



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Jordan

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN

JORDAN

Part I: OVERVIEW (Revision September 2005)

1. Protection and socio-economic operational environment

General considerations

UNHCR's concerns and activities in Jordan are intrinsically linked to the developments in the region and in particular Iraq. Years of conflict and sanctions, political repression, and human rights abuses in Iraq have triggered the flight of many Iraqis seeking protection in Jordan.

Jordan is not a signatory to the 1951 Refugee Convention or its 1967 Protocol. Jordan does not have any national legislation pertaining to the status and treatment of refugees. UNHCR will therefore continue to support the creation of a rights-based asylum space through promoting the accession to the 1951 Refugee Convention and the 1967 Protocol, the drafting and revising of national asylum legislation, and the capacity-building for existing or new bodies dealing with asylum-seekers, refugees and other persons of concern to UNHCR.

Jordan has for many years demonstrated a high level of tolerance with regard to the entry and stay of Iraqis. Though the majority of Iraqis in Jordan have not undergone Refugee Status Determination (RSD) by UNHCR due to the Temporary Protection Regime (TPR), many have been tolerated by the Jordanian authorities despite the lack of a formal residence permit. While some Iraqis have voluntarily returned to their country of origin after the fall of the previous regime, the deteriorated security situation, new patterns of persecution and the slow economic recovery of that country have again led to a steady outflow of Iraqis into Jordan. UNHCR continues to promote the TPR for all Iraqis, which were formally agreed upon with the Government of Jordan (GoJ) in a Letter of Understanding signed on 15 April 2003. However, due to the prolonged situation of insecurity in Iraq and the continued increase of Iraqis in Jordan (according to the GoJ some 250,000 Iraqis currently live in Jordan, most of them illegally) resulting in amounted pressure on the urban social support infrastructure, the GoJ has recently started questioning the temporary protection regime as the adequate response to the presence of Iraqis in the country and in fact, has communicated to UNHCR in writing that it no longer considers the TPR regime as valid.

The political developments in Iraq (elections, drafting of a constitution, etc.) and in the wider region may open new chances to end displacement situations in both Iraq and Jordan. At the same time, the situation in Iraq remains fluid and a number of factors could lead to a further deterioration of the situation. This could result in new

displacements both inside and outside Iraq and hamper returns from abroad, including from Jordan. UNHCR needs to stand ready in case of a deterioration of the situation in Iraq, which in the worst case, may cause another increase of Iraqis seeking refuge abroad.

Iraqis displaced within Iraq and across the border to Jordan often share the same experience and obstacles to return (lack of security, documentation, statelessness, and property issues). Addressing these obstacles will therefore enable both the return of Iraqis from abroad as well as of persons displaced within Iraq.

Other caseloads also need to be seen in the regional context and UNHCR will choose a comprehensive approach to seek durable solutions for them. This is of particular importance for the Iranian Kurd refugees, which after having mainly lived in Al-Tash Camp in Central Iraq, have fled the camp due to insecurity during and after the 2003 war heading either towards the Jordanian border or Northern Iraq. At this point in time, the caseload is scattered between the Ruwayshed camp near the Iraqi-Jordanian border, Al-Tash Camp as well as settlements in Northern Iraq, with movements still occurring. Their plight can only be addressed in a holistic manner and considering the options for voluntary repatriation to Iran, relocation / local integration in Northern Iraq as well as resettlement. Another example of common concern and need for coordinated approach are the Palestinian refugees that are mainly located in Baghdad with a number of them having left for Jordan during the course of the war. Even though their prospects for return and resettlement are very slim, only a coordinated approach will ensure that no discrimination or pull-factors are created.

Jordan hosts some 250,000 Iraqis, many of whom arrived after the war in 2003 and therefore fall under the Temporary Protection Regime. Those approaching BO Jordan are registered as asylum-seekers. By the end of August 2005, UNHCR had registered 990 refugees from different nationalities including 789 Iraqi recognized refugees and 12,997 Iraqi asylum-seekers.

UNHCR's basis for involvement with persons of concern is the MoU of April 1998. It contains the refugee definition and confirms the principle of non-refoulement. The MoU provides the legal basis for the stay of asylum-seekers in Jordan pending RSD undertaken by UNHCR, and allows mandate refugees a maximum stay of 6 months after recognition during which period a durable solution has to be found. Local integration is not seen as an option by the GoJ, and therefore UNHCR needs to either secure resettlement or voluntary repatriation for the refugees. Given the fact that return is not an option for many refugees in Jordan and resettlement processing has become a lengthy and difficult process since September 11, 2001, in particular due to tighter security considerations, finding a durable solution for refugees, in practice, usually requires more than six months. So far, the GoJ has shown tolerance for the prolonged stay of refugees until a solution is found by UNHCR.

Another unresolved issue is the future of the Ruwayshed camp located near the border between Iraq and Jordan. The GoJ continues to urge UNHCR to find solutions for the Iranian, Palestinian and other residents of the camp in the near future.

In 2006/07 UNHCR Jordan's operations will mainly be focusing on the following:

- **Durable Solutions:** While the options for identifying immediate durable solutions for the entire caseload in Ruwayshed camp are slim, UNHCR will nevertheless continue to explore various possibilities using a comprehensive / regional approach. With regard to the urban caseload, UNHCR will focus on the timely resettlement of non-Iraqi refugees and a selected group of Iraqi refugees that are in need of resettlement. It is expected that some 185 non-Iraqi refugees and some 1,700 Iraqi refugees will be in need of resettlement processing in 2006¹. The political process in Iraq may entail an opportunity to promote return for a larger number of Iraqis in 2006. If so, the durable solutions strategy will predominantly focus on facilitating voluntary return in close cooperation with the GoJ.
- **Promoting self-reliance:** UNHCR plans self-reliance programmes for the urban refugees and the growing number of Iraqi asylum-seekers. The success of these programmes will largely depend on the GOJ's willingness to continue to extend some form of Temporary Protection to Iraqis, ideally through the grant of some sort of (temporary) legal residence. Given the increased pressure on the social services of the country, UNHCR aims to work in close coordination with the Ministry of Social Development, Ministry of Education and the Ministry of Labour to ensure that self-reliance projects will also benefit the host community and thereby effectively ease tensions. For the camp caseload, prospect for self-reliance is limited. Nevertheless, UNHCR will aim at increasing opportunities for the refugees to be involved in a range of camp activities (e.g. vocational training, education) in order to ease the effects of confinement and lack of freedom of movement. Furthermore, it is believed that such activities will enhance the durable solutions profile of the refugees.
- **Accession to the 1951 Convention / 1967 Protocol, Capacity building:** UNHCR will intensify its advocacy for the country's accession to the 1951 Convention / 1967 Protocol, and will aim at addressing the GoJ's concerns as regards the Palestinian refugees - the main obstacle for signing these instruments. In parallel, UNHCR, in close coordination with partners such as Mizan and the National Centre for Human Rights, will continue discussions for the creation of a national framework pertaining to refugees in Jordan. Capacity-building programmes will be implemented mainly in partnership with national institutions, whereas institution-building activities will be increased to support a functioning Refugee Unit in the Ministry of Interior, which should gradually take over the protection of refugees in the country, including registration, issuance of documentation, RSD, protection against refoulement and arbitrary arrest, respect for refugee rights, etc.

¹ This based on the assumption that refugee status determination for selected groups of Iraqi asylum applicants will resume in 2005.

- **Protection and assistance for refugees and other persons of concern:** UNHCR will continue to carry out its mandate functions, while aiming at building the capacity of the host Government to take over in the future.
- **Gender and Age Mainstreaming activities:** During the course of 2004, the *Age and Gender Mainstreaming Multi-functional Team* (GAMMT) was introduced as a pilot project. The project consists of 3 phases: self-assessment, capacity-building, and implementation of objectives of the GAMMT. Jordan identified the following objectives: registration and refugee RSD procedures; education; livelihood and a management objective related to the functioning of the multi-functional team. The impact of the pilot project will be reflected in the future programmes, in order to ensure the sustainability of the pilot project activities and to achieve gender and age mainstreaming in all aspects of the operations.

2. Operational goals and potential for durable solutions

2.1 Operational goals

The operational goals for the Operation derive from the global goals of UNHCR, goals of the *Agenda for Protection* as well as from the specific goals that have been set by CASWANAME for the region.

1. Help strengthen the capacity of national, regional and local institutions, particularly the relevant Ministries, through capacity-building programmes in order to enhance the capacity to protect and assist refugees and other persons of concern.

The aim is to provide technical and material/financial support to the refugee unit that has been re-activated by the Ministry of Interior in 2005, and other relevant line Ministries to carry out registration of refugees and other persons of concern in Jordan with the intention to hand over to government authorities, and to build institutional and functional capacity of the Government of Jordan to assume more responsibilities in the provision of legal and physical protection to refugees and other persons of concern as well as to enhance the quality of asylum and achieve greater protection space.

2. Co-ordinate and facilitate the voluntary, safe, and orderly return of refugees and asylum seekers to their country of origin or country of habitual residence through advising on conditions in areas of return and continued protection needs.

UNHCR seeks to facilitate voluntary return to Iraq, for the time being on an individual case basis, but once the situation in Iraq allows for promotion of repatriation, the office will coordinate return activities with the Government of Jordan. It is foreseen that

discussions will commence shortly to negotiate a tri-partite agreement to facilitate return in an orderly manner.

3. Promote accession to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol through the provision of technical advice and operational support, including on the revision of legislation related to the status of refugees otherwise promoting the creation of a national protection regime in accordance with international refugee law and human rights law standards.

The Hashemite Kingdom of Jordan is not a party to the 1951 Convention or the 1967 Protocol on the Status of Refugees. UNHCR will continue and intensify its lobbying for accession to the 1951 Convention and its 1967 Protocol, although the political situation in the region especially in relation to the situation for Palestinian refugees is not yet conducive to achieve this goal. However, as an alternative, discussions to create national legislation pertaining to refugees in Jordan in close coordination with partners such as Mizan and the National Centre for Human Rights may be achievable in the near future.

4. Provide protection and assistance to refugees and pursue durable solutions through registration, refugee status determination and assessment which solutions might be the most appropriate for the different groups of refugees and other persons of concern.

UNHCR will continue to undertake registration and RSD for asylum-seekers.

5. To design and implement at all levels of protection and assistance Gender- and age mainstreaming activities as well as environment- sensitive activities and strategies.

UNHCR ensures that women, children and elderly persons are fully involved in the decision-making process, the design and implementation of its programmes, and that their special needs are duly taken into consideration. All projects are designed to adequately protect the environment.

6. Strengthen UNHCR's preparedness and response capacity to assist States in responding to emergencies.

UNHCR's regional warehouse will be maintained at Aqaba with stock of relief items (blankets, stoves, jerry cans, kitchen sets, lanterns, mattresses, plastic sheets, etc.) Situational Emergency Training refresher sessions will be organised for UNHCR and its partners.

7. Build effective partnerships through participatory planning involving all stakeholders, comprehensive assessment of needs, and formulation of strategies that utilise the full range of resources available.

In the context of the inter-agency working group of Human rights led by UNHCR in 2004, UNHCR Jordan will continue to support the working group with technical expertise and advice.

An interagency working group on education was created in 2005, composed of UNHCR, UNICEF and UNESCO to look into the education situation of asylum seekers and refugee children in light with evolving national laws.

2.2 Durable Solutions strategy

Given the fact that several refugee caseloads involve a regional dimension, UNHCR in Amman aims at seeking durable solutions in a comprehensive manner. This is in particular the case as regards Iranian Kurd refugees as they are present on both Iraqi and Jordanian territory. Also the issue of Palestinian refugees can only be solved in a coordinated manner as a one-sided approach may negatively affect the chances for finding solutions in the other country (e.g. through creation of pull-factors).

Iraqi refugees and other persons of concern

As of September 2005, UNHCR in Jordan registered some 12,997 Iraqi nationals under Temporary Protection. On the assumption that the situation remains the same in 2005/06, it is anticipated that the caseload under Temporary Protection will grow to some 20,000 persons. UNHCR will implement a dual strategy for the caseload: to facilitate voluntary repatriation for those Iraqis that express the wish to return and to conduct refugee status determination and identify solutions in the form of resettlement for those Iraqi refugees that are unable to return to Iraq for protection reasons.

Iranian Kurd refugees

UNHCR aims at applying a comprehensive approach towards finding durable solutions for the Iranian Kurds in Ruwayshid camp that includes options for voluntary return, relocation and integration in Northern Iraq as well as resettlement.

Palestinian refugees

UNHCR will continue to lobby with Arab states to accept hosting the Palestinian refugees presently in Ruwayshid camp until a more durable solution will be available. A very small number of Palestinians was also assisted by UNHCR during 2005, UNHCR facilitated the voluntary return of some 600 Palestinian refugees to Iraq. It is expected that from the residual caseload few refugees will opt to return to Iraq provided that the situation will be conducive for their return. However, for the majority of the refugees return is not seen as an option and therefore alternatives need to be explored with other

Arab States and possibly traditional resettlement countries. It is expected that some 150 refugees will be in need of a solution in 2006 from this caseload.

Other nationalities from Egypt, Eritrea, Ethiopia, Libya, Yemen, Saudi Arabia, Syria, Sudan, Stateless, Somalia

UNHCR plans to carry out registration, refugee status determination procedures within a period of maximum 6 months for non-Iraqi nationals. Recognized refugees will be submitted for resettlement consideration to resettlement countries as the only viable durable solution, in particular Australia, Canada and the United States of America. The average processing time for resettlement cases (submission and out-processing) varies, but may take up to one year upon recognition. The estimated number of non-Iraqi refugees that are estimated in need of resettlement in 2006 will be 185 persons and if the same trend continues in 2007, a similar number of non-Iraqi refugees will be submitted for resettlement.