejected after long waiting periods with no explanation of the reasoning why they were rejected.¹⁰² Leading up to the change in health policy, these communities had reported significant medical need with over 45 percent of non-Syrian individuals with chronic health conditions claiming they were unable to access medicine. 38 percent said they could not access services. 50 percent of those surveyed claimed that these barriers were mostly due to the unaffordable cost.¹⁰³ UNHCR estimated only 2 percent of non-Syrian refugees received cash assistance from an NGO in 2017 compared to 23 percent of Syrian refugees. This figure has seen no significant change in the following five years. This information is pertinent as cash assistance for living expenses, namely rent, has been echoed as a top priority amidst the economic repercussions of the COVID- 19 fallout for non-Syrian refugees.¹⁰⁴ Add on the aforementioned 2020 Ministry of Education decision to exclude these refugee populations from the formal education system¹⁰⁵ and you suddenly have a situation where non-Syrian refugee or asylum status is not respected by the host country, the assistance they have access to is significantly

⁹⁸ *One Refugee Approach Working Group*, above note 10.

⁹⁹ World Food Programme, *2018 Comprehensive Vulnerability and Food Security Assessment*, Amman, 2019.

¹⁰⁰ *World Food Programme*, above note 93.

¹⁰¹ Ministry of Health, *Ministry Of Health Letter On Inclusion Of Non-Syrians*, 2020.

¹⁰² From interview with refugee community representatives, May 2021.

¹⁰³ *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria*, above note 5.

¹⁰⁴ *One Refugee Approach Working Group*, above note 10.

¹⁰⁵ Education Working Group, *Minutes of Meeting*, 2020.

less than their Syrian counterparts, their youth cannot continue their education, and they cannot legally work in Jordan.

Beyond the gaps that exclusion has created in basic needs assistance, there are a number of additional, unique protection challenges specific to African-origin refugees that these communities face. African-origin refugees are at higher risk of incarceration and deportation on minor charges, such as working informally or carrying expired documents—which significant numbers of these populations have.¹⁰⁶ Many working closely with these communities say there is also the element of race that is involved specifically for African-origin refugees. Working illegally or walking around the streets of Amman as a black refugee or asylum seeker exposes African-origin refugees to significant risk of standing out much more than Iraqi, Syrian or Palestinian refugees whose Arabic accents, physical appearance, and cultural expression enable them to blend into Jordanian society much more easily than refugees of African origin.¹⁰⁷

Persons of concern of African-origin routinely report instances of racial abuse, and prejudice while in refuge in Jordan. Archaic cultural and racial stereotyping pre-existing for centuries in Arab communities throughout the Middle East, including Jordan, has been influential to cases of reported racial discrimination and abuse reported by African refugees in Jordan. Jordanian researchers and activists interviewed for this paper explained that like many countries around the world, Jordan's history of racism is complex and deeply influenced by hundreds of years of slave trade, colonialism, ethnocentric forums of both Christian and Islamic theology, and political nationalism that have been prevalent in the region at one time or another.¹⁰⁸ Racism isn't specific just to refugees as Afro-Jordanian residents of Jordan have also experienced long histories of discrimination and lack of political representation.¹⁰⁹ Though there isn't concrete data on the subject of racism in the country, organizations working with these populations say the issue of racism is one of the top issues these communities report.¹¹⁰ Advocates for non-Syrian communities say that reporting or receiving protection from racist abuse in Jordan is extremely difficult especially given the fact that the Government of Jordan refuses to acknowledge their refugee and asylum status and the rights/protections that come along with both.¹¹¹ Those close to the communities say that these communities rely deeply on small, community-based organizations embedded in their communities to refer their individual cases of abuse to larger humanitarian agencies and legal-aid services.¹¹²

¹⁰⁶ *One Refugee Approach Working Group*, above note 10.

¹⁰⁷ From an interview with an NGO director, 1 August, 2020

¹⁰⁸ Interview done with an Afro-Jordanian activist.

¹⁰⁹ See note 97

¹¹⁰ From interview with coordination group chair, 30 November 2021.

¹¹¹ Interview with Director of community-based organization

¹¹² Interview with refugee community leader

Practitioners in Jordan also cannot fail to forget one of the darkest consequences of this exclusion---the 2015 mass deportation of almost 800 Sudanese refugees and asylum seekers, following a demonstration by members of the Sudanese refugee community who were protesting the lack of assistance and visibility their communities were receiving.¹¹³ Following this incident, multiple rights groups,¹¹⁴ activists, donors, and news outlets criticised the silence--during and after the deportations-- by the Refugee Agency and other influential iNGOs in Jordan at the time.^{115 116} Practitioners in Jordan at the time of the deportations explained that both the lack of formal recognition of Sudanese refugee/asylum seeker status and the exclusion of Sudanese from traditional humanitarian assistance mechanisms at the time, had significant influence in such a large-scale deportation both taking place and being largely ignored by much of the humanitarian community at the time.^{117 118 119}

One of the most pertinent issues to concerned humanitarians to date has been the 2019 suspension of refugee/asylum seeker registration and status determination for all Sudanese, Somali, and Yemeni individuals who entered the country at any point from 2019 onward.¹²⁰ This particular issue had been a top priority and talking point of humanitarian organizations concerned with non-Syrians who have pushed this issue with influential donors and focal points at the Refugee Agency. However, these organizations say there has been little to no progress on the issue between UNHCR/GoJ on the matter. UNHCR explained that they, and only they, should discuss the matter with the GoJ. At present date, three full years following 2019, many humanitarian organizations working with these communities are growing impatient with UNHCR's lack of progress on the issue.¹²¹

Additionally, even with recent reporting published by the World Food Program,¹²² the Jordan Protection Working Group,¹²³ Mixed Migration Center,¹²⁴ the One Refugee Approach Working Group,¹²⁵ and the independently published Johnston, Kvittingen, and Baslan report,¹²⁶ funding opportunities and

¹¹³ Aaron Williams, "Jordan deporting 800 refugees back to Sudan after protest", Al Jazeera America, 18 December 2015

¹¹⁴ Human Rights Watch, *Jordan: Deporting Sudanese Asylum Seekers*, Amman, 16 December 2015.

¹¹⁵ An anonymous interview with a regionally specialized researcher, above note 34.

¹¹⁶ From an anonymous interview with a director of an NGO, above note 91.

¹¹⁷ An anonymous interview with a senior official of a donor state to Jordan, above note 2.

¹¹⁸ An anonymous interview with a UN agency staff member, above note 83.

¹¹⁹ An anonymous interview with a director of an NGO, above note 91.

¹²⁰ One Refugee Approach Working Group, above note 10.

¹²¹ From an anonymous interview with a coordination group chair 30, November 2021.

¹²² *World Food Programme*, above note 93.

¹²³ *Protection Working Group*, above note 9.

¹²⁴ Rochelle Johnston, Simon Verduijn, Anna Kvittingen, and Dina Baslan, *Social Networks In Refugee Response: What We Can Learn From Sudanese And Yemeni In Jordan*, Mixed Migration Center. 2019

¹²⁵ *One Refugee Approach Working Group*, above note 10.

¹²⁶ *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria, With A Focus On Yemenis And Sudanese*, above note 5.

humanitarian programming in the country remain mostly limited to Syrian refugees and vulnerable Jordanians. This continues to significantly widen the gaps of vulnerability these populations face which is now compounded by the effects of the COVID-19 crisis. At the same time, it shows many humanitarian actors in Jordan continue to violate the humanitarian principles of impartiality each passing day that the present JRP stands unchanged, earmarked funding predominantly funneled to Syrian response continues, and the unwillingness of key aid actors to stand in opposition of these current norms, even with the existence of detailed reporting depicting the current shortcomings of humanitarian policy and implementation in Jordan today. In the recent 2020 One Refugee Approach Situation Report humanitarians claim that the present unwillingness of the wider humanitarian community to push for JRP reforms, when many are aware of the present predicament non-Syrians are in, is in direct opposition to the universally recognized tenets of IHL.^{127 128}

Some rights experts have stated that many humanitarian organizations in Jordan clearly understand that the humanitarian framework they've pledged to be governed by in Jordan entails direct violation of the principles they claim to uphold. They just don't have the confidence to speak up:

“They refuse to play an advocacy role with the government of Jordan which is absurd. They have the power, they could be a lot stronger than they are. They’ve been way too protective of their own organization's priorities and programs at the expense of larger principles and its a real shame...”¹²⁹

Another senior donor official says that humanitarian agencies have reached a point where they need to make a choice: are they going to uphold their own principles of impartiality and humanity? Or are they going to abide by government constraints and prioritize the protection of their relationship with certain government focal points?¹³⁰ A former country representative of a large humanitarian agency in the region takes things further, expressing deep concern for what some humanitarians in Jordan have become desensitized to:

¹²⁷ One Refugee Approach Working Group, above note 10.

¹²⁸ IHL is an acronym widely understood in the humanitarian sector as International Humanitarian Law.

¹²⁹ An anonymous interview with a senior official at a human rights group, above note 14.

¹³⁰ An anonymous interview with a senior philanthropy official, above note 52.

“The things that are happening in Jordan on a regular basis that people are desensitized to, if they would have happened just one time in other places I have been posted, we would have raised an alarm. Gone to the media. It was really hard for me sitting in this context and not scream about what’s happening. When people hear about Syrians being deported or Sudanese being deported, they respond by saying ‘this is normal. This is just what happens. There nothing we can really do.’ It could not believe it.”¹³¹

Though the Government of Jordan has shown a consistent resistance over time to including non-Syrians into the Jordan Response Plan, one country director says that the Government is often open to conversation with humanitarian organizations and rights groups that are trying to push for policy change. They may not agree to demands made but at least there’s an open line of communication:

“It’s just the initiative. Those conversations can take place. And yet still there has been a culture of consistent cowering to government rules and regulations. A continued refusal to actually approach them by many in the humanitarian community, which does a significant disservice to humanitarian principles, humanitarian response, and the vulnerable we’re trying to protect.”¹³²

¹³¹ From an anonymous interview with a former UN Agency Country Director, August 2020.

¹³² An anonymous interview with a senior official at a human rights group, above note 34.

Grassroots Mobilization and Coalition Building Around The 'One Refugee Approach'

4



Photo: Jon Tyson

Section 4: Grassroots mobilization and coalition building around the ‘One Refugee Approach’

With what seems to be years and years of neglect by key humanitarian actors, much of the recent movement to better understand these non-Syrian communities, and to reform the JRP, has been a result of a 7-year grassroots movement led by community-based organizations and refugee community leaders. A movement that has given birth to, or inspired the creation of new non-profits, advocacy movements, and research that has mainstreamed the experience of non-Syrian refugees, their needs, and their exclusion from the JRP within the humanitarian community in Jordan and has even affected policy change at the humanitarian, donor and local level. In order to properly understand both the impact and effort these grassroots actors had in the evolution of the ‘One Refugee Approach’ advocacy movement and humanitarian engagement of non-Syrian refugee and asylum seeker communities, one must return to the very beginning of the movement.

A cross-cultural community response to the 2015 deportations of Sudanese refugees.

Within a week after the 2015 deportation of Sudanese refugees, a group of concerned humanitarians, local activists, and Sudanese community leaders met with the aim to bring together all the concerned individuals and discuss how they could mobilize support for this now at-risk community of refugees.¹³³ This meeting would set the stage for a grassroots volunteer effort that, over the following two years, would partner with the Sudanese community to intimately learn the needs, barriers, and lived experience of Sudanese refugees in Jordan and produce advocacy campaigning, research, and private donation campaigns to meet and expose critical need faced by these communities.

This group of volunteers would mobilize and spend most of 2016, partnering with Sudanese community leaders, visiting households of Sudanese refugees, and creating spaces for safe group discussions in order to learn about the variety of diverse and unique need experienced by these communities, and created a log for the individual needs and concerns of each individual.¹³⁴ The group’s leaders then took what they learned from these Sudanese community members and produced advocacy presentations for key humanitarian stakeholders and ran private donation- campaigns for immediate needs certain community members had, that were not being provided by humanitarian organizations.

In addition to conveying concerns and clear gaps in provision to aid stakeholders, the volunteer group worked to creatively position its concerns, messaging, and insight gained in a variety of different arenas. Some of the first focused journalistic articles written on these communities came from members

¹³³ Interview with an activist in Amman, June 2022

¹³⁴ See above note, 100.

involved or connected to the group.¹³⁵ Articles published in *The Guardian*,¹³⁶ *Foreign Affairs*,^{137 138} *Al Jazeera*,¹³⁹ and *Human Rights Watch*¹⁴⁰ were all written by members connected to or involved with this grassroots, volunteer response. Finally, group members who worked for pre-existing humanitarian organizations worked to push their respective Amman-based organizations to begin exploring how they could engage these excluded communities—eventual programs targeting these communities by a variety of international, community-based, and local organizations all were directly tied to individuals intimately involved in or connected to ‘The Volunteer Group’.¹⁴¹

The evolution of Jordanian organization, Sawiyan, as a leading voice in refugee-response reform.

This grassroots volunteer movement later inspired two of the group’s leaders to form the non-profit, Sawiyan, which aimed to support and advocate for those refugees excluded from the JRP— of Sudanese, Somali, and Yemeni origin.¹⁴² Sawiyan was founded on a series of principles and convictions. Most importantly, the belief that members of the refugee and host communities it works alongside should be at the very center of the design process of the refugee response and regional development framework that has such tremendous influence over their lives.¹⁴³ Sawiyan would work extensively with these communities over the following years to create collaborative, community/refugee-led solutions for Sudanese, Somali, and Yemeni communities.

It was Sawiyan’s leadership within the advocacy and research realm, though, that left an unprecedented impact on a number of the issues relating to refugees of non-Syrian origin and the mainstreaming of those issues into more traditional humanitarian coordination. From 2015-2022 Sawiyan utilized its strong ties and trust built within these vulnerable communities to either independently lead or advise on first-of-its-kind research and advocacy initiatives that would lead to real policy change at the humanitarian, donor and local levels. Sawiyan collaborated with the WFP to help the agency bring forward the first Comprehensive Vulnerability and Food Security Assessment to ever include Sudanese, Somali, and Yemeni

¹³⁵ European Endowment for Democracy piece, 2021.

¹³⁶ Bethan Staton, *Sudanese refugees forcibly deported from Jordan fear arrest and torture*, *The Guardian*. January 2016.

¹³⁷ Aaron Williams, *Why Jordan Is Deporting Darfurian Refugees*, *Foreign Affairs*. February 2016.

¹³⁸ Aaron Williams, *A Humanitarian Tragedy, One Year Later: Deported Darfurian Refugees’ Struggle for Survival*, *Foreign Affairs*. December 2016.

¹³⁹ Michael Pizzi and Aaron Williams, *Jordan deporting 800 refugees back to Sudan after protest*, *Al Jazeera America*, December 2015.

¹⁴⁰ Human Rights Watch, *Jordan: Deporting Sudanese Asylum Seekers*, December 2015.

¹⁴¹ Interview with a founding member of the grassroots volunteer group, August 2022.

¹⁴² European Endowment for Democracy, *Explore Our Work*, 2021.

¹⁴³ See sawiyan.org

refugees.¹⁴⁴ A year later, these populations received food coupons from the WFP for the first time. Sawiyan team members and community members teamed with NRC to develop the first-ever rights-based assessment on Sudanese, Somali and Yemeni refugees.¹⁴⁵ This document was used and consulted by Sawiyan, its partners, and even members of the donor community to argue changing approach and policy. Sawiyan's co-founder and board members wrote an innovative piece with the Mixed Migration Council investigating the social networks of Sudanese, Somali and Yemeni refugees and how they mobilized these networks to address critical needs not being met.¹⁴⁶ Towards the end of 2021, Sawiyan female community leaders from Sudanese and Somali communities teamed up with UNFPA to hold the first-ever in-depth study looking into GBV issues specific to Sudanese/Somali cultures—a study that determined that the critical issue of FGM (prevalent among these communities) had gone entirely unaddressed in Jordan for years. Most recently the organization partnered with the University of Bath to help train Sawiyan's first all-refugee research team before producing a report with the institution on child protection and neglect in these communities.¹⁴⁷ The research skills acquired by these refugees has already proved significant results. The team, now entirely locally/refugee-led, now has the ability to have intimate depth and analysis of the issues their own communities face.

All these studies brought significant new insight into the most critical issues faced by these communities and brought important insight on the best practices to use culturally and socially when working with these communities. Better insight into the barriers and critical need led to more visibility within the humanitarian community. Also, as previously mentioned, it led to a growing number of organizations working to engage and serve these communities for the first time. There was one significant issue though. Coordination.¹⁴⁸

Given the fact that the non-Syrians were excluded from traditional humanitarian framework in the country, these populations also were rarely prioritized or even on the agendas of inter-agency, sectorial working groups. As we covered earlier, this caused continued lack of visibility, shared knowledge, and understanding of both what the needs of these communities were and who was actually doing what for these populations. Though progress was being made, leading voices on this issue felt that with better-organized coordination and coalition building, humanitarians

¹⁴⁴

World Food Programme, *2018 Comprehensive Vulnerability and Food Security Assessment*, Amman, 2019.

¹⁴⁵

Dina Balsan, Rochelle Johnston, and Anna Kvittingen. *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria*, above note 5.

¹⁴⁶

Rochelle Johnston, Simon Verduijn, Anna Kvittingen, and Dina Baslan, *Social Networks In Refugee Response*, above note 118

¹⁴⁷

Jason Hart, Mohammed Al-Ruzi, and Caitlin Proctor, *Challenging on Child-Neglect: Displaced and Conflict-affected Children in Palestine and Jordan*, University of Bath, 2022.

¹⁴⁸

Interview with director of community-based organization, October 2022.

concerned for these non-Syrians populations could significantly increase both their impact and the level of priority other influential stakeholders may give to these issues.¹⁴⁹

The Establishment of the One Refugee Approach Working Group.

In response to the need for more organized coordination and coalition building, in 2019, after years of being a leading voice in sectorial working groups advocating on behalf of these populations to larger humanitarian stakeholders, Jordanian NGO Sawiyan and a representative from the Jordan iNGO Forum led the founding of the first-ever One Refugee Approach Working Group---a group Sawiyan would eventually chair from 2020 until 2022.¹⁵⁰ The aim of the group would be to create what was lacking---A space for concerned actors to coordinate, consolidate, and mobilize focused efforts pushing for the rights of non-Syrians refugees and to keep humanitarians accountable to creating non-discriminate humanitarian framework. Initial membership consisted of mostly small to medium-sized local community-based and iNGO organizations.¹⁵¹ Over the next two years the ORAWG would grow to over 40+ organizations and pushed advocacy efforts that have led to change in policy and approach at the humanitarian, local and donor levels. Much of this impact, leaders say, was deeply influenced by it's non- traditional design and the positionality of some of it's key members.¹⁵²

What made the ORAWG different from other, pre-existing humanitarian working groups and coordination mechanisms?

First, the ORAWG was intentionally created as an independent working group, separate from the traditional working group system. It was important for those closest to the communities and issues of concern that in order for the ORAWG to be effective it needed to create a space where sensitive issues could be discussed and where approaches to humanitarian or rights protection could be openly critiqued, discussed, and questioned.¹⁵³ ORAWG founding members had found that in traditional sectorial working groups, the environment was not safe to a) discuss socially or politically sensitive topics of the communities they

¹⁴⁹ Interview with influential aid stakeholder identifying as an ally to 'One Refugee Approach', March 2021.

¹⁵⁰ Interview with One Refugee Approach Working Group member, January 2022.

¹⁵¹ 2021 One Refugee Approach Working Group Guidance Document. One Refugee Approach Working Group.

¹⁵² See note 115.

¹⁵³ See note 145.

due to the complicated relationships certain organizations had with local authorities and b) was not an open space to constructively criticize ill-informed approaches to aid/protection practice.¹⁵⁴ Due to years of experience pushing for the rights of minority and excluded refugee populations within the traditional mechanisms, the organizations claimed that those ‘pushing against the grain’, critical of another organization or sector's approach to an issue, or calling others to mobilize in opposition to violation of refugee rights were often quickly sidelined or seen as dangerous disruptors.^{155 156} ORAWG members wanted a space for open, critical dialogue so that issues could be openly discussed, coalitions built, then action planning implemented on critical issues that needed immediate attention and response.

Secondly, they would not allow UN entities to be members. The UNHCR's complicated mandate to be governors of refugee response and relationship with the host government created a deeply significant power imbalance, ORAWG members felt.¹⁵⁷ To expand on a point made earlier in the report, though the UN is mandated to be protectors of universal rights of refuge and asylum,¹⁵⁸ there have been a multitude of instances, both in Jordan and globally, where the UN has chosen to stay silent or neutral during grave violations and encroachments on the rights and protection of refugees.^{159 160} Their complicated positionality has also led to UN agencies working to quell fellow humanitarian partners' attempts at mobilizing outcry, advocacy, or critique of blatant abuses of refugee and migrants' rights.¹⁶¹ The ORAWG wanted to avoid all of this entirely. They would rather partner and push the UN on issues that concerned its communities but would not allow the UN any stake or influence in the group itself.

No unhealthy power dynamics: An equal standing of all members.

Who did it give ownership to then? Though exclusive of UN entities, the ORAWG was open to any local or international organization that was a) either already deeply engaged in efforts to meet need or raise awareness of the need found in the marginalized non-Syrian population b) was already working or willing to be involved in efforts to push for a more inclusive JRP and c) were willing to abide

¹⁵⁴

Interview with former co-chair of One Refugee Approach Working Group, September 2022.

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Interviews with members of the One Refugee Approach Working Group, September 2022.

¹⁵⁶

See note 148.

¹⁵⁷

See note 145.

¹⁵⁸

Arafat Jamal and Maria Kiani, “Leadership, Inclusive Coordination And Effective Delivery: Our Shared Duty Towards The People We Serve”, UNHCR Inter-Agency Coordination Service, 2020.

¹⁵⁹

Tara Polzer and Laura Hammond, “Invisible Displacement” *Journal of Refugee Studies*, Vol. 21, No. 4, 2008.

¹⁶⁰

David Forsythe, “UNHCR's Mandate: The Politics Of Being Non-Political”, *New Issues In Refugee Research*, No. 33, 2001.

¹⁶¹

From interview with former senior UN agency staff member, 18 September, 2020

by the working group's Guiding document that mapped out the principles, main objectives, and coordination structure of the group.¹⁶² The ORAWG, from an early stage, put special emphasis on who it would prioritize as co-chairs. Co-Chairs had to be individuals who were deeply informed on the issues, key stakeholders, and present humanitarian policy infrastructure involved with/standing in the way of making better, more inclusive humanitarian response. Founding member and locally registered Sawiyān worked to ensure local, community-based organizations were at the very center of its leadership, coordination, and strategy-building mechanisms. After all, it was these organizations who often worked closest to the communities of concern.¹⁶³ Sawiyān also had significant influence on creating platforms for refugee community leaders to speak and present to ORAWG members on the issues most concerning to them, present results of community-led research initiatives, and to provide unique insight into cultural and community dynamics that could go un-noticed to humanitarian organizations at-large. In short, group ownership was defined by how close you were with the communities and issues of concern, not by the size or brand recognition of any certain organization. In the years that followed, other community-based organizations like the Collateral Repair Project, Jesuit Refugee Service, Reclaim Childhood, and Seenaryo all made significant contributions to the work of the ORAWG.¹⁶⁴

How the ORAWG mobilized advocacy.

The working group was also unique in the way it mobilized advocacy efforts around key issues. Instead of a traditional working group system that uses a more centralized leadership structure— fielding its member's concerns and then a UN chair of the group raises those concerns to 'key stakeholders' such as local officials, influential donor-states, or other aid power brokers, the ORAWG strategically utilized the positionality and political capital of each of its members. Using a detailed quarterly work plan, the working group push its messaging in traditional Working Group system, utilizing members best positioned per sectorial working group. For example, ORAWG members deeply invested in educational programming would push ORAWG key messages around access to education for non-Syrians, those invested livelihoods and alternative work pathways would push key messaging in the livelihood's working group.¹⁶⁵ When a certain sectorial working group continued to leave issues pertaining to non-Syrians un-addressed month after month, ORA members would coordinate to attend and vocalize co-aligned support on the issues its members had been pushing. The ORAWG would also utilize members who had influence at the donor and political level or who had seats at the Humanitarian Partners Forum. It would utilize calls for feedback and edits on annual, bi-annual Working Group, donor account, or Partner

¹⁶² See note 145.

¹⁶³ Interview with leader of a community-based organization, 2021.

¹⁶⁴ Interview with member of the One Refugee Approach Working Group, 2022.

¹⁶⁵ Interview with former ORAWG chair, 2022.

Forum strategy, work plans, or guiding documents to mobilize its members to ask for changes/edits/prioritization of the issues both the ORAWG was pushing and the intimate needs/concerns of their community members.¹⁶⁶ This multi-facet and nuanced, coordinated approach began to produce results.

Lastly, the ORAWG, through its members, had a vast network to research institutions and platforms. The group used its access to these spaces to cultivate avenues of collaboration between its members, the community members they worked alongside of, and the institutions to produce opportunities for research and reporting that highlighted the needs of these communities and brought those needs/issues to new audiences both regionally and abroad.¹⁶⁷ Since the 2019 formation of the working group, ORAWG members produced a number of reports examining the causes and effects of an exclusive, discriminate Jordan Response Plan, as well as research deeply examining the unique experiences, social networks, and issues pertaining to the Sudanese, Somali, and Yemeni refugee communities in Jordan. In 2019, Sawiyan team members and community members teamed with NRC to develop the first-ever rights-based assessment on Sudanese, Somali, and Yemeni refugees.¹⁶⁸ This document was used and consulted by Sawiyan, its partners, and even members of the donor community to argue changing approach and policy. Later in 2019, ORAWG members collaborated with UNHCR on the first-ever guidance document documenting the critical protection concerns of non-Syrian refugees, the need for a One Refugee Approach and a reformed Jordan Response Plan.¹⁶⁹ Members collaborated with the Jordan iNGO Forum to write a letter to the Global Refugee Forum on the critical state of non-Syrians in Jordan and the need for humanitarians to be held accountable to the principles it preaches.¹⁷⁰ In 2020, a team of researchers and Sawiyan's founder wrote an innovative piece in partnership with the Mixed Migration Council investigating the social networks of Sudanese, Somali, and Yemeni refugees and how they mobilized these networks to address critical needs not being met.¹⁷¹ Towards the end of 2021, Sawiyan female community leaders from Sudanese and Somali communities teamed up with UNFPA to hold the first-ever in-depth study looking into GBV issues specific to Sudanese/Somali cultures—a study that determined that the critical issue of FGM (prevalent among these communities) had gone entirely unaddressed in Jordan for years. In 2021 and 2022 Seenaryo, the Collateral Repair Project, and Sawiyan teamed up with the University of Bath on a project that developed community-led research teams and investigated the issue of child neglect in Sudanese, Somali, and in the Jordanian host community.

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⁶ Interview with a former member of the ORAWG, 2022.

¹⁶⁷ Interview with former ORAWG chair, 2022.

¹⁶⁸ Dina Balsan, Rochelle Johnston, and Anna Kvittigen. *Realizing The Rights Of Asylum Seekers And Refugees In Jordan From Countries Other Than Syria*, above note 5.

¹⁶⁹ Guidance note on Non-Syrian Refugees, above note 9.

¹⁷⁰ Letter to the Global Refugee Forum. Jordan iNGO Forum. December, 2019.

¹⁷¹ Rochelle Johnston, Simon Verduijn, Anna Kvittingen, and Dina Baslan, Mixed Migration Center, *Social Networks In Refugee Response*, above note 118.

How the 'One Refugee Approach' movement mainstreamed critical priorities, and itself, into traditional humanitarian infrastructure.

Building this coalition gave the cause a stronger voice and showed larger agencies and donors that consensus was being built around this cause. The ORAWG produced annual Situation Reports on the status of 'principled humanitarianism' in Jordan.¹⁷² It was invited to present the group's points of view to the Humanitarian Partners Forum, advised key donors on the need to de-earmark aid financing to Jordan, and pushed key influencers of JRP design to include all refugees, not just Syrians. Following focused presentations and coordination with chairs of the Humanitarian Partners Forum, Protection + SGBV + Basic Needs + Education Working Groups, the ORAWG helped ensure that the ORA and the needs of non-Syrian refugees would be included/prioritized in the Work Plan's of all the aforementioned sectorial working groups for the first time ever.¹⁷³ Due to focused advocacy ORAWG leaders led targeting the WFP and UNHCR, non-Syrians were included for the first time ever in the WFP's Comprehensive Vulnerability and Food Security Assessment in 2019 and in UNHCR's Vulnerability Assessment Framework (VAF) for the first time in 2021.¹⁷⁴ Through advocacy targeting key donors to Jordan (Including the U.S., Australia, EU, and Canada) there has been an increased call by donors to a) ensure humanitarians include non-Syrians in planned programming b) that agencies, the GoJ, donors hold themselves accountable to the 'One Refugee Approach' and c) increased level of donors providing grants for organizations with programming benefiting non-Syrian refugee/asylum seeker communities.

In 2021, due to the influence of ORAWG advocacy efforts made with BPRM, the Government of Jordan and BPRM began to discuss approaches to a formalized response plan specific to non-Syrian PoC.¹⁷⁵ In 2020, after continued focused ORAWG advocacy centered around access to education and health services, the Government of Jordan a) adopted a temporary waiver allowing non-Syrians access to the public school system without having to provide residency/work permit documentation and b) announced that non-Syrians would pay the same rate Syrian refugees pay (up until 2020 non-Syrians paid that same as an uninsured non-Jordanian).¹⁷⁶ In spite of the independent ORAWG excluding UN entities and routinely challenging many influential aid actors on its failures to live up to the humanitarian principles it preaches, the effectiveness and influence of the ORAWG made enough of an impression to its peers that in June of 2021 both the UNHCR and the Jordan iNGO Forum asked if the One Refugee Approach Working Group could be formally adopted under their canopies.¹⁷⁷

¹⁷²

The One Refugee Approach In Jordan: Situation Report, above note 10.

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Interview with recent chair of ORAWG, 2022.

¹⁷⁴

World Food Programme, *2018 Comprehensive Vulnerability and Food Security Assessment*, Amman, above note 138.

¹⁷⁵

See note 163.

¹⁷⁷ See note 162

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See note 155.

Conclusion



Photo: Ahmed Qaiseh

Conclusion

Though the Foundational Principles and the callings laid out in international humanitarian law may seem to be a high bar to some, these are still crucially important principles for humanitarians and donor states to strive to live up to-- if these actors do in fact aim to protect, advocate, and care for the needs of the most vulnerable among them. The consequences of cutting corners and refusing to value these principles can be seen clearly in shortcomings of the JRP and the communities it has marginalized.

The evidence provided in this report makes it clear to the reader, humanitarians, and those who finance and coordinate humanitarian response, that the humanitarian framework that presently exists in Jordan falls far short of living up to the humanitarian principles of impartiality and non-discrimination. Instead, it is a system that has been systematically set up to cover the needs of only one of many populations seeking refuge within the borders of the country. This harsh truth is not meant to take away from the significant need and suffering still experienced by Syrian refugees in Jordan, only to shed light on the consequences of a decade-long failure by the humanitarian system to include over 90,000 non-Syrian refugees and the compounded suffering it instigated for these populations.

Humanitarians should not be surprised that the Government of Jordan has created a Jordan Response Plan that excludes refugees of Sudanese, Somali, Iraqi, and Yemeni origin. They should not be surprised that Jordan implements immigration policy that deeply influences and cultivates a culture of hierarchical 'partial' assistance, protection, and resilience that only benefit the refugee populations of its choosing and its own Jordanian citizens. After all, Jordan's history shows that it has consistently created immigration and refugee response policy that is of greatest benefit to Jordan (politically, economically) first and foremost. Compromising strong, financially beneficial political relationships for the sake of humanitarian principles is out of the question for Jordan. Jordan will operate from a stance of 'Jordan First' as it has in every instance of refugee influx into its borders since the country's formation. Humanitarians must remember that even though Jordan has been welcoming to a variety of refugee populations throughout its history, Jordan has never endorsed the universally recognized Refugee Conventions and lacks any significant legal framework meant to protect the rights of those given refugee or asylum seeker status by the United Nations. As we begin the eighth year of a JRP that excludes over 90,000 registered refugees and continues to prioritize aid based on nationality, not vulnerability... humanitarians should not be surprised by the actions of the Government of Jordan. The government has simply taken stances that reflect its own immigration and social protection policies. Policies and positioning that have been cemented for decades.

What humanitarians should be surprised by, though, is what the case of non-Syrians in Jordan has taught us about the state of their own sector. A case of

continually negligence, apathy in the face of discriminate policy, and a highly problematic positionality that stands in opposition of their own principles. Humanitarians should be alarmed with what the narratives of aid workers, donors, and rights groups in this paper depict—A sector where influential humanitarian agencies and donors knowingly construct, and re-endorse five separate times, a Jordan Response Plan that is based on nationality and not vulnerability. They should be concerned with the ‘why’ and the ‘how’ of why and how non-Syrian refugees are continually excluded from the JRP. Those who spent years investing in agencies and organizations leading refugee response efforts around the world should feel a growing lack of trust in a sector that, like the case of the JRP, seem to continually refuse to do the necessary contextual analysis and assessment to ensure the most vulnerable will not be side-lined. There should be deep concern, that the same actors that have continually promoted the importance of localizing the sector, of local ownership of refugee response planning, and the importance of including local and refugee voices in decision and policy making, are the same actors that, when designing and implementing the JRP, seemed to have little interest in receiving insight or consultation from refugee communities or community-based organizations working closely to at-risk populations like the non-Syrians. They should be surprised by the significant amount of political influence the aid/refugee response sector has allowed those financing its practice to dictate—and just how willing many agencies are to compromise principle in favor of cash flow or brand protection. Humanitarians should be shaken to realize that they have continually allowed, on their watch, humanitarian framework to be constructed and sustained that a) violates the humanitarian principle of impartiality and the ‘One Refugee Approach, b) has left 90,000 refugees/asylum seekers barred from protections normally guaranteed to UN registered refugees or asylum seeker, and c) has left these populations barred from access to public schools, barred to legally pursue any form of work, and with limited access to humanitarian services for over 8 years, leaving these populations in a significantly vulnerable position.

Humanitarians cannot ignore that in the face of growing knowledge and reporting on the vulnerabilities of these at-risk non-Syrian refugees and asylum seekers, paired with their own in-depth knowledge that has been conveyed throughout this report, the continued adoption and sustaining of discriminatory JRP framework and policy is a symptom of deep, systemic issues within its own sector. We find a sector that:

- Prioritizes the immediate financial and political interests and priorities of agencies over the needs and ensured rights of those they are mandated to protect.
- Clearly shows the effects of an aid industry that is plagued by donor-states earmarking funding to specific issues, populations, and humanitarian resources that serve the national interests of donor-states and not the interest of principled, effective humanitarian response.

- Seems to be failing in efforts to achieve its aim to prioritize localization (See the *Grand Bargain*).¹⁷⁸ Those who hold the power and determine policy are still the large, politically powerful agencies and their donors. Critically important locally-led community-based organizations, rights groups, and refugees have little voice or ownership over how aid is coordinated or implemented.
- Grants the host government excessive power to dictate who is considered vulnerable, a refugee, or an ally. Instead of prioritizing an approach to localization that gives local organizations and refugees themselves a stake in the decisions and plans that affect them, they've opted for the vague 'Paris Agreement' approach to localization that has allowed for the host government to exercise excessive influence over what humanitarian principles can be actively pursued and what cannot; what populations can be protected what cannot; what topics can be publicly discussed and what cannot.
- That sees leading agencies time and time again refusing to stand up to governments, such as the Government of Jordan, when gross violations of humanitarian principles and the UN Conventions take place.
- That depicts the growing issue of having one agency as the sole governing body over refugee response efforts. The power dynamic has dramatically affected the Refugee Agency's (UNHCR) ability to be accountable for areas it falls short and for those shortcomings to be addressed. In tandem with the excess of power given to host governments, this UNHCR-host government relationship can create a power structure that can often work against humanitarian partners and rights advocates. This existing power dynamic can be used to discredit other humanitarian organizations advocating on issues that UNHCR deems to be sensitive to the host Government or feels it should be the 'lead' on. The Agency can work to sideline important advocacy efforts and create a very problematic hierarchy of whose voices 'matter', or can be 'trusted'. This current dynamic calls into question the Refugee Agency's relationship with the principle of neutrality, depicting an agency that can too routinely be found siding with the host government rather than protecting and advocating for the refugees and asylum seekers they are mandated to protect.

The case of the JRP and those complicit in sustaining its status quo shed a depressing light on not only the current state of a broken humanitarian system, but what seems to be a growing lack of desire from key humanitarian drivers to stand up for the most vulnerable. Throughout history, there has always been political cost to speaking out on blatant injustice. What is concerning, though, is the evidence depicted in this report of key humanitarian stakeholders continuing to favor their political capital over their responsibility to the marginalized and persecuted. There is a fear of speaking out, due to what an

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A highly publicized agreement by key humanitarian agencies aiming to bring local partners into the very center of the design, coordination, and governance of humanitarian action.

agency or iNGO could potentially lose—but what of the potential loss of those they claim to protect? In this present state, practitioners should find inspiration in the example set by the leaders of community-based organizations, who with everything to lose, stood up to their humanitarian partners and local authorities in the name of humanitarian principle and human rights. They should find inspiration by the work and approach to advocacy campaigning of the One Refugee Approach Working Group that has deeply influenced policy and protection regarding the at-risk non-Syrian refugee populations and JRP reform. These powerful examples of independent, community-based activism and coalition building should show those financing aid and refugee response what the Grand Bargain realized and genuine localized ownership really looks like.

Major questions of those that currently sit in the driver's seat of the modern humanitarian complex need to be asked: What do they value? What do they prioritize to protect? What is the necessary level of loss an agency or donor should take when standing up for the rights of refugees or humanitarian principles? Are the refugee, emergency plans and global compacts being designed to respond to some of today's most pressing crises doing their due diligence to include the insight from those who have the most at stake on the line in each different context? The 'industry's' ability to honestly answer the questions may very well determine whether it is truly in the business of protecting the most vulnerable or whether they are rather in the business of business itself.

Recommendations to Key Stakeholders



I. Recommendations to ensure a more inclusive, principled Jordan Response Plan

As a result of the findings of our case study on the present Refugee Response framework in Jordan and the insight these findings have provided on the current gaps in humanitarian framework in Jordan, we provide the following recommendations to the Government of Jordan, the humanitarian stakeholders, and the donor community that finances humanitarian response in Jordan:

To donors, the UN, and NGOs in Jordan:

- Humanitarian agencies and donors who have strong lines of communication with government focal points should engage in dialogue and advocacy efforts with the GoJ to discuss a pathway towards making the Jordan Response Plan in line with the humanitarian principle of impartiality and the ‘One Refugee Approach’. Additionally, until the JRP is reformed, it is recommended that humanitarian agencies and donors make the following priorities immediate priorities:
 - i. To push government focal points to allow UNHCR to resume registration of new asylum seekers and refugees from Sudan, Somalia, and Yemen currently in the country—those who entered the country in 2019 and onwards-- who become increasingly more vulnerable each passing day they remain in the country with no status.
 - ii. To work alongside the Ministry of Education and develop lines of communication with the Ministry of Interior, to end the ban on refugees of Sudanese, Somali, Yemeni and other non-Syrian/non-Iraqi origin from having access to public schools.
 - iii. UN and humanitarian officials in communication with GoJ officials should push Jordan to ensure that refugees/asylum seekers of all origins be included in all COVID-19/pandemic-related health and safety and prevention services to ensure least likelihood of expanded outbreak in the country.
- With the present setup being that humanitarian organizations and the Government of Jordan are the drivers of humanitarian/development policy in the country, both parties should consider making the refugees/asylum seekers they seek to serve more at the center of the humanitarian/development policy and planning design process. For example, how can refugees/asylum seekers themselves have a voice at future JRP planning and re-designing meetings? How can they be a part of the outreach and service delivery strategy design process? How can their narratives and experiences be better included within the Sectorial Working Group environments or in briefings to key donors in the country?

- Humanitarian organizations whose funding does not condition them to only engage Syrians should make a thorough review of to whom and where their assistance is covering. If organizations who have the financing and freedom to choose how they use their funding are still only using their funding to benefit Syrians, they are not providing impartial humanitarian assistance and need to re-evaluate how they can better allocate funding to ensure they are practicing impartial assistance in line with the 'One Refugee Approach'.
- Humanitarian organizations must re-evaluate a) who they are receiving funding from and b) if the conditions their donors give cause them to fall short of humanitarian principles and the 'One Refugee Approach'. As covered earlier, IHL calls humanitarian organizations to not be used for the political interests of donors. If financing received is conditioned in a way that cause them to violate humanitarian principles, dictate them to exclude vulnerable populations who would otherwise qualify for their services, or cause them to take political positions they are required by IHL to avoid, they should suspend or terminate those donor partnerships.
- The field of organizations and agencies asked to consult on future iterations of the JRP should be expanded to ensure to include perspectives from organizations engaging refugees/asylum seekers of all backgrounds in Jordan. This will ensure these organization's unique experiences and best practices can be used as a source of support for future reframing of the Jordan Response Plan.
- Donors, UN agencies, and NGOs who contribute to the design and future iterations of the Jordan Response Plan should first ensure that no more time goes on without a proper conflict-sensitive analysis or contextual analysis of present-day Jordan.
- Ensure that any future iterations of the Jordan Compact or any economic inclusion initiative is a) inclusive and open to all nationalities that meet its criteria and b) before focusing so much attention into how to increase the number of work permits issued, Compact implementers should first make a more concerted attempt to tackle the conditions that push refugees of all origin into poor and precarious working conditions and keep them there, and c) genuinely seeks to provide refugees/asylum seekers with a living wage and does not exploit their labour rights or their rights as a refugee/asylum seeker during the process of their employment.
- That donors and the humanitarian community come together to discuss how there can be an accountability mechanism developed in the context of Refugee Response efforts. If the Refugee Agency will continue to maintain its position as sole authority over humanitarian Refugee Response efforts there must be a mechanism developed, in coordination with its humanitarian partners, so that it can be held accountable when it falls short of living up to the standards it has put into IHL for itself, to the humanitarian principles it strives to live up to alongside of its iNGO partners.

- Careful collaboration among humanitarian stakeholders to creatively fill existing gaps in service delivery for non-Syrian refugees, particularly regarding the issue of food insecurity as there is a pressing need for organizations, in addition to WFP, to cover the need of food insecurity among non-Syrians.

To Donors:

- Engage with GoJ at the ministerial level to identify how all refugees can be included in sectoral strategic plans and programs supported by the international community, such as through multi-donor accounts in education and health, and COVID-19 response planning.
- Donors with significant relationships with focal points within the Government of Jordan use these lines of communication to express the importance of impartial assistance and work to make the aid they provide to Jordan come with more conditions. For example, donors could express that if the Government allows for funding to go towards refugees of all origins, then more financing will come in. If not, certain portions of given aid could be reduced or be given on a shorter-term basis. Donors need to have contingency plans, creative strategies to engage with government counterparts in the case where Government continues to only allow partial aid distribution. That being said, if a donor agency, state, organization has mandates holding them accountable to indiscriminate or non-discriminatory aid financing, they should be held accountable by their peers when they make compromises on these principles.
- In the circumstance where the GoJ agrees to open the JRP or other social services to all refugees, donors should ensure Jordan is financially supported to extend basic services to all refugees while ensuring the response to Syrian refugees and vulnerable Jordanians is adequately maintained.
- A review of the current earmarking framework that has been cultivated throughout the implementation of the JRP must be conducted to ensure the prioritization of all refugees in bilateral funding of the humanitarian response.
- Use influence with focal points in the MoPIC and other relevant ministries to ensure projects by humanitarian organizations that target other nationalities than Syrian will be approved.

To Government of Jordan:

- Protect the rights of UN-registered asylum seekers and refugees in their country in line with the Refugee Conventions, and treat all those currently waiting for ASD (Asylum Seeker Determination) or RSD (Refugee Status Determination) with the same protections regardless of their country of origin.
- Work alongside humanitarian and development actors to ensure the JRP--- and humanitarian funding models-- follow the One Refugee Approach and the humanitarian principle of impartiality. Include refugees of other nationalities in the JRP and national planning documents and remove nationality-based differentiation in aid assistance.

- To change residency policy to identify refugees and asylum seekers of non-Syrian origin as refugees and asylum seekers to not include overstay fees during their stay of refuge, and to be removed from the ‘expatriat’ status in code and policy.
- Work alongside humanitarian and development actors to ensure the JRP---and humanitarian funding models-- follow the One Refugee Approach and the humanitarian principle of impartiality. Include refugees of other nationalities in the JRP and national planning documents and remove nationality-based differentiation in aid assistance.
- Facilitate project approvals for inclusive programming targeting Jordanians, Syrians, and non-Syrians. If organizations have the funding/capacity to meet needs of vulnerable, JRP-excluded populations should be seen as an asset to both the people and Government of Jordan. Currently, project approval process will need to be reformed to make this happen. This means policy change and dialogue at the MoPIC, Ministry of Social Development, Interior, and Prime Ministers Cabinet—all ministries involved in humanitarian/development project approval process in Jordan.
- Allow UNHCR to resume registration of new asylum seekers and refugees from Sudan, Somalia, and Yemen.
- To discontinue the ban on refugees of Sudanese, Somali, Yemeni and others of non- Syrian non-Iraqi origin ability to access public schools.
- Government of Jordan should include non-Syrians in their COVID-19 prevention and relief programs to not only ensure the health and safety of non-Syrian refugees and asylum seekers but ensure that Jordan is covering safety and prevention services to all demographics of individuals living within its borders to ensure least likelihood of expanded outbreak in the country.

II. Recommendations to ensure a more inclusive, principled refugee response on a global level

Due to the findings in this report, and the lessons we have learned from the study of approach to response planning in Jordan, we provide the following recommendations to humanitarian agencies, donors and policymakers seeking to ensure refugee and humanitarian response is more inclusive, principles on a global level:

- Though the concept of localization has become a widely promoted priority for humanitarian agencies and donor-states alike, most of the representatives at NGOs, donors, and local civil society organizations all said that there seems to be very limited evidence that localization is actually prioritized by the humanitarian sector in the communities they work in. Local organizations deeply embedded in working in the communities and issues at most risk in a refugee response context should be sought out and prioritized to finance. There should be special attention to whether localized financing is only going towards

organizations led by individuals from a specific economic, social, tribal, religious, or political demographic of their society. Financing should go towards the organization that can create the most impact, and not just the individuals and organizations who are the best positioned politically in their respective contexts. Additionally, sometimes allowing localization to happen means iNGOs giving up ownership or positioning in sub-sectors of humanitarian specialization in a context they traditionally held. It sometimes requires shutting down an office, allowing a local staff member to head up a department, project, or even a country office. iNGOs need to be willing to build towards giving ownership away, rather than continuing to bolster an international brand when it is clear that local staff, host community, refugee ('beneficiary') skillset is more than capable take on responsibilities and duties of international staff.

- Like what was said in the JRP recommendations in the previous section, Humanitarian organizations globally must re-evaluate a) who they are receiving funding from and b) if the conditions their donors give cause them to fall short of humanitarian principles and the 'One Refugee Approach'. As covered earlier, IHL calls humanitarian organizations to not be used for the political interests of donors. If financing is received is conditioned in a way that cause them to violate humanitarian principles, dictate them to exclude vulnerable populations who would otherwise qualify for their services, or cause them to take political positions they are required by IHL to avoid, they should suspend or terminate those donor partnerships.
- Donor states need to use their influence in both a wise and principled manner. Their financing, engagement, and partnership in refugee and humanitarian response needs to be strictly apolitical and only involve pushing priorities, policy reform, and advocacy that fits within the confines of the humanitarian principles and refugee and human rights conventions.
- There needs to be significant discussion of depth and re-evaluation by humanitarians, refugees, and donors on the mandate of the Refugee Agency in Refugee Response contexts. The current setup exposes the agency to a) becoming too politically tied b) preventing other humanitarian partners from living up to humanitarian principles and c) creates a power imbalance that could potentially illegitimatize and silence important actors, rights advocates, or marginalized people of concern. The Refugee Agency is an essential part of Refugee Response efforts in all contexts, but its present mandate doesn't fit the modern context that requires a more inclusive, diverse collection of humanitarian stakeholders to ensure accountability to humanitarian principles by all parties.
- Humanitarians and those who finance refugee response need to deeply discuss the concept of 'neutrality'. When should it be used and when should humanitarians and rights groups be allowed to naturally act in partiality--- standing for the rights, mandates, and principles their organizations are built on.

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