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PREVENTING A LOST GENERATION: JORDAN

## “We’re Afraid For Their Future”

Barriers to Education for Syrian Refugee Children in Jordan





# **“We’re Afraid for Their Future”**

**Barriers to Education for Syrian Refugee Children in Jordan**

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## Summary

Today, Syrian refugee children in Jordan face a bleak educational present, and an uncertain future. Close to one in three—226,000 out of 660,000—Syrians registered with the United Nations refugee agency in Jordan are school-aged children between 5-17 years old. Of these, more than one-third (over 80,000) did not receive a formal education last year.

There are almost 1.3 million Syrians today in Jordan, a country of 6.6 million citizens. Their arrival, and specifically that of Syrian children, since the outbreak of conflict in Syria in 2011, has spurred Jordan's Education Ministry to take a number of steps to accommodate their educational needs. These include hiring new teachers; allowing free public school enrollment for Syrian children; and having second shifts at nearly 100 primary schools to create more classroom spaces. In the fall of 2016, the ministry aims to create 50,000 new spaces in public schools for Syrian children, and to reach 25,000 out-of-school children with accredited "catch-up classes."

Donor aid, while consistently falling short of that requested by Jordan to host refugees, has played an important role in providing educational opportunities, and is set to increase: in February 2016, donors pledged to give US\$700 million per year to Jordan for the next three years (although World Bank calculations put the cost of hosting Syrian refugees in Jordan at \$2.5 billion annually), with the European Union (EU), United Kingdom (UK), Germany, United States, and Norway pledging \$81.5 million in May specifically to support expanding access to education.

Such initiatives have had impact; between 2012 and 2016, the proportion of Syrian refugee children enrolled in formal education soared from 12 to 64 percent. Moreover, the donor-supported plan announced in February should significantly improve access to education for Syrian refugee children without lowering the quality of education for Jordanian children—a common concern.

Yet tens of thousands of Syrian children have remained out of classrooms, a problem that gets more acute as they get older and enrollment rates plummet.

This report addresses some of the key reasons why Jordan, despite increased efforts, has been unable to enroll more Syrian children in schools and keep them in the educational system. It also highlights key areas that should be addressed if the fundamental right of Syrian children to education is to be realized, and the foundation laid for them to be able to contribute meaningfully one day to Syria's reconstruction.

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Part of the solution is economic. Jordan spends more than 12 percent of its gross domestic product (GDP) on education, more than twice as much as countries like the US and the UK. But its public school system, strained even before the Syria conflict, needs more financial support.

Existing policies that prevent Syrian boys and girls from going to school also need to be removed. For example, **refugee registration policies** that require school-aged children to obtain identification documents, or “service cards,” to enroll in public schools may have prevented thousands from doing so. Such cards are virtually unobtainable for tens of thousands of Syrians who left refugee camps without first being “bailed out” of the camps by a guarantor—a Jordanian citizen, a first-degree relative, and older than 35—after July 2014, when a new policy was introduced. Since February 2015, Jordan has also required that all Syrians obtain new service cards, although schools have allowed children to enroll with older cards. As of April 2016, about 200,000 Syrians outside refugee camps still did not have the new cards, and humanitarian agencies estimate tens of thousands of them may be ineligible to apply.

**Certification and documentary requirements** create additional barriers to enrollment for older children. Requirements of some school directors that children show official Syrian school certificates proving they completed the previous grade are impossible for many families that fled fighting in Syria without bringing originals. Up to 40 percent of Syrian refugee children in Jordan lack birth certificates, which are required to obtain service cards. Lack of birth certificates will pose a barrier to enrollment to increasing numbers of children as they reach school age.

Education Ministry **regulations that bar school enrollment to all children, Jordanian and Syrian, who are three or more years older than their grade level**, pose yet another



barrier to Syrian children: according to a 2014 United Nations High Commissioner for Refugees (UNHCR) estimate, the “three-year rule” barred some 77,000 Syrian children from formal education. A plan agreed upon by the Education Ministry, foreign donors, and United Nations Children's Fund (UNICEF) beginning in the 2016-2017 school year will help to boost enrollment of out-of-school children by allowing up to 25,000 children to enroll in a “catch-up” program, which will teach two grades of material in a single year, after which they will be eligible to re-enroll in formal education. However, the program will only be open to children aged 8 to 12. The Education Ministry has also accredited a nongovernmental organization (NGO) to teach a similar program for older Jordanian and Syrian children, which is being expanded with donor support. But the program has reached only a few thousand children, leaving many older children with no pathway back to school. In addition to increasing the scope of such programs, Jordan could help out-of-school children older than 12 access education by waiving the “three-year rule” and regularizing school entrance and grade placement tests, currently offered only once a year.

**Poverty and work restrictions** further curtail access to education. While Jordan has made public schools free to Syrian refugees, many Syrian parents cannot afford school-related costs, such as transportation (there are no public school buses in Jordan). A 2015 UN assessment found that 97 percent of school-aged Syrian children are at risk of non-attendance because of their families’ financial hardship. Nearly 90 percent of Syrian refugees live below the Jordanian poverty line of \$95 per person per month; none of the families that Human Rights Watch interviewed earned that much.<sup>1</sup> Most Syrians are in debt to their landlords, and rents have increased threefold or more in some communities, according to NGOs; Jordanians have also been affected and some have been evicted by landlords seeking higher rents.

Donor assistance helps counter these pressures, but has been inadequate and unpredictable. The World Food Programme ran out of adequate funds in August 2015 and temporarily cut off all support to 229,000 of the refugees in host communities (and halved it to \$14 per month for the remainder of the non-camp population). The following month, “voluntary returns” of refugees to Syria accelerated to up to 340 per day.

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<sup>1</sup> The Jordanian poverty line is 68 Jordanian dinars per person per month; figures in the summary are given in US dollars.

The impact of poverty on school enrollment and attendance is exacerbated by **Jordanian policies that effectively prevent many Syrian refugees from supporting themselves through work**. Few Syrians have been able to meet the requirements for lawful work permits, which include paying fees that cost the equivalent of hundreds of US dollars annually and finding an employer to sponsor them. Syrians who work without permits face being arrested and sent to refugee camps: Jordanian authorities have arrested more than 16,000 Syrians and sent them to the Azraq refugee camp due to lack of residency documents or work permits.

Increasingly in debt, lacking adequate humanitarian support, and at risk of arrest for working, around 60 percent of Syrian families in host communities **rely on money earned by children**, who consequently drop out of school to work. Very few re-enroll. Several families interviewed for this report said that income earned by their children went towards school transportation for siblings, or medical treatment for sick relatives.

Policies limiting access to lawful work permits also increase the likelihood of exploitation, low wages, and hazardous jobs, since the Syrian employee is at greater risk from complaining than the employer. All of the children whom Human Rights Watch interviewed described work that violated international and Jordanian labor laws, which prohibit work for long hours, in hazardous conditions, and for children younger than 16.

Jordan's effective bar on lawful employment for Syrian refugees has been a disincentive for Syrian children to finish secondary school. Few Syrians can afford to pay for vocational training colleges, while others lack necessary documents to enroll, and some NGOs said that Jordanian authorities had not approved their vocational training projects, possibly due to fears that Syrians will compete with Jordanians for jobs. Donors have offered to fund more technical and vocational education programs for Syrians, and fund some university scholarships for Syrian students, who pay higher rates as non-citizens than do Jordanian students.

In April 2016, Jordan temporarily stopped enforcing penalties against Syrian refugees working without permits and waived the fees to obtain them during a three-month grace period, which it has extended; some 20,000 permits were issued by August. An estimated 100,000 Syrian workers were ineligible, however, because they did not have a service card and were not sponsored by a Jordanian employer. In February 2016, Jordan pledged to

issue up to 50,000 work permits for Syrians in sectors where they would not compete with Jordanians, and said it would open— depending on future investment and donor support— “special development zones” where up to 150,000 Syrians could be hired to manufacture products for export, primarily for European markets. The Council of the European Union decided in July to grant such products tariff-free treatment. UNHCR had previously negotiated 4,000 work permits for Syrians to produce textiles.

Jordanian registration requirements and policies restricting access to work, healthcare, and education have **pressured Syrian refugees to remain in refugee camps**—where life is harsh, despite donor aid—or to move there from host communities.

In 2015, a lower percentage of Syrian children were enrolled in school in these camps than in host communities. Surveys by UN agencies found that barriers to education in such camps included long distances to school within large camps, and among some children, **“a sense of the pointlessness of education as they had limited hope for their future prospects.”**<sup>2</sup> More schools were opened in Zaatari camp, the largest, in 2015—where there were 9 formal schools—but at the time of a Human Rights Watch visit in October, some lacked electricity, running water, and windows.

Jordan’s generous provision of free access to public schools to Syrian children has also increased the pressure on primary schools in intake areas. This in turn poses **challenges to ensuring a quality education**, and has stoked intercommunal tension in some towns where Jordanians see Syrian refugees as increasing class sizes, and straining school resources. Some Jordanians who had enrolled their children in private schools but could not continue to send them for financial reasons reportedly found nearby public schools were full due to increased Syrian enrollment. Even before the Syria conflict, resources in Jordanian schools were strained, prompting dozens of schools to teach classes in morning and afternoon “shifts” to increase classroom spaces. The arrival of large numbers of Syrian refugee children forced Jordan’s Education Ministry to open afternoon shifts for Syrian students at 98 primary schools. To enroll more Syrian children in 2016-2017, the ministry plans to open second shifts at an additional 102 schools.

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<sup>2</sup> United Nations Children’s Fund (UNICEF), “Comprehensive Child-Focused Assessment: Za’atari Refugee Camp,” June 2015, [http://www.reachresourcecentre.info/system/files/resource-documents/reach\\_jor\\_report\\_comprehensive\\_child\\_focused\\_assessment\\_zaatari\\_refugee\\_camp\\_june\\_2015\\_2.pdf](http://www.reachresourcecentre.info/system/files/resource-documents/reach_jor_report_comprehensive_child_focused_assessment_zaatari_refugee_camp_june_2015_2.pdf) (accessed January 23, 2016), p. 36.

Jordanian and Syrian students in schools that operate two shifts have received fewer hours of instruction than children attending schools operating on regular hours. School facilities like libraries were closed during afternoon shift classes, which only Syrian students attend. Students in refugee camp schools also received fewer hours of instruction than students in single shift schools. In one large school in Zaatari, classes run for 35 minutes, with no breaks in between, no recess, no time to eat, and no access to computer facilities. Some teachers in refugee camp schools said they did not receive any teacher training, and only had to show they had graduated from university; in general, public school teachers should receive teacher training, but many have not been adequately trained.

Teachers in host communities and in refugee camps said they found it difficult to teach some Syrian children who showed clear signs of trauma. A growing number of Syrian children receive psychosocial support, but others who need help drop out of school. One boy's mother said his personality changed during the conflict after his cousin was killed in an attack and the boy retrieved his head, and he no longer wanted to go to school in Jordan. Refugee families as well as Jordanian teachers complained of unmotivated teachers and overcrowded classrooms with up to 50 children, particularly in Zaatari camp.

These difficult circumstances have apparently contributed to a preexisting problem of corporal punishment—officially prohibited—and violence in Jordanian schools. Syrian children described how teachers beat them with sticks, books, and rubber hoses. In other cases, children faced severe harassment by Jordanian children in school or while walking to school; UNICEF reported that 1,600 Syrian children dropped out in 2016 due to bullying. One boy was threatened with being stabbed if he did not give up his pocket change; others were beaten with wires. The parents of a girl with a blood disorder pulled her out of school due to beatings by other children.

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Qualified Syrian teachers who fled to Jordan represent an untapped resource: they could lower student-teacher ratios and help Syrian students cope with shared traumatic experiences. Jordan has allowed around 200 Syrian refugees to act as “assistants” in overcrowded classes in schools in the refugee camps, but not host communities; non-citizens are banned from teaching in public schools and from registering with the Teachers' Association. Turkey, by contrast, permits thousands of Syrian teachers to work at

fully-accredited education centers that teach a modified version of the Syrian curriculum, in addition to allowing Syrian children to enroll in regular Turkish public schools.

With donor support, Jordan has pledged to allow open 102 more schools on double shifts to accommodate 50,000 more Syrian students in 2016-2017; to open all school facilities, such as libraries, to afternoon shift students; to improve teacher training; and to allow up to 1,000 Syrians, paid with donor support, to act as assistants in schools in host communities. Additional donor support will allow Jordan to substantially increase the amount of time that children in the morning shift spend in class to 30 hours per week, but afternoon shift class time will remain similar to current levels of around 20 hours per week.

Donors including the US, EU, Germany, UK, and Canada have promised to significantly increase support for Jordan to build new public schools, expand and improve existing ones including by making them accessible to children with disabilities, and help subsidize school transportation costs. Donors should promptly and transparently follow through on these multiyear pledges, while also working to ensure that Syrian children in afternoon shift classes receive equal class time to other children in public schools. Jordan should allow regular, independent, quality monitoring in classrooms, and allow qualified Syrian refugee teachers to play a greater role in the education of Syrian children. With international support, it should revise policies that threaten to undermine these significant, positive moves, by ensuring that Syrian children are not barred from school due to difficulties registering with the Interior Ministry.

Better teacher training and accountability is critical to enforce the prohibition on corporal punishment and to deal with harassment by other children. Donors concerned with refugees' rights to education and work and with preventing child labor should encourage and support development projects that support Syrians' ability to support themselves. Jordan should also consider revising its work permit regulations to reduce dependency on sponsorship, and making the fee waivers it introduced during the grace period permanent.

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Prior to the conflict, the primary school enrollment rate in Syria was 93 percent.<sup>3</sup> UNICEF has estimated that nearly 3 million Syrian children inside and outside the country are now out of school—demolishing Syria’s achievement of near universal primary education before the war.<sup>4</sup>

UNICEF calculated that the “total economic loss” from lower lifetime earnings for 1.9 million Syrian children inside the country who had dropped out from primary and secondary education in 2011 due to the conflict was \$10.7 billion.<sup>5</sup> The figure did not include the cost of lost education for refugee children. Whether they return to Syria or settle elsewhere long-term, children’s lower earning potential could have a deleterious effect on the economies of host countries, while also driving up the cost of aid and government assistance.<sup>6</sup>

Providing education will reduce the risks of early marriage and military recruitment of children, stabilize economic futures by increasing earning potential, and ensure that today’s young Syrians will be better equipped to confront their uncertain futures.<sup>7</sup>

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<sup>3</sup> Based on net enrollment rates from 2009. World Bank, “Net enrolment rate, primary, both sexes (%), Syrian Arab Republic,” undated, <http://data.worldbank.org/indicator/SE.PRM.NENR?locations=SY> (accessed July 12, 2016).

<sup>4</sup> UNICEF, “Education Under Fire: How Conflict in the Middle East is Depriving Children of Their Schooling,” September 3, 2015, [http://www.unicef.org/mena/Education\\_Under\\_Fire.pdf](http://www.unicef.org/mena/Education_Under_Fire.pdf) (accessed September 17, 2015), and “Under Siege: The devastating impact on children of three years of conflict in Syria,” March 2014, [http://www.unicef.org/publications/index\\_72815.html](http://www.unicef.org/publications/index_72815.html) (accessed August 1, 2016).

<sup>5</sup> UNICEF, “Economic Loss from School Dropout due to the Syria Crisis: A Cost-Benefit Analysis of the Impact of the Syria Crisis on the Education Sector,” December 2015, [http://allinschool.org/wp-content/uploads/2015/04/Cost-benefit\\_analysis\\_report\\_English\\_final.pdf](http://allinschool.org/wp-content/uploads/2015/04/Cost-benefit_analysis_report_English_final.pdf) (accessed October 25, 2015).

<sup>6</sup> Save the Children, “The Cost of War: Calculating the impact of the collapse of Syria’s education system on Syria’s future,” March 2015, <http://www.savethechildren.org.uk/resources/online-library/cost-war> (accessed August 1, 2016).

<sup>7</sup> Phillip Price, “Education in Emergencies: Benefits, Best Practices, and Partnerships,” Issue-Specific Briefing Paper, Humanitarian Assistance in Complex Emergencies, University of Denver, 2011, <http://www.du.edu/korbel/crric/media/documents/philprice.pdf> (accessed September 16, 2015), p. 4.

## Methodology

This report is based primarily on research conducted in October 2015 in Jordanian host communities including in Amman, Baqaa, Zarqa, Mafraq, Salt, Irbid and villages nearby, and in the Zaatari, Azraq, and “Emirati Jordanian” refugee camps in Jordan. In total, Human Rights Watch staff conducted interviews with 105 refugees and asylum seekers from Syria, including former Palestinian residents of Syria, from 82 households. The interviewed families were identified through local and international nongovernmental organization (NGO) referrals and contacts within the Syrian refugee community of each city.

Not all members of each household were present during each interview. Including members who were not present, Human Rights Watch obtained information on the conditions of 423 Syrian family members, not including 16 family members whom interviewees said had previously left Jordan in an effort to reach Europe. Of the total number of family members, we gathered information about the educational status of 286 children under 18, of whom 213 were school-aged (6 to 17 years old). Of these school-aged Syrian children, 75 were not in school in Jordan, including 18 children who had been enrolled but had dropped out, 25 children who were working, and 13 who had disabilities, according to them or their parents.

Most interviews with refugees and asylum seekers were conducted in Arabic with the assistance of an interpreter. All interviewees received an explanation of the nature of the research and our intentions concerning the information gathered, and we obtained oral consent from each interviewee. All were told that they could decline to answer questions or could end the interview at any time. Participants did not receive any material compensation. Human Rights Watch has withheld identification of individuals and agencies that requested anonymity. Additionally, we have used pseudonyms when requested, and referenced these instances in the footnotes. Pseudonyms may not match the religion or sect of the interviewee.

Interviews in host communities were conducted in Syrian families’ homes; in most cases, we spoke to parents as well as children. Human Rights Watch was careful to conduct all interviews in safe and private places. During interviews in the Azraq and Zaatari refugee camps, which required prior Jordanian authorization, a Human Rights Watch researcher

was accompanied by a policeman (in Zaatari) and by two Jordanian security officials (in Azraq). In the “Emirati Jordanian” camp, the researcher was accompanied by members of the Emirati Red Crescent society, which administers the camp. Because of concerns about these circumstances, the researcher limited questions to refugees in these camps to basic information regarding their children’s ages and schooling.

We did not undertake surveys or a statistical study, but instead base our findings on extensive interviews, supplemented by our analysis of a wide range of published materials. Human Rights Watch also requested information from and sought the views of the Jordanian Ministry of Education. In addition, we met with representatives from the United Nations Children’s Fund, the United Nations High Commissioner for Refugees, international and local NGOs, donor country embassies and aid agencies, nine Jordanian public and private school directors and teachers, and informal education providers. We also consulted with experts in education in emergencies and Jordanian education policy.

Note on currency conversion: the Jordanian dinar is pegged to the US dollar at an exchange rate of 1.4 US dollars per Jordanian dinar.



# I. Background

## Syrian Displacement to Jordan

There are about 657,000 Syrians in Jordan who have registered as asylum seekers with the United Nations High Commissioner for Refugees (UNHCR). A Jordanian government census carried out in late November 2015 found a total population of 9.5 million people, including 6.6 million Jordanian citizens and 1.265 million Syrians.<sup>8</sup>

The residency status of the 608,000 Syrians counted in the census but not registered as asylum seekers is unclear. Staff at international humanitarian nongovernmental organizations (NGOs) said they estimated that up to several hundred thousand Syrians lived and worked there before the conflict, but that most Syrians in Jordan arrived after fighting began in 2011, and noted the census counted as Syrians anyone with a Syrian passport, including those married to Jordanian citizens.<sup>9</sup> More than half of registered Syrian asylum seekers in Jordan are children, and around 35 percent of the total are school-aged, or 5 to 17 years old, according to UNHCR.

Around 141,000 registered Syrian asylum seekers were living in three main refugee camps as of July 2016. Most of the 516,000 refugees outside the camps live in the Amman, Mafrqa, and Irbid governorates, in poor areas where public schools are strained.<sup>10</sup>

The number of Syrians registered as asylum seekers with UNHCR in Jordan initially accelerated rapidly, from fewer than 3,000 in 2011 to more than 400,000 who registered in 2013 alone.<sup>11</sup> The rate of arrivals slowed after Jordan began restricting or closing its border

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<sup>8</sup> Jordan carried out a census in late November 2015. Mohammad Ghazal, "Population stands at around 9.5 million, including 2.9 million guests," *Jordan Times*, January 30, 2016, <http://www.jordantimes.com/news/local/population-stands-around-95-million-including-29-million-guests> (accessed August 1, 2016).

<sup>9</sup> Human Rights Watch interviews with staff at three international humanitarian nongovernmental organizations (NGOs), Amman, October 2015, and staff at two international humanitarian NGOs, Amman, April 2016.

<sup>10</sup> Shelly Culbertson and Louay Constant, "Education of Syrian Refugee Children: Managing the Crisis in Turkey, Lebanon and Jordan," *RAND*, October 2015, [http://www.rand.org/pubs/research\\_reports/RR859.html](http://www.rand.org/pubs/research_reports/RR859.html) (accessed January 10, 2016), p. 16.

<sup>11</sup> Jordan hosted fewer than 3,000 registered Syrian refugees at the end of 2011. Erika Solomon, "As Syria bleeds, neighbors brace for refugees," *Reuters*, February 10, 2012, <http://www.reuters.com/article/us-syria-refugees-idUSTRE81919W20120210> (accessed August 1, 2016). By June 15, 2012, the number increased to 35,000, and 94,000 by September. United Nations High Commissioner for Refugees (UNHCR), "Revised Syria Regional Response Plan," June 2012, <http://www.unhcr.org/4fec681e9.html> (accessed August 1, 2016), p. 8; UNHCR, "Second Revision, Syria Regional Response Plan," September 2012, <http://www.unhcr.org/5062c7429.pdf> (accessed January 24, 2016).

crossings with Syria in 2013.<sup>12</sup> The total registered Syrian refugee population grew from 623,000 at the end of 2014 to 657,000 as of mid-July 2016: an increase of only 34,000 people in more than 18 months.<sup>13</sup> However, as of July, up to 100,000 Syrians who were not registered with UNCHR were stuck in a remote desert location in the northeast.<sup>14</sup>

## Registration Requirements

Jordan has not signed the 1951 Refugee Convention or its 1967 Protocol, and Jordanian law does not recognize Syrian refugees as such. Jordan allows UNHCR to register and provide humanitarian assistance to refugees under a 1988 Memorandum of Understanding. This was amended in 2014 to increase the six-month validity period of the temporary protection status that Jordan grants to Syrians; it is now renewable indefinitely for one-year periods.<sup>15</sup>

Until 2015, Jordanian authorities first sent new arrivals from Syria to “reception centers” for initial registration, where until December 2013 authorities confiscated and retained some of the refugees’ official Syrian documents. Jordan then sent the refugees to camps, of which Zaatari, opened in July 2012, and Azraq, opened in April 2014, are the largest.<sup>16</sup>

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<sup>12</sup> Jordan allowed Syrians to enter the country from 2011 until mid-2013, when it closed its western border near populated areas in Syria, forcing Syrians to travel hundreds of kilometers to Jordan’s far northeast in order to enter. Jordan allowed some Syrians to enter at the north-eastern border crossings until July 2014, when it also severely restricted entry there. Since then, thousands of Syrians have waited to reach Jordan’s asylum seeker transit sites for two to three months in a demilitarized zone inside Jordan, several hundred meters south of the Syrian-Jordanian border. Asylum seekers lived in tents just north of a raised sand barrier, or “*berm*,” without adequate food, water, or medical assistance, and no access to education. “Jordan: Syrians Held in Desert Face Crisis: Satellite Imagery Confirms Thousands in Remote Border Zone,” Human Rights Watch news release, December 8, 2015, <https://www.hrw.org/news/2015/12/08/jordan-syrians-held-desert-face-crisis>; “Jordan: Syrians Blocked, Stranded in Desert: Satellite Imagery Shows Hundreds in Remote Border Zone,” Human Rights Watch news release, June 3, 2015, <https://www.hrw.org/news/2015/06/03/jordan-syrians-blocked-stranded-desert>; Khetam Malkawi, “Jordan willing to help third countries absorb ‘border camp’ refugees – Momani,” *Jordan Times*, January 11, 2016, cited in <http://againsterhab.com/?p=24470> (accessed August 3, 2016.)

<sup>13</sup> UNHCR, *Statistical Yearbook 2012: Annex*, (New York: United Nations Publications: December 10, 2013), <http://www.unhcr.org/52a723f89.html> (accessed August 1, 2016). See also UNHCR, “2014: Year In Review, UNHCR Jordan,” <http://www.unhcr.org/555359396.html> (accessed August 1, 2016).

<sup>14</sup> Khetam Malkawi, “Jordan allows food, water to Berm ‘temporarily’ – sources,” July 13, 2016, *Jordan Times*, <http://www.jordantimes.com/news/local/jordan-allows-food-water-berm-temporarily%E2%80%99-%E2%80%94sources> (accessed July 26, 2016).

<sup>15</sup> Khetam Malkawi, “Gov’t, UNHCR sign amendments to cooperation memo,” *Jordan Times*, March 31, 2014, <http://www.jordantimes.com/news/local/gov%E2%80%99t-unhcr-sign-amendments-cooperation-memo> (accessed February 3, 2016).

<sup>16</sup> The types of documents retained from Syrian refugees by the Jordanian authorities has varied over time. A small number of Syrian refugees told Human Rights Watch that they traveled directly to host communities after entering Jordan, rather than to a refugee camp; all of them arrived in Jordan several years ago. By January 2013, Zaatari hosted 57,000 refugees; the number increased to more than 200,000 in April 2013, and has since decreased to around 80,000. UNHCR, Syria Regional Refugee Response, Inter-agency Information Sharing Portal, “Zaatari Refugee Camp,” undated, <http://data.unhcr.org/syrianrefugees/settlement.php?id=176&region=77&country=107> (accessed August 1, 2016). Azraq’s

Refugees in the camps who wished to relocate to host communities in Jordan could do so lawfully under a process known as the “bailout” system, which requires that they be “guaranteed” by a Jordanian citizen who is a direct relative over the age of 35. Initially, Jordan allowed refugees to leave the camps if their Jordanian sponsor paid a fee of 15 dinars (US\$21) per person.<sup>17</sup>

For several years, Jordan did not strictly enforce the bailout system. Many Syrians who left the camps without being bailed out were still able to register with UNHCR in host communities and received UNHCR “asylum seeker certificates,” which identified the bearer as a “person of concern.”<sup>18</sup> Syrians with these certificates were eligible to receive humanitarian assistance, such as cash and food aid, provided by UN agencies in host communities. Syrians who left camps without being bailed out were also able to receive identification documents from the Ministry of Interior (MOI) by registering at the local police station, as required by Jordanian law.<sup>19</sup>

Syrians registered with the Interior Ministry are issued a “service card,” which is required to access medical care at subsidized rates at public hospitals and to enroll children in public schools.<sup>20</sup> The service card is valid only in one of Jordan’s 52 districts where it was registered; refugees who move must re-register with police in their new location.

Jordan began to strictly enforce the bailout system in July 2014, when it instructed UNHCR not to register Syrians in host communities who had not been bailed out of refugee camps. The Interior Ministry also refused to issue them “service cards.” As a result, Syrians who

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population increased by 150 percent in 2015, to 28,000 by the end of the year, and rose to 54,787 by July 2016. UNHCR, Syria Regional Refugee Response, Inter-agency Information Sharing Portal, “Azraq Refugee Camp,” and “Jordan: Azraq Refugee Camp Fact Sheet, December 2015,” <http://data.unhcr.org/syrianrefugees/settlement.php?id=251&country=107&region=73> (accessed July 25, 2016).

<sup>17</sup> UNHCR, UNICEF, and World Food Programme (WFP), “Joint Assessment Review of the Syrian Refugee Response in Jordan,” January 2014, <https://data.unhcr.org/syrianrefugees/download.php?id=4309> (accessed March 24, 2016), p. 7.

<sup>18</sup> Syrians living in the refugee camps are issued a “Proof or Registration” document by UNHCR, which they hold while they remain in the camps. Norwegian Refugee Council and Harvard International Human Rights Clinic, “Registering Rights: Syrian refugees and the documentation of births, marriages and deaths in Jordan,” October 2015, <http://hrp.law.harvard.edu/wp-content/uploads/2015/11/Registering-rights-report-NRC-IHRC-October20151.pdf> (accessed August 2, 2016), p. 11. According to UNHCR, 160,000 Syrian refugees had left the Zaatari refugee camp since it was opened without going through the bailout process, as opposed to 60,000 who were bailed out. UNHCR, “Zaatari Fact Sheet,” August 2015, <http://data.unhcr.org/syrianrefugees/settlement.php?id=176&region=77&country=107> (accessed August 2, 2016).

<sup>19</sup> UNHCR, “Living in the Shadows – Jordan Home Visits Report 2014,” January 14 2015, <http://www.unhcr.org/jordan2014urbanreport/home-visit-report.pdf> (accessed January 2, 2016), p. 24.

<sup>20</sup> UNHCR Jordan, “Jordan Refugee Response: Vulnerability Assessment Framework Baseline Survey,” May 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/vaf.pdf> (accessed May 19, 2016), p. 22.

left the camps informally after that date cannot obtain the documents required to access humanitarian assistance, subsidized healthcare, and enroll their children in schools. An estimated 120,000 refugees from Syria living outside refugee camps cannot meet the requirements of the bailout system.<sup>21</sup>

Since July 2014, Jordanian security forces have arrested and involuntarily relocated refugees without UNHCR asylum seeker certificates or MOI service cards to refugee camps. According to available statistics, from April 2014 to September 2015 police involuntarily relocated more than 11,000 refugees to Zaatari and Azraq camps, including dozens of children unaccompanied by their parents, largely because they had left the camps without being bailed out or they were caught working without a work permit.<sup>22</sup>

A joint report by a group of international humanitarian organizations published in September 2015 described one case in which Jordanian authorities deported a boy arrested in Amman to Syria because he could not produce required documents; staff at an NGO described a similar arrest and deportation of another boy in mid-2015.<sup>23</sup> In other cases, Jordanian authorities arrested and deported Syrian men who did not have legal documentation, their relatives said. A Syrian man who lives near Irbid said that in the summer of 2015, Jordanian police arrested his 45-year-old brother at work, determined his service card was fake, and “gave him a choice of going to Azraq [camp] or to Syria.”<sup>24</sup> His

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<sup>21</sup> Human Rights Watch interviews with international humanitarian NGO staff, Amman, April 22, 2015. Previous estimates were that 45 percent of Syrian refugees in host communities could not meet requirements. See Care International, Danish Refugee Council, International Rescue Committee, Norwegian Refugee Council, Oxfam, Save the Children, and World Vision (Joint Agency), “Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis,” Joint Agency Briefing Paper, November 9, 2015, <https://www.savethechildren.net/sites/default/files/Report%2ofinal-%2oSyria.pdf> (accessed January 28, 2016), p. 5.

<sup>22</sup> Jordan INGO Forum, “Issues Related to Registration and Legal Status of Syrian Refugees in Jordan,” September 2015, p. 4, copy on file with Human Rights Watch; see also Joint Agency, “Right to a Future,” Joint Agency Briefing Paper, November 9, 2015, <https://www.savethechildren.net/sites/default/files/Report%2ofinal-%2oSyria.pdf> (accessed January 28, 2016), p. 5; Human Rights Watch interviews with international humanitarian organizations, Amman, October 5, 2015 and April 20, 2016.

<sup>23</sup> The joint NGO report stated that Jordanian police arrested a 16-year-old boy for working illegally in Amman and relocated him to Zaatari camp. His parents and siblings returned to the camp to be together, and successfully applied to leave through the bailout system. Police then arrested the boy again, who did not have his identification documents and had not yet been issued a new service card. Police held him for four days at a police station; Jordan then deported him to Syria, where he was living in a mosque under the protection of the local imam. Jordan INGO Forum, “Issues Related to Registration and Legal Status for Syrian Refugees in Jordan,” September 2015, p. 4. NGO staff described the second case to a Human Rights Watch researcher during an interview in Amman in April 2016.

<sup>24</sup> Human Rights Watch telephone interview with Khaled, Subbiah (near Irbid), October 12, 2015.

wife first learned of his whereabouts three days after his arrest, when he called her to say he was in Syria and that she should join him with their children, which she did.<sup>25</sup>

In June 2014, Jordanian security forces also forcibly evicted hundreds of Syrian refugees who had been living in five informal tented settlements in the southern Amman governorate.<sup>26</sup> In one case, Syrians who had been living in an informal settlement near Sahab were bussed to Azraq camp with whatever possessions they could carry, after which bulldozers demolished their encampments, including two tents that had been used as informal schools, with supplies and teachers supported by an NGO.<sup>27</sup>

## Poverty

The Syrian refugee population is overwhelmingly poor, and poverty affects Syrian access to education. The United Nations Children’s Fund (UNICEF) reported that the families of around 15,400 Syrian children were unable to afford to send them to school in February 2016, and that almost another 10,000 children had dropped out or attended school irregularly because of financial hardship.<sup>28</sup> Most Syrian families, UNICEF found, are trying to cope with poverty while also prioritizing education: 93 percent said they cope with financial hardship by reducing the amount they eat or spend on food, but only 8 percent dropped children from school, despite associated expenses of 20-30 Jordanian dinars (JD)(\$28-\$42) per month per child.

Jordan has worked with international humanitarian agencies to alleviate Syrians’ poverty, including a UNICEF program reaching 55,000 children with JD 20 (\$28) per child to reduce pressure for child labor and dropouts, a UNHCR program reaching 30,000 individuals and households; and a World Food Programme (WFP) monthly payment of JD 20 (\$28) to registered Syrian refugees in host communities.<sup>29</sup> But these programs are undermined by

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<sup>25</sup> Ibid.

<sup>26</sup> UNICEF, “Syrian Refugees Staying in Informal Tented Settlements in Jordan: Multi-Sector Assessment Report,” August 2014, <http://reliefweb.int/report/jordan/syrian-refugees-staying-informal-tented-settlements-jordan-multi-sector-needs> (accessed August 2, 2016), pp. 1, 29, 32.

<sup>27</sup> Human Rights Watch interviews with an NGO volunteer, Amman, October 3, 2015, and with a child protection officer at a different NGO, Amman, October 13, 2015.

<sup>28</sup> Matteo Valenza and Shatha AlFayez (UNICEF), “Running on Empty: The situation of Syrian children in host communities in Jordan,” May 2016, [http://www.unicef.org/jordan/Running\\_on\\_Empty2.pdf](http://www.unicef.org/jordan/Running_on_Empty2.pdf) (accessed August 2, 2016), p. 14.

<sup>29</sup> Ibid., p. 18.

Jordanian policies that restrict Syrians' ability to work, even informally, and contribute to child labor and school dropouts.

- Around 86 percent of Syrian refugees live under Jordan's poverty line (JD 68 or \$96 per person per month);
- One in six Syrian refugees live on less than \$1.30 per day (or around \$40 per month), which UNHCR assessed as the absolute poverty line.<sup>30</sup>
- Syrian refugees in northern Jordan, where most live, pay an average of \$211 per month in rent, which consumes 55 percent of their income.<sup>31</sup>

Jordanian government figures indicate rent increased 14 percent nationwide from 2013 to 2015.<sup>32</sup> In some areas, rent prices soared up to 600 percent after 2011.<sup>33</sup>

Low-income Jordanian families also faced higher rents; unable to pay, some were evicted by landlords, fuelling anti-Syrian hostility in some host communities.<sup>34</sup> Syrian refugees have also faced increased healthcare costs: Syrians with Ministry of Interior service cards could access free healthcare until November 2014, but now pay at subsidized rates.<sup>35</sup>

In addition, in August 2015, about 229,000 "vulnerable" Syrians in Jordan who were below the country's poverty line experienced cut-offs in humanitarian food aid, while aid was reduced by half for the "extremely vulnerable," due to lack of funds; the World Food Programme was only able to resume aid at reduced levels in November.<sup>36</sup> Similarly, the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) stopped providing

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<sup>30</sup> Norwegian Refugee Council, "Thousands of refugees return to Syria from Jordan," October 6, 2015, [http://www.nrc.no/?did=9207019#.VriDRE9d\\_Hl](http://www.nrc.no/?did=9207019#.VriDRE9d_Hl) (accessed January 27, 2016); UNHCR, "UNHCR chief urges action to tackle rising poverty of Syrian refugees," January 14, 2015, <http://www.unhcr.org/54b67da19.html> (accessed March 26, 2016).

<sup>31</sup> Norwegian Refugee Council, "No Place to Call Home: How Syria's displaced millions struggle to keep a roof over their heads," June 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/NRC%20No%20place%20to%20call%20home.pdf> (accessed January 19, 2016), p. 7.

<sup>32</sup> Ibid.

<sup>33</sup> Mercy Corps, "Mapping of Host Community–Refugee Tensions in Mafraq and Ramtha, Jordan," May 2013, <https://data.unhcr.org/syrianrefugees/download.php?id=2962> (accessed January 27, 2016), p. 9.

<sup>34</sup> Ibid., pp. 9-10.

<sup>35</sup> Norwegian Refugee Council, "Thousands of refugees return to Syria from Jordan," October 06, 2015, [http://www.nrc.no/?did=9207019#.VriDRE9d\\_Hl](http://www.nrc.no/?did=9207019#.VriDRE9d_Hl) (accessed January 27, 2016).

<sup>36</sup> Ibid.; UNHCR, "Jordan," "Highlights," August 2015, <http://data.unhcr.org/syrianrefugees/country.php?id=107> (accessed August 2, 2016). (WFP later reinstated JD 10 (US\$14.10) assistance to vulnerable refugees in communities and JD 15 (\$21) to extremely vulnerable refugees).

housing assistance to Palestinian refugees from Syria in Jordan in July 2015 due to funding shortfalls.<sup>37</sup> More than 60 percent of Syrian refugees living in host communities are highly indebted, even with humanitarian assistance, a UNHCR assessment found in May 2015.<sup>38</sup> A 2014 study found that a third of refugees in Jordan were in debt to their landlords.<sup>39</sup>

Increasingly restrictive policies that Jordan imposed after July 2014, combined with unpredictable cut-offs in humanitarian assistance, contributed to thousands of Syrians returning from Jordan to Syria in 2014 and 2015 under an official “voluntary” process, with the flow increasing dramatically to several hundred daily in August and September 2015, after Syrians in host communities were told their food assistance would be cut off or reduced.<sup>40</sup> The International Organisation for Migration (IOM) estimated in August 2015 that the number of returns could reach 50,000 that year.<sup>41</sup>

One man chose to remain in Jordan after the aid cut-off only because his home in Syria had been destroyed, he said: “There’s nothing left there in Hama for us now.”<sup>42</sup> Most who did return went to Daraa, a province bordering Jordan, where the largest percentage of Syrians in Jordan came from, despite ongoing conflict there.<sup>43</sup>

The WFP noted that returns decreased amongst Syrians in refugee camps, where assistance was not reduced, but increased by 17 percent amongst those in host

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<sup>37</sup> United Nations Relief and Works Agency for Palestine Refugees (UNRWA) Representative Office to the European Union, “Helping Vulnerable Palestine Refugees from Syria Meet Their Essential Needs,” August 11, 2015, <https://europa.eu/eyd2015/en/unrwa/stories/palestine-refugees-syria-jordan-cash-assistance> (accessed February 12, 2016).

<sup>38</sup> UNHCR Jordan, “Jordan Refugee Response Vulnerability Assessment Framework Baseline Survey,” May 2015, <http://www.alnap.org/resource/20534> (accessed August 2, 2016).

<sup>39</sup> CARE International, “Lives Unseen: Urban Syrian Refugees and Jordanian Host Communities – Three Years Into the Syrian Crisis,” April 2014, <http://insights.careinternational.org.uk/publications/lives-unseen-urban-syrian-refugees-and-jordanian-host-communities-three-years-into-the-syria-crisis> (accessed August 2, 2016).

<sup>40</sup> Norwegian Refugee Council, “Thousands of refugees return to Syria from Jordan,” October 6, 2015, [http://www.nrc.no/?did=9207019#.VriDREgd\\_Hl](http://www.nrc.no/?did=9207019#.VriDREgd_Hl) (accessed January 27, 2016); the number of returns reached as high as 340 per day in September. Human Rights Watch interview with international humanitarian NGO staff, Amman, October 5, 2015.

<sup>41</sup> Abdeer Numan, “Syrian refugees bear brunt of ‘high living expenses’ — IOM official,” *Jordan Times*, August 10, 2015, <http://www.jordantimes.com/news/local/syrian-refugees-bear-brunt-high-living-expenses%E2%80%99%E2%80%94-iom-official> (accessed July 26, 2016).

<sup>42</sup> Human Rights Watch interview with Yassir, tented settlement outside Mafraq, October 22, 2015.

<sup>43</sup> WFP, “Syria Crisis Regional Response: Situation Update,” September 2015, <http://documents.wfp.org/stellent/groups/public/documents/ep/wfp278752.pdf> (accessed February 1, 2016), p. 2.

communities.<sup>44</sup> In some cases, refugees chose to leave Jordan in an effort to reach Europe after relatives were arrested for working without permits.<sup>45</sup>

## Education in Jordan

At the beginning of the fall semester of 2015, 1.9 million students enrolled in public, private, military, and UNRWA schools in Jordan, from pre-primary to secondary school.<sup>46</sup>

Jordan spends a substantial part of its gross domestic product (GDP) on education: 12.2 percent of its GDP per capita in 2011 (the last year for which figures are available), compared to 5.1 percent in Syria (2009), 1.6 percent in Lebanon (2011), and 2.9 percent in Turkey (2006).<sup>47</sup> The US spent 5.2 percent and the United Kingdom (UK) spent 5.8 percent of their GDP in 2011.<sup>48</sup>

School is divided into two years of pre-primary education, 10 years of primary education, and two years of secondary education.<sup>49</sup> In 2014, Jordan made the second year of pre-primary school compulsory, but due to a dearth of schools in much of the country, parents wishing to send children to pre-primary education must often pay for private schools.<sup>50</sup>

Primary schooling in Jordan is free and compulsory.<sup>51</sup> Students who pass a 10th grade exam are eligible to attend two further years of secondary education, which—depending on their

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<sup>44</sup> WFP, “Syria Crisis Regional Response: Situation Update,” September 2015, p. 2.

<sup>45</sup> One man said that eight of his adult children had left Jordan for Turkey after his eldest son was arrested at work in Irbid in June 2015, which made his other sons afraid to look for work, but unable to support their families. Human Rights Watch interview with Abu Mohammed, Na`imeh, October 11, 2015.

<sup>46</sup> Laila Azzeh, “1.9 million students start new scholastic year,” *Jordan Times*, September 1, 2015, <http://www.jordantimes.com/news/local/19-million-students-start-new-scholastic-year> (accessed January 15, 2016).

<sup>47</sup> The World Bank defines this figure as the “average total (current, capital and transfers) general government expenditure per student in the given level of education, expressed as a percentage of GDP per capita.” World Bank, “Government expenditure on education as % of GDP per capita,” Jordan, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/JO-XQ-XT?display=graph>; Syria, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/SY-XQ-XN?display=graph>; Lebanon, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/LB-XQ-XT?display=graph>; Turkey, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/TR-7E-XT?display=graph> (accessed March 28, 2016).

<sup>48</sup> World Bank, “Government expenditure on education as % of GDP per capita,” United States, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/US--XS?display=graph>; United Kingdom, <http://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS/countries/GB--XS?display=graph> (accessed March 28, 2016).

<sup>49</sup> Article 20 of Jordan’s 1952 constitution provides for compulsory and free primary education to all nationals. The key Jordanian law on education is Education Act No. 3, 1994.

<sup>50</sup> Human Rights Watch interview with humanitarian NGO education officer, Amman, October 14, 2015.

<sup>51</sup> The Provisional Education Act No. 27 in 1988 expanded primary education from 9 years to 10.



grades—may be geared to university study in the sciences or humanities, or towards vocational or professional training.

After these two years, students can take the standardized graduation exam, the *tawjihi*. On passing, they receive a General Secondary Education Certificate and are eligible to attend public or private community colleges or universities, or vocational schools. University students are put in academic programs depending on their *tawjihi* grade.<sup>52</sup>

The Ministry of Education reported net enrollment rates of 38.26 percent in pre-primary school, 98.02 percent in primary school, and 72.56 percent in secondary school during the 2014-15 academic year.<sup>53</sup> Jordan's net primary school enrollment rate, before and since the Syria conflict began, has remained at around 97 percent, according to the World Bank.<sup>54</sup>

However, even before the Syria crisis, Jordan's education system faced challenges.

Poverty—including inability to pay transport costs—has undermined the ability of many Jordanian children to attend school: in 2011, United Nations Educational Scientific and Cultural Organization (UNESCO) reported that around 119,000 Jordanian children were not in school.<sup>55</sup> In 2014, UNICEF reported close to 77,000 Jordanian children aged 5 to 15 were not in school.<sup>56</sup>

Public schools have also long been overcrowded: 36 percent of public schools were overcrowded in 2011, according to the Education Ministry, especially in areas where large

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<sup>52</sup> Students who pass the academic *tawjihi* exam, as distinct from the vocational exam, can enroll in university programs. Eligibility to enroll in certain programs, such as engineering, is limited to students with high scores. Students who receive high grades can enroll in university programs at discounted tuition rates; students with lower grades but still above a set minimum can enroll in the same programs, but must pay higher tuition. Human Rights Watch interviews with Jordanian *tawjihi* and university students, Amman, October 28 and 29, 2015.

<sup>53</sup> Jordanian Ministry of Education, "Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children," January 2016, p.2, copy on file with Human Rights Watch.

<sup>54</sup> The net enrollment rate is "the total number of students in the theoretical age group [for primary or secondary education] enrolled in that level, expressed as a percentage of the total population in that age group." World Bank, Jordan, "Net enrolment rate, primary, both sexes," and "Net enrolment rate, secondary, both sexes," undated, <http://data.worldbank.org/indicator/SE.PRM.NENR/countries/JO-XQ-XT?display=graph> and <http://data.worldbank.org/indicator/SE.SEC.NENR/countries/JO-XQ-XT?display=graph> (accessed January 28, 2016).

<sup>55</sup> UNESCO Institute of Statistics, "Country Profiles: Jordan," undated, <http://www.uis.unesco.org/DataCentre/Pages/country-profile.aspx?code=4000&SPSLanguage=EN> (accessed January 28, 2016).

<sup>56</sup> UNICEF, "Jordan: Country Report on Out-of-School Children, Summary," October 2014, [http://www.unicef.org/jordan/150512\\_Jordan\\_Summary\\_English\\_Small.pdf](http://www.unicef.org/jordan/150512_Jordan_Summary_English_Small.pdf) (accessed March 2, 2016), pp. 1, 4.

numbers of Syrian children have subsequently arrived. Overcrowding is now closer to 47 percent.<sup>57</sup> To make more classroom space available, some Jordanian schools operated on double shifts or in rented buildings even before 2011. This reduced costs per student, but lowered the quality of education. Jordan had committed to move all schools to single, day-long shifts in 2010.

More than half the country's secondary school students who sat for their *tawjihi* examinations failed in 2014 and 2015.<sup>58</sup> In both years, there were more than 325 public schools in which not a single student who sat for the exam passed.<sup>59</sup>

About 25 percent of students in Jordan are enrolled in private schools, which range in cost from around \$1,400 to more than \$10,000 annually.<sup>60</sup> In 2014, around 8,000 of 130,000—6 percent—of Syrian students enrolled in formal education were in private schools.<sup>61</sup>

Human Rights Watch visited a Christian primary school in East Amman that has made scholarships available to dozens of Syrian students, with private financial support; teachers and administrators described programs offering academic and psychosocial support to Syrian students, and specific measures to prevent discrimination against Syrians by other students.<sup>62</sup>

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<sup>57</sup> UNICEF, "Curriculum, Accreditation and Certification for Syrian Children in Syria, Turkey, Lebanon, Jordan, Iraq and Egypt," March 2015, [http://www.oosci-mena.org/uploads/1/wysiwyg/150527\\_CAC\\_for\\_Syrian\\_children\\_report\\_final.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/150527_CAC_for_Syrian_children_report_final.pdf) (accessed August 2, 2016), p. 72; Jordanian Ministry of Education, "Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children," January 2016, p. 4, copy on file with Human Rights Watch.

<sup>58</sup> JT, "No student passed Tawjihi in 349 public, private schools," *Jordan Times*, August 1, 2015, <http://www.jordantimes.com/news/local/no-student-passed-tawjihi-349-public-private-schools%E2%80%99> (accessed January 20, 2016).

<sup>59</sup> Ibid.

<sup>60</sup> Human Rights Watch interviews with private school teacher and private school principal, Amman, October 4 and 5, 2015. The Ministry of Education reported that 484,000 of 1.91 million students were enrolled in private schools in the 2014-2015 school year. Jordanian Ministry of Education, "Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children," January 2016, p. 3, copy on file with Human Rights Watch. The percentage of students attending private school increased from 19 percent in 2003. UNESCO, World Data on Education: Jordan, 2006, [http://www.ibe.unesco.org/Countries/WDE/2006/ARAB\\_STATES/Jordan/Jordan.pdf](http://www.ibe.unesco.org/Countries/WDE/2006/ARAB_STATES/Jordan/Jordan.pdf) (accessed August 2, 2016).

<sup>61</sup> Laila Azzeh, "Sama Sarhan schools empty in protest against overcrowding," *Jordan Times*, October 26, 2014, <http://www.jordantimes.com/news/local/sama-sarhan-schools-empty-protest-against-overcrowding> (accessed April 18, 2016).

<sup>62</sup> Human Rights Watch interviews with staff and students, Schools of the Nazarene Church, Amman, October 12, 2015.

## II. Jordan's Education Policy for Syrian Refugees

Just over one-third, or 36 percent, of Syrian refugee children in January 2016 were school-age, according to Education Ministry estimates.<sup>63</sup>

From the start of the Syria conflict, Jordan granted refugees with required documents free access to public schools in host communities.<sup>64</sup> It also opened accredited public schools for them in refugee camps that opened in 2012 (Zaatari) and 2014 (Azraq).

Syrian refugee children in host communities with necessary documentation—generally asylum seeker certificates issued by United Nations High Commissioner for Refugees (UNHCR), and service cards issued by the Ministry of Interior—can enroll for free in public primary schools, beginning grade one for six-year-olds.<sup>65</sup> Syrian children aged four and five can enroll in two years of pre-primary school in Jordan, although most such kindergartens are private and charge tuition. Syrian children must meet other requirements to enroll in Jordanian secondary school (see below).

Due to the steps that Jordan has taken to accommodate Syrian refugee children in its school system, UN agency figures show that the proportion of Syrian 5 to 17-year-olds enrolled in school has steadily increased, along with the growing number of refugee children.<sup>66</sup> As of April 2016, some 145,000 Syrian children were enrolled in formal schools,

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<sup>63</sup> Jordanian Ministry of Education, "Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children," January 2016, p. 2, copy on file with Human Rights Watch.

<sup>64</sup> United Nations High Commissioner for Refugees (UNHCR), "Revised Syria Regional Response Plan," June 2012, <http://www.unhcr.org/4fec681e9.html> (accessed January 24, 2016), p. 16; see also UNHCR, "Syria Regional Response Plan," September 2012, <http://www.unhcr.org/5062c7429.pdf> (accessed January 24, 2016), p. 22.

<sup>65</sup> Required documentation has varied by year and by school, refugees said. Refugees who tried to enroll their children in school several years ago recalled that school directors required them to present a UNHCR asylum seeker certificate, a copy of their passport, a Syrian document listing their spouse and children, called a "family book," and a document from the Jordanian Education Ministry stating that the children were eligible to enroll and in what grade. By the fall of 2014, refugees said, consistent with observations by humanitarian agency staff, schools only required them to present their Interior Ministry-issued card and their UNHCR-issued certificate to enroll their children. Human Rights Watch interviews with humanitarian agency staff, Amman, October 6 and 13, 2015; and with two Syrian families in Zarqa, October 9, 2015.

<sup>66</sup> Numbers have risen from 12 percent of 46,700 in 2012, to 24 percent of 181,000 in August 2013, 53 percent of 205,413 in January 2014, 58 percent of 209,317 in July 2014, 59 percent of 219,281 in May 2015, and 64 percent of 220,000 in February 2016. In 2012, 140,000 Syrians were registered as entering Jordan, of whom one-third were school-aged; the number of Syrian children enrolled in formal schools increased to more than 17,000. UNHCR, "Syria Regional Response Plan: January to June 2013," December 2012, [http://reliefweb.int/sites/reliefweb.int/files/resources/SyriaRRP\\_o.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/SyriaRRP_o.pdf) (accessed August 2, 2016), p. 9; "Revised Syria Regional Response Plan," June 2012, <http://www.unhcr.org/4fec681e9.html> (accessed January 24,

meaning that around 80,000 school-aged Syrian children were not.<sup>67</sup> As of April 2015, 35,000 Syrian children were on waiting lists for public schools, according to the Ministry of Education.<sup>68</sup> Of those not in formal education, around 15,000 received non-accredited, informal schooling from nongovernmental organizations (NGOs); 32,000 had no education at all.<sup>69</sup>

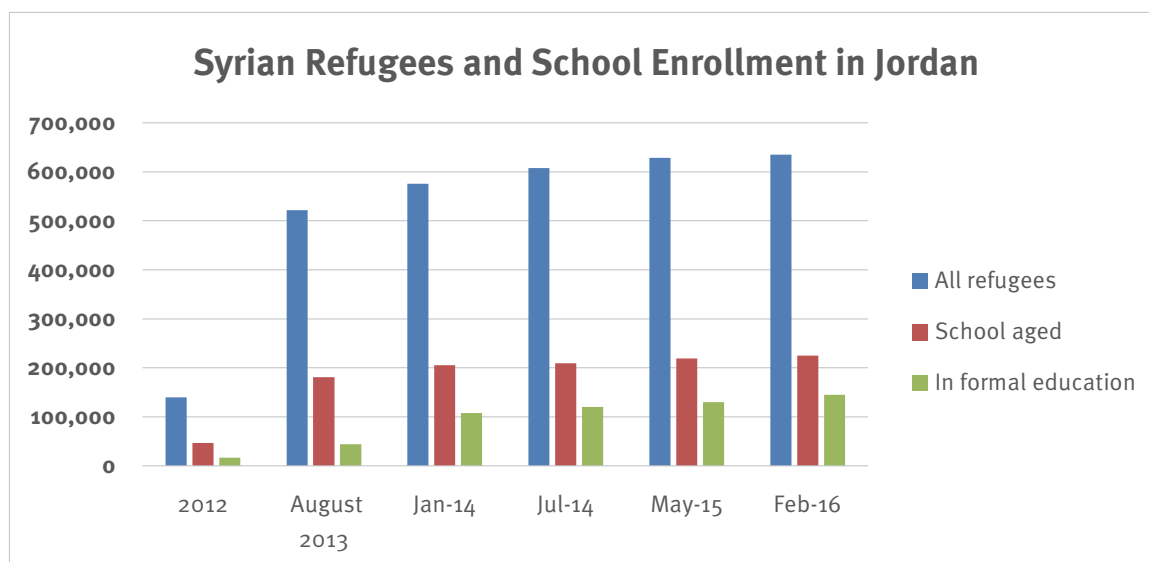
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2016), p. 16; “Syria Regional Response Plan 3,” September 2012, <http://www.unhcr.org/5062c7429.pdf> (accessed January 24, 2016), p. 22. In August 2013, out of 521,899 refugees, there were around 181,000 school-aged Syrian refugee children in Jordan, of whom 44,098 children were enrolled in formal education. United Nations Children’s Fund (UNICEF), “Syria Crisis: Bi-weekly humanitarian situation report,” August 2013, <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Syria%20Regional%20Crisis%20Humanitarian%20SitRep%20%28Syria%20Jordan%20Lebanon%20Iraq%20Turkey%29%20-%2022%20AUG%202013.pdf> (accessed August 2, 2016), p. 14. By January 2014, the total number of refugees had increased to 576,000, including 205,418 school-aged children of whom 53 percent—108,046 children—were in formal education. UNHCR, “Syria Regional Response Plan 5: 2013 Final Report,” <http://www.unhcr.org/54cf9bc29.html> (accessed January 25, 2016), p. 23. By July 2014, there were 209,317 school-aged children in Jordan, of whom 120,555 children were in formal schools, out of a total of 607,782 refugees. UNICEF, UNHCR, et al, “Scaling Up Quality Education Provision for Syrian Children and Children in Vulnerable Host Communities: Report of the Sub-Regional Conference, 17-19 June 2014, Amman, Jordan,” June 2015, [http://www.oosci-mena.org/uploads/1/wysiwyg/150707\\_Syrian\\_conference\\_report.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/150707_Syrian_conference_report.pdf) (accessed February 15, 2016), p. 6; UNHCR, “External Statistical Report on Registered Syrians in Jordan as of July 19, 2014,” <http://data.unhcr.org/syrianrefugees/country.php?id=107> (accessed August 2, 2016). By May 2015, around 132,000 out of 225,000 Syrian school-aged children in Jordan were enrolled in school, or 12,000 more children than were enrolled in May 2014. UNHCR, “Registered Syrians in Jordan: 31 May 2015,” [http://data.unhcr.org/syrianrefugees/documents.php?page=3&view=grid&Language\[\]=1&Country\[\]=107&Type\[\]=3](http://data.unhcr.org/syrianrefugees/documents.php?page=3&view=grid&Language[]=1&Country[]=107&Type[]=3) (accessed February 2, 2016); UNICEF, “Syria Crisis: April 2015 Monthly Humanitarian Situation Report,” [http://www.unicef.org/appeals/files/UNICEF\\_Syria\\_Crisis\\_SitRep\\_April\\_2015.pdf](http://www.unicef.org/appeals/files/UNICEF_Syria_Crisis_SitRep_April_2015.pdf) (accessed August 4, 2016), p. 7; UNHCR, “Syria Regional Response Plan 6: 2014 Annual Report,” <http://data.unhcr.org/syrianrefugees/download.php?id=8491> (accessed January 24, 2015), p. 38.

<sup>67</sup> UNHCR, “JORDAN - Syrian refugee children enrolled in public schools-by directorates (2015-2016),” [https://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=107&Id=14](https://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=107&Id=14) (accessed August 4, 2016). As of January 31, 2016, there were 139,039 registered Syrian refugees in Jordan aged 5 to 11 and 85,579 aged 12 to 17. UNHCR, “External Statistical Report on UNHCR Registered Syrians in Jordan,” January 31, 2016, <http://data.unhcr.org/syrianrefugees/country.php?id=107> (accessed February 15, 2016).

<sup>68</sup> International Labour Organization (ILO), “Work permits for Syrian refugees in Jordan,” 2015, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_422478.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_422478.pdf) (accessed August 2, 2016), p. 2, note 2; Remarks by H.E. Mohamad al-Okour, Director General, Ministry of Education, as published by Friedrich Nauman Stiftung, “Young Syrian Refugees in Jordan’s Educational Systems – Challenges and Policies,” April 16, 2015, <http://fnf-amman.org/en/news/young-syrian-refugees-jordan-educational-systems> (accessed March 2, 2016).

<sup>69</sup> If both formal and informal schooling is included, 189,000 Syrian refugee children accessed education in Jordan in 2015. UNICEF, “No Lost Generation: 2015 Syria Crisis Update,” February 10, 2016, <https://data.unhcr.org/syrianrefugees/partner.php?OrgId=50> (accessed March 3, 2016), p. 1.



Source: UNHCR and UNICEF data.<sup>70</sup>

The overall figures may be an undercount, since they are based on enrollment only among Syrians who are registered with UNHCR, and do not capture the number of Syrians who were school-aged children when they arrived in Jordan and who were unable to enroll, have never gone to school, and are now 18 or older. There are no formal educational opportunities for these young Syrian adults. Unless accredited informal or non-formal programs become more widely available, many Syrians in this demographic group have no chance to obtain secondary and even primary education.

The current situation for Syrian refugees contrasts sharply with high education and enrollment rates prior to the conflict in 2010 when net primary and secondary school attendance rates were 93 and 67 percent respectively.<sup>71</sup>

<sup>70</sup> For sources, see footnotes 66, 67.

<sup>71</sup> World Bank, Syrian Arab Republic, “Net enrolment rate, primary, both sexes,” and “Net enrolment rate, secondary, both sexes,” undated, <http://data.worldbank.org/indicator/SE.PRM.NENR/countries/SY-XQ-XN?display=graph> and <http://data.worldbank.org/indicator/SE.SEC.NENR/countries/SY-XQ-XN?display=graph> (accessed January 28, 2016). For UNICEF data, see “At a glance: Syrian Arab Republic: Statistics,” undated, [http://www.unicef.org/infobycountry/syria\\_statistics.html](http://www.unicef.org/infobycountry/syria_statistics.html) (accessed August 2, 2016); for UNESCO Institute of Statistics data, see “Country profiles: Jordan,” undated, <http://www.uis.unesco.org/DataCentre/Pages/country-profile.aspx?code=4000&SPSLanguage=EN> (accessed August 2, 2016).

## Double Shift Schools

In 2013, the Education Ministry sought to accommodate the growing number of Syrian students in host communities by splitting the day in some schools into two half-day “shifts.” By April 2014, there were 98 double shift schools in host communities.<sup>72</sup> These double shift schools have become “the main tool for providing education” to Syrian children.<sup>73</sup>

Each class is shortened and Syrian students attend either in the morning or afternoon.<sup>74</sup> Jordanian children attend only in the morning. In the Zaatari, Azraq, and Emirati Jordanian refugee camps, the Ministry of Education operates UNICEF- or Emirati-funded schools for Syrian children that also operate on two shifts: girls in the morning, boys in the afternoon.

- As of April 2016, there were nine formal schools in **Zaatari**, with 20,771 children enrolled according to UNHCR.<sup>75</sup> The nine schools had space for 25,000 school-aged children.<sup>76</sup> However, UNESCO reported that as of June, there were 30,000 school-aged children, of whom half were out of school.<sup>77</sup>
- As of May 2016, there was primary and secondary school capacity in **Azraq** for 5,000 children, with 3,000 enrolled, and an additional 400 children in kindergarten, out of a total of 15,336 children aged 5 to 17.<sup>78</sup> The number of children enrolled

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<sup>72</sup> Human Rights Watch interviews with staff from a local nongovernmental organization (NGO) and an international NGO, Amman, October 3 and 5, 2015; UNICEF, “Curriculum, Accreditation and Certification for Syrian Children in Syria, Turkey, Lebanon, Jordan, Iraq and Egypt,” March 2015, [http://www.oosci-mena.org/uploads/1/wysiwyg/150527\\_CAC\\_for\\_Syrian\\_children\\_report\\_final.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/150527_CAC_for_Syrian_children_report_final.pdf) (accessed August 2, 2016), p. 74.

<sup>73</sup> Before the Syria conflict, Jordan implemented a six-day school week in double shift schools to compensate for the reduced classroom time each day, but education officials said in 2013 that they lacked funds to extend the school week beyond five days. Mark Tran, “Syrian Refugees Put Strain on Jordan Schools amid Fears for ‘Lost Generation’,” *Guardian*, December 2, 2013, [www.theguardian.com/global-development/2013/dec/02/syrian-refugees-strain-on-jordan-schools](http://www.theguardian.com/global-development/2013/dec/02/syrian-refugees-strain-on-jordan-schools) (accessed January 28, 2016).

<sup>74</sup> Hashemite Kingdom of Jordan, “Needs Assessment: Review of the Impact of the Syrian Crisis on Jordan: Executive Summary,” Ministry of Planning and International Cooperation, November 2013, [http://static.squarespace.com/static/522c2552e4bod3c39ccd1e00/t/52d56af6e4bob3e32a8fbc7c/1389718262821/Needs%20Assessment%20Review\\_Jordan.pdf](http://static.squarespace.com/static/522c2552e4bod3c39ccd1e00/t/52d56af6e4bob3e32a8fbc7c/1389718262821/Needs%20Assessment%20Review_Jordan.pdf) (accessed August 2, 2016).

<sup>75</sup> UNHCR, “Zaatari Refugee Camp Factsheet April 2016,” <http://data.unhcr.org/syrianrefugees/settlement.php?id=176&country=107&region=77>, (accessed August 3, 2016), p. 1.

<sup>76</sup> UNICEF, “New schools in Za’atari refugee camp to improve access and quality of education for Syrian children,” October 27, 2015, [http://www.unicef.org/jordan/media\\_10657.html](http://www.unicef.org/jordan/media_10657.html) (accessed February 15, 2016); UNHCR, “Zaatari factsheet,” December 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/FACTSHEET-ZaatariRefugeeCamp-December141215.pdf> (accessed November 20, 2015) p. 1.

<sup>77</sup> UNESCO (United Nations Educational Scientific and Cultural Organization), “Five stories of hope from Zaatari refugee camp,” June 17, 2016, [http://www.unesco.org/new/en/media-services/single-view/news/five\\_stories\\_of\\_hope\\_from\\_zaatari\\_refugee\\_camp/#.V5tjDMeuBZo](http://www.unesco.org/new/en/media-services/single-view/news/five_stories_of_hope_from_zaatari_refugee_camp/#.V5tjDMeuBZo) (accessed July 20, 2016).

<sup>78</sup> UNHCR, “Jordan Azraq Camp May 2016: Factsheet,” <http://data.unhcr.org/syrianrefugees/settlement.php?id=251&country=107&region=73> (accessed August 4, 2016), p. 2.

increased from December 2015, when 2,600 children were enrolled, but only 1,700 were attending.<sup>79</sup>

- As of October 2015, in the **Emirati Jordanian** camp (supported by the United Arab Emirates), there were 2,000 out of an estimated 2,300 school-aged children enrolled in formal schools operated by the Education Ministry, including 297 boys in grades 7 through *tawjihi*.<sup>80</sup>

In total, as of November 2015, 63,088 Syrian primary school students (grades 1-10) were enrolled in the regular curriculum in host communities; 49,064 were enrolled in second shifts in host communities; and 25,736 in refugee camp schools, according to the Ministry of Education.<sup>81</sup> Enrollment rates decrease even more precipitously for Syrian students in secondary school: there were 3,318 students in regular schools, 1,589 in second shifts, and only 464 in refugee camp schools.

All teachers at public schools, whether in host communities or refugee camps, must be Jordanian citizens and are paid by the Education Ministry.<sup>82</sup> Teachers in refugee camp schools and in host communities who only teach afternoon shift classes—in other words, teachers who only teach Syrian children—are hired on contracts and do not receive paid vacations, health insurance, or other benefits that full-time teachers receive. Second shift teachers do not receive the same level of teacher training as do full-time teachers.<sup>83</sup> Jordan has permitted around 200 Syrian refugees to work as “assistants” to help classroom management in overcrowded classes of more than 45 students at public schools in the refugee camps.<sup>84</sup>

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<sup>79</sup> UNHCR, “Azraq Factsheet,” December 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/AzraqFactSheetDECEMBER2015.pdf> (accessed March 11, 2016), p. 2.

<sup>80</sup> Human Rights Watch interviews with camp management and school officials, Emirati Jordanian camp, October 22, 2015. Apart from the school teachers and administrators, the camp is staffed by members of the Emirates Red Crescent movement.

<sup>81</sup> Jordanian Ministry of Education, “Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children,” January 2016, p. 3, copy on file with Human Rights Watch.

<sup>82</sup> A list of professions closed to non-citizens, set out by the Directorate of Foreign Labor within the Ministry of Labor, includes all education specialties, except those for which the country lacks qualified Jordanians. The prohibition apparently includes all public school teaching positions. In addition, all teachers are required to register with the Teachers Association, from which foreign teachers are barred. ARDD-Legal Aid, Legal Assistance Department, “The Ability of Refugees to Legally Work from Home or Otherwise Use Their Foreign Credentials in Jordan,” <https://data.unhcr.org/syrianrefugees/download.php?id=11249> (accessed July 25, 2016), p. 12.

<sup>83</sup> Human Rights Watch meeting with international NGO child protection staff, Amman, October 13, 2015.

<sup>84</sup> *Ibid.*

## Non-Formal and Informal Education

Some opportunities for education exist for children who are not in school, including those not eligible to enroll because they do not have the required documents. The largest such program, Makani (“My Place”) is funded by UNICEF. As of December 2015, 38,400 of the most vulnerable Syrian and Jordanian children were receiving psychosocial support, and another 47,000 had accessed life skills training.<sup>85</sup>

A number of community-based and religious charitable organizations in host communities offer a variety of non-formal programs. For example, a school operated by an organization established by a Muslim imam in the city of Mafraq offers three classes per week to students unable to enroll in public schools, based on the Jordanian school curriculum.<sup>86</sup> Syrian parents in other communities said informal programs taught children to memorize sections of the Quran, and Arabic language lessons.<sup>87</sup> In general, little is known about the quality or scope of education of informal and non-formal programs.

Most non-formal programs do not offer any certificates accredited by the Education Ministry, and students who complete the programs are ineligible to enroll in formal public schools. In the refugee camps, Relief International, a humanitarian NGO, operates remedial education programs for children enrolled in public schools.<sup>88</sup>

The Norwegian Refugee Council offers an accelerated learning program in the refugee camps to out-of-school children aged 8 through 12, who received a condensed curriculum that covers two years of schooling in eight-month “levels,” from grade 1 up to grade 6.<sup>89</sup> As of August 2015, only 1,550 children who had completed such programs had enrolled in public

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<sup>85</sup> 3RP Regional Response Plan Update: June 2015, <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/06/3RP-Progress-Report.pdf> (accessed February 2, 2016), p. 19; UNICEF, “No Lost Generation: 2015 Syria Crisis Update,” February 10, 2016, <https://data.unhcr.org/syrianrefugees/partner.php?OrgId=50> (accessed March 3, 2016), p. 3.

<sup>86</sup> Human Rights Watch interviews, Neshama al-Kheir organization and Ard al-Bashar school, Mafraq, October 12 and 22, 2015.

<sup>87</sup> Human Rights Watch interviews with Syrian refugees, Irbid, Mafraq, October 2015.

<sup>88</sup> Human Rights Watch interview with Relief International representatives, Azraq refugee camp, October 22, 2015.

<sup>89</sup> Human Rights Watch interview with education director, Norwegian Refugee Council school, Azraq camp, October 21, 2015.



schools.<sup>90</sup> Outside the camps, accredited informal education programs that can allow children to re-enroll in public school are available only to children aged 13 and older.<sup>91</sup>

## UNRWA Schools

Jordan hosts around 2 million Palestinian refugees who are registered with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). These include some 17,000 Palestinians who had fled to Jordan from Syria after 2011.<sup>92</sup>

The relatively small number of Palestine refugees from Syria in Jordan reflects harsh restrictions: since January 2013, Jordan has systematically denied Palestinians from Syria access to the country and deported hundreds back to Syria.<sup>93</sup>

UNRWA provides assistance and services to registered Palestine refugee children in Jordan as well as Palestinian arrivals from Syria, including basic education for grades 1 through 10. In addition to Palestinian children from Syria, some 1,700 Syrian children whose families moved to Palestinian refugee camps in Jordan have also enrolled in UNRWA schools.<sup>94</sup>

Some UNRWA schools operate on double shifts due to overcrowding and budget shortfalls; around a third of Palestinian refugee children attend Jordanian public schools, particularly those who live far from UNRWA schools.<sup>95</sup> Other refugee populations registered with

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<sup>90</sup> JT, "Education Ministry, NRC developing special curriculum for out-of-school children," *Jordan Times*, August 4, 2015, <http://www.jordantimes.com/news/local/education-ministry-nrc-developing-special-curriculum-out-school-children%E2%80%99> (accessed February 12, 2016).

<sup>91</sup> See e.g., No Lost Generation, "Syria Crisis Education Strategic Paper, London 2016 Conference," 2016, [http://www.ooscimena.org/uploads/1/wysiwyg/160128\\_UNICEF\\_MENARO\\_Syria\\_policy\\_paper\\_final.pdf](http://www.ooscimena.org/uploads/1/wysiwyg/160128_UNICEF_MENARO_Syria_policy_paper_final.pdf) (accessed August 2, 2016), p. 9.

<sup>92</sup> UNRWA, "UNRWA Launches 2016 Syria Appeal – Critical Palestinians Not Forgotten," February 2, 2016, <http://www.unrwa.org/newsroom/press-releases/unrwa-launches-2016-syria-appeal-critical-palestinians-not-forgotten> (accessed February 15, 2016).

<sup>93</sup> "Jordan: Palestinians Escaping Syria Turned Away: Others Vulnerable to Deportation, Living in Fear," Human Rights Watch news release, August 7, 2014, <https://www.hrw.org/news/2014/08/07/jordan-palestinians-escaping-syria-turned-away>.

<sup>94</sup> UNRWA, "2015 Syria crisis response progress report," May 2015, [http://www.unrwa.org/sites/default/files/2015\\_syria\\_crisis\\_response\\_progress\\_report.pdf](http://www.unrwa.org/sites/default/files/2015_syria_crisis_response_progress_report.pdf) (accessed August 2, 2016), p. 17. As of April 2014, over 2,121 Palestinian refugees from Syria and refugee children had enrolled in UNRWA schools in Jordan. UNRWA, "PRS in Jordan," undated, <http://www.unrwa.org/prs-jordan> (accessed February 15, 2016).

<sup>95</sup> Mona Christophersen (International Peace Institute), "Securing Education for Syrian Refugees in Jordan," May 2015, <https://www.ipinst.org/wp-content/uploads/2015/05/IPI-E-pub-Securing-Education-for-Syrian-Refugees.pdf> (accessed August 2, 2016), p. 6.

UNHCR, which include 50,000 Iraqis and around 5,000 Somalis and Sudanese, largely depend on Jordan's public school system.<sup>96</sup>

## Donor Support and Jordan's Plans to Improve Access

Syrian refugees' access to education in Jordan depends on government-run or approved programs that, in turn, depend substantially on international humanitarian support. In addition to free primary and secondary education, Jordan provides subsidized healthcare to Syrian refugees and subsidizes a number of basic goods available to all people in Jordan, including refugees, such as bread, fuel, water, and electricity.<sup>97</sup> Municipal services also bear the strain of population growth;<sup>98</sup> in May 2014, Jordan told the UN it paid around 80 to 85 percent of the \$4 billion annually required for services to Syrian refugees.<sup>99</sup>

According to a 2016 World Bank estimate, hosting Syrian refugees has cost Jordan over US\$2.5 billion a year, equivalent to 6 percent of gross domestic product (GDP) and 25 percent of annual government revenue.<sup>100</sup> In 2015, the Jordanian international cooperation

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<sup>96</sup> UNHCR, "2015 UNHCR Global Focus: Jordan," and "Registered Iraqis in Jordan: January 15, 2016," [http://reporting.unhcr.org/node/2549#\\_ga=1.110478854.280237306.1470214344](http://reporting.unhcr.org/node/2549#_ga=1.110478854.280237306.1470214344) and [http://data.unhcr.org/syrianrefugees/documents.php?page=1&view=grid&Language\[\]=1&Country\[\]=107&Type\[\]=3](http://data.unhcr.org/syrianrefugees/documents.php?page=1&view=grid&Language[]=1&Country[]=107&Type[]=3) (accessed February 14, 2016). After the 2003 Iraq war, at least 385,000 Iraqis fled to Jordan; Jordan began to allow Iraqi children to enroll in public schools in August 2007. UNHCR, "Hope for Iraqis as their children register for Jordan's public schools," August 21, 2007, <http://www.unhcr.org/46cb10682.html> (accessed February 14, 2016). Iraqi refugees rely largely on cash assistance, which covers less than half of average expenses. "Amid Syria crisis, Iraqi refugees in Jordan forgotten," *IRIN*, June 6, 2013, <http://www.irinnews.org/report/98180/amid-syrian-crisis-iraqi-refugees-in-jordan-forgotten> (accessed February 14, 2016). See Mohamed Y. Olman (European University Institute: Robert Schuman Center for Advanced Studies), "Iraqi Refugees in Jordan: Legal Perspective," 2009, [http://cadmus.eui.eu/bitstream/handle/1814/11253/CARIM\\_A%26SN\\_2009\\_22REV.pdf?sequence=3](http://cadmus.eui.eu/bitstream/handle/1814/11253/CARIM_A%26SN_2009_22REV.pdf?sequence=3) (accessed February 14, 2016).

<sup>97</sup> Assessment Capacities Project (ACAPS), "Syria Needs Analysis Project: Legal status of individuals fleeing Syria, June 2013," May 10, 2014, [http://www.acaps.org/country/syria/special-reports?acaps\\_mode=slow&show\\_mode=1](http://www.acaps.org/country/syria/special-reports?acaps_mode=slow&show_mode=1) (accessed August 2, 2016).

<sup>98</sup> As of early 2016, Syrian refugees generated 1.7 tons of solid waste per day. Hashemite Kingdom of Jordan, "Jordan Response Plan for the Syria Crisis 2016-2018 Appeal," <http://www.jrpssc.org/> (accessed August 2, 2016), p. 3.

<sup>99</sup> UN Office of the High Commissioner for Human Rights "Committee on Rights of Child examines reports of Jordan on the Convention, Children in armed conflict and the Sale of children," May 27, 2014, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14649&LangID=E> (accessed August 2, 2016).

<sup>100</sup> World Bank, "MENA Quarterly Economic Brief, January 2016: The Economic Effects of War and Peace," February 3, 2016, <http://www.worldbank.org/en/region/mena/publication/mena-quarterly-economic-brief-january-2016> (accessed February 29, 2016). Jordan's gross national income (GNI) increased from \$4,370 per capita in 2011, to \$5,160 per capita in 2014. In contrast, the average GNI per capita in the European Union (EU), to which many Syrians have fled, was \$35,680. World Bank, "Jordan: GNI Per Capita, Atlas Method (current US \$)," undated, <http://data.worldbank.org/indicator/NY.GNP.PCAP.CD?locations=JO> (accessed February 2, 2016). Syrians themselves invested "more than a billion dollars [...] directly into the national economy" of Jordan in 2013. Joint Agency, "Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis," November 9, 2015, p. 11, citing O. Karasapan (2015), "Jordan's Syrian refugees," Brookings Institution, 2015.

ministry's director general said schooling Syrian refugees at public schools cost \$193 million annually.<sup>101</sup> In 2014, Jordan also took out a \$150 million loan to cover refugee education and healthcare.<sup>102</sup> Donors have played an important role in supporting the refugee response.<sup>103</sup> The European Union provides around 25 million Euro (\$28 million) annually in direct budgetary support to the Ministry of Education for Syrian and Jordanian students.<sup>104</sup>

Other donors have helped to improve and expand public school infrastructure. USAID stated it had expanded 20 Jordanian schools and opened a new one in 2015, and that from 2016 to 2020 it would “invest \$230 million to build 25 new schools and 300 kindergarten classrooms, expand 120 existing schools, and renovate 146.”<sup>105</sup> Canada has pledged \$20 million to improve teacher training. Some donors have significantly expanded programs that pre-existed the Syria conflict, such as a multiyear “Education for the Knowledge Economy” reform project, to which the World Bank had previously given \$407.6 million.<sup>106</sup>

However, to date, foreign donations have consistently fallen far short of needs.<sup>107</sup> In 2015, donations met only 62 percent of the requested humanitarian response in 2015 for Syrian refugees in Jordan, leaving a gap of nearly \$453 million.<sup>108</sup>

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<sup>101</sup> Secretary General Saleh Kharabsheh, quoted in JT, “Public schools working full capacity, no room for additional refugees — minister,” *Jordan Times*, August 2, 2015, <http://www.jordantimes.com/news/local/public-schools-working-full-capacity-no-room-additional-refugees-%E2%80%94minister> (accessed February 7, 2016).

<sup>102</sup> Shelly Culbertson and Louay Constant, “Education of Syrian Refugee Children: Managing the Crisis in Turkey, Lebanon and Jordan,” RAND, October 2015, [http://www.rand.org/pubs/research\\_reports/RR859.html](http://www.rand.org/pubs/research_reports/RR859.html) (accessed January 10, 2016), p.4.

<sup>103</sup> From 2012 to 2015, the US gave Jordan \$688 million in grants and the US guaranteed \$3.75 billion worth of Jordanian sovereign loans issued in 2013, 2014, and 2015, to ensure Jordan’s ability “to provide critical services to its citizens” while hosting refugees. US State Department, “United States and Jordan Sign Third Loan Guarantee Agreement,” Office of the Spokesperson, May 31, 2015, <http://www.state.gov/r/pa/prs/ps/2015/05/243034.htm> (accessed February 12, 2016); “New U.S. Humanitarian Assistance to Respond to Syria Crisis,” Office of the Spokesperson, September 21, 2015, <http://www.state.gov/r/pa/prs/ps/2015/09/247115.htm> (accessed February 12, 2016); USAID, “Syria Complex Emergency - Fact Sheet #1 (FY16),” Jordan, December 11, 2015, <https://www.usaid.gov/crisis/syria/fy16/fs01> (accessed January 14, 2016). The EU gave Jordan €300 million (\$330 million) in grants and a €180 million (\$200 million) low-interest loan for this purpose. EU Delegation to the UN, “EU approves the disbursement of €80 million in Macro-Financial Assistance to Jordan,” August 07, 2015, [http://europa.eu/rapid/press-release\\_IP-15-5475\\_en.htm?locale=en](http://europa.eu/rapid/press-release_IP-15-5475_en.htm?locale=en) (accessed January 20, 2016).

<sup>104</sup> Human Rights Watch interview with European External Action Service official, Amman, April 20, 2016.

<sup>105</sup> USAID Jordan, Facebook page, postings of March 10 and 12, 2016, <https://www.facebook.com/USAIDJordan> (accessed March 27, 2016); USAID Jordan, “School Construction Overview,” January 22, 2016, <https://www.usaid.gov/jordan/fact-sheets/school-construction-overview> (accessed April 20, 2016).

<sup>106</sup> World Bank, “Implementation Status & Results Report, Second Education Reform for the Knowledge Economy,” October 23, 2015, <http://documents.worldbank.org/curated/en/496311468276840678/Jordan-Second-Education-Reform-for-the-Knowledge-Economy-P105036-Implementation-Status-Results-Report-Sequence-13> (accessed August 02, 2016).

<sup>107</sup> Charlotte Lattimer, Dan Sparks, and Luminita Tichel, “Funding Overview: Humanitarian assistance to education for the Syrian emergency,” February 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/Humanitarian-assistance-to-education-for-the-Syria-emergency.pdf> (accessed February 15, 2016), p. 8.

In total, Jordan received \$180,974,150 in grants under the UN-coordinated Syria response plans for the education sector in 2015, including projects directed towards refugee education as well as “resilience” projects intended to benefit Jordanian host communities.<sup>109</sup> Although the education sector received 85 percent of the funds requested in 2015 to address Syrian refugee children’s education, much did not arrive until the third and fourth quarters—too late to adequately plan for or use in the 2015-2016 school year.<sup>110</sup>

Funding for education constitutes 7.7 percent of the overall appeal for humanitarian support in the UN-coordinated regional response plans to the Syria conflict in Syria, Jordan, Lebanon, Turkey, Iraq, and Egypt. Only 37 percent of funding requests for education in these countries was met in 2014, and 20 percent in 2015, leaving a \$178 million gap.<sup>111</sup>

In February 2016, donors pledged \$700 million per year in grants and concessional development financing for 2016-2018 to support Jordan’s efforts to host refugees, including funding for infrastructure used by Jordanians and Syrians in host communities, such as for education.<sup>112</sup>

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<sup>108</sup> UNHCR, “Syria Regional Refugee Response: Jordan, Funding Requirements (2015),” last updated January 16, 2016, <http://data.unhcr.org/syrianrefugees/country.php?id=107> (accessed August 2, 2016).

<sup>109</sup> As of February 29, 2016, Jordan Response Platform for the Syria Crisis, “Jordan Response Plan 2015 Financial Tracking,” <http://www.jrpsc.org/> (accessed August 2, 2016).

<sup>110</sup> Human Rights Watch interviews with staff from an international humanitarian agency, and two donor country representatives, Amman, April 17 and 19, 2016. Education Sector Working Group, “Inter-Agency Financial Tracking – Jordan (Jan–Dec 2015),” February 10, 2016, [http://data.unhcr.org/syrianrefugees/working\\_group.php?Page=Country&LocationId=107&Id=14](http://data.unhcr.org/syrianrefugees/working_group.php?Page=Country&LocationId=107&Id=14) (accessed February 12, 2016).

<sup>111</sup> Lattimer, Sparks, and Tichel, “Funding Overview,” Development Initiatives, February 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/Humanitarian-assistance-to-education-for-the-Syria-emergency.pdf> (accessed February 15, 2016), p. 8.

<sup>112</sup> JT, “What we have done for refugees is enough — PM,” *Jordan Times*, January 30, 2016, <http://www.jordantimes.com/news/local/what-we-have-done-refugees-enough-%E2%80%94-pm>; JT, “Jordan to follow up with int’l community on London pledges,” *Jordan Times*, February 6, 2016, [http://www.jordantimes.com/news/local/jordan-follow-int%E2%80%99l-community-london-pledges%E2%80%99\\_](http://www.jordantimes.com/news/local/jordan-follow-int%E2%80%99l-community-london-pledges%E2%80%99_) (both URLs accessed February 5, 2016). The World Bank also announced a project in which donor grants would be leveraged to pay interest on loans to Jordan. JT, “World Bank to Offer \$200m in Concessional Financing to Jordan, Lebanon,” *Jordan Times*, February 6, 2016, <http://www.jordantimes.com/news/local/world-bank-offer-200m-concessional-financing-jordan-lebanon> (accessed February 29, 2016).

### III. Barriers to Education

Jordan has lacked adequate resources to open and maintain enough classrooms for Syrian children; hire and train enough teachers to provide a quality education; or reduce school-related financial hurdles to enrollment, such as transportation costs.

In May 2016, donors and the United Nations Children’s Fund (UNICEF) announced an agreement with Jordan to fund 50,000 additional classroom spaces, in part by placing an additional 102 schools on the double shift system, and improve teacher training. Jordan and donors also agreed to dramatically expand a program that would reach out-of-school children aged 8 to 12, and enable them to re-enroll in public schools.

These steps could address many of the barriers to education that this report identifies. However, as described below, some Jordanian policies also constitute continuing barriers to Syrian children’s right to an education in host communities.

#### Registration Policies

According to official policy, in the years after Jordan opened its refugee camps (beginning in 2012) until it largely closed its borders in 2015, Syrian refugees who entered Jordan were sent to refugee camps, from which they could apply to be “bailed out” by a Jordanian relative aged 35 or over. In practice, before July 2014, Jordan allowed refugees who left camps without going through the bailout process to receive the Ministry of Interior service cards that are required to access government services.<sup>113</sup>

But in July, Jordanian authorities began to enforce the bailout requirements more rigorously, and ended the bailout process altogether in 2015. An estimated 45 percent of Syrians left refugee camps without going through the bailout process. These refugees have not been allowed to register with the United Nations High Commissioner for Refugees

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<sup>113</sup> United Nations High Commissioner for Refugees (UNHCR), “Jordan RRP6 Monthly Update - August 2014 Protection,” September 29, 2014, <http://reliefweb.int/report/jordan/jordan-rrp6-monthly-update-august-2014-protection> (accessed August 4, 2016).

(UNHCR) (and thus obtain asylum seeker certificates) or obtain service cards<sup>114</sup>—rendering them ineligible to receive humanitarian assistance or to enroll children in public schools.<sup>115</sup>

Only two of the six Syrian families interviewed who moved from refugee camps to host communities in or after July 2014 were able to enroll children in public school. Both did so via exceptional circumstances.

In the first case, Abeer, 30, whose family left Azraq camp in October 2014 without going through the bailout procedure only managed to enroll her youngest children—nine-year-old twins—in school because the director made a “special exception” and let her use old service cards the family had received in 2013 when it first came to Jordan from Homs for five months.<sup>116</sup> In the second case, Ghada, 30, said she could only register her three children in primary school after they left Zaatari in October 2014 without being bailed out because an Interior Ministry official with connections helped her “because he felt so bad for the kids.”<sup>117</sup>

In the other four cases, parents said they were unable to enroll their children in school because they lacked the required documents. In one case, Rasha, from Ghouta, left Syria in June 2014 and was sent to Azraq camp. She said her family left Azraq in August that year after her daughter, Khadija, developed bad asthma.<sup>118</sup> The family did not have a Jordanian relative who could bail them out and could not afford to pay other Jordanians to act as one.<sup>119</sup> Since they left the camp after July 2014, the family does not have asylum seeker certificates or service cards. They moved to Baqaa, a Palestinian refugee camp outside Amman, and were unable to enroll any of their three children in school. Rasha said:

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<sup>114</sup> UNHCR pamphlet, “Information on the new bail out policy,” August 13, 2014, cited in Norwegian Refugee Council (NRC) and Harvard International Human Rights Clinic, “Registering Rights: Syrian refugees and the documentation of births, marriages and deaths in Jordan,” October 2015, <http://hrp.law.harvard.edu/wp-content/uploads/2015/11/Registering-rights-report-NRC-IHRC-October20151.pdf> (accessed August 2, 2016) p. 37.

<sup>115</sup> Ibid.

<sup>116</sup> Human Rights Watch interview with Abeer (pseudonym), Zarqa, October 9, 2015.

<sup>117</sup> Human Rights Watch interview with Ghada (pseudonym), Baqaa, October 8, 2015.

<sup>118</sup> Human Rights Watch interview with Rasha and Khadija (pseudonyms), Baqaa, October 8, 2015.

<sup>119</sup> Several other Syrian refugee families said they had either paid, or tried to pay, high fees to Jordanians to act as their “sponsors” and bail them out of the camps. One woman said she and her family left Zaatari camp after July 2014 after paying 450 dinars (\$634) to a sponsor to bail them out, without realizing that the sponsorship “documents” they received were fake. She and her husband are illiterate. When they went to the police to show them their documents, they were forcibly removed to Zaatari camp, whence they left again without a bailout. Human Rights Watch interview, Mafraq, October 12, 2015.

I tried to register the kids in three or four different schools but they all rejected them. They said there was no space, or they needed the ID [the service card]. ‘No ID’ was the problem. The kids can’t go to school like other children. If they don’t have an ID then there’s nowhere to go.<sup>120</sup>

Farah, 30, said that her three school-aged children had been enrolled in first, fourth, and eighth grade in Zaatari camp, where they were sent after they came to Jordan in April 2014, but that because they left the camp without being bailed out in August 2015, she had not tried to enroll them in any schools in the city where they had moved because they lack the necessary papers.<sup>121</sup> “We haven’t tried registering them in school because we’d just be asked for their UNHCR certificates,” Farah said.<sup>122</sup>

According to international humanitarian organization staff, from August 2014 to August 2015, around 11,000 people left Azraq camp without being bailed out, at least one-third of whom are school-aged children. According to Jordanian policy, none of these people is able to receive humanitarian assistance or enroll their children in school.<sup>123</sup> In January 2015 Jordan effectively suspended the bailout system altogether, leaving refugees in camps with no lawful way to move to host communities and to enroll their children in school.

In another case, a man who arrived before July 2014 but did not register with UNHCR also described difficulty enrolling his children in school. Nasser, 53, came to Jordan in 2012 from Deir Ezzor without registering with UNHCR or the government, and “never got asylum seeker certificates...”<sup>124</sup> Two of Nasser’s five school-aged children never enrolled in school in Jordan, and two others dropped out of school after a two-year period expired during which they were able to attend classes despite lacking the required documents. He is afraid that his only child who is still in school will not be able to enroll next year. “We’re afraid for their future,” he said.<sup>125</sup>

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<sup>120</sup> Human Rights Watch interview with Rasha (pseudonym), Baqaa, October 8, 2015.

<sup>121</sup> Human Rights Watch interview with Farah (pseudonym), Salt, October 14, 2015.

<sup>122</sup> Ibid.

<sup>123</sup> Human Rights Watch interview with international humanitarian nongovernmental organization (NGO) staff, Amman, October 5, 2015.

<sup>124</sup> Human Rights Watch interview with Nasser (pseudonym), Mafrq, October 13, 2015.

<sup>125</sup> Ibid.

### *“Urban Verification Exercise” and Documentation Requirements*

In early 2015, the Jordanian government began to require all Syrians living outside the camps to re-register with the Interior Ministry, a project called the “urban verification exercise.”<sup>126</sup> This requires Syrian refugees and non-refugees to go to a local police station, submit the required documents, and obtain new service cards that include biometric data. Such cards are required to access subsidized public healthcare and public schools.<sup>127</sup>

The verification exercise should allow refugees who have an asylum seeker certificate to regularize their status and obtain new service cards, even if they left the camps outside the bailout system. However, those who left the camps after July 2014 without being bailed out are ineligible.

Many other refugees who left the camps before July 2014 said they had avoided the re-verification process because they could not pay the costs involved. Initially, the re-registration application obliged Syrians to pay for a health certificate from the Ministry of Health, and to present a rental agreement stamped by the local municipality and a copy of their landlord’s identity document.<sup>128</sup> These requirements were virtually impossible for many Syrians to meet. The health certificates cost 30 JD (\$42) for each family member older than 12 years; most rental agreements were oral rather than written; and landlords who were behind on their taxes were hesitant to present their identification documents at police stations.<sup>129</sup> Jordan later lowered the cost of health certificates for Syrians to 5 JD (\$7) per person, and allowed Syrians to present a UNHCR letter confirming their address in lieu of a lease agreement and the landlord’s identification document.<sup>130</sup>

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<sup>126</sup>See Jordan Inter-Sector Working Group, “March 2015 Update,” April 10, 2015, <http://reliefweb.int/report/jordan/jordan-inter-sector-working-group-update-march-2015> (accessed August 4, 2016), and “Syrian Refugees: Inter-Agency Regional Update (10-25 May 2015)”.

<sup>127</sup>NRC, “In Search of a Home: Access to Adequate Housing in Jordan,” June 2015, <http://reports.nrc.jo/wp-content/uploads/2015/05/In-search-of-a-home-final-design-14062015-hi-res.pdf> (accessed February 2, 2016), p. 28; USAID, “Syria Complex Emergency - Fact Sheet #1 (FY16),” December 11, 2015, <https://www.usaid.gov/crisis/syria/fy16/fso1> (accessed January 14, 2016).

<sup>128</sup>UNHCR, “Jordan Operational Update,” August 2015, <http://www.unhcr.org/news/updates/2015/8/54d87b279/jordan-operational-update.html> (accessed August 2, 2015).

<sup>129</sup>Human Rights Watch interviews with international humanitarian agency staff, Amman, October 4, 5, and 10, 2015.

<sup>130</sup>USAID, “Syria Complex Emergency - Fact Sheet #1 (FY16),” Jordan, December 11, 2015, <https://www.usaid.gov/crisis/syria/fy16/fso1> (accessed January 14, 2016).



The verification exercise also requires Syrian refugees to present official Syrian identification documents in order to re-register. Some refugees did not bring any documents with them.

In addition, from 2012 to 2014, Jordanian authorities retained around 219,000 such documents from Syrian refugees at “reception centers,” when they first entered the country, and stored them there.<sup>131</sup> Border authorities initially confiscated passports or other identity documents, but also retained marriage certificates and “family books,” which Syrian authorities issued to couples who registered their marriages, and to which the names of the married couple’s registered children would subsequently be added.<sup>132</sup> Syrians who were bailed out of refugee camps, or who are seeking to re-register under the verification exercise, may request UNHCR assistance to obtain their Syrian documents from the Jordanian authorities. In total, UNHCR and Jordan had returned 81,000 of these documents to families residing in the camps by the end of 2014.<sup>133</sup>

During a similar “re-verification” process for refugees in Zaatari camp in 2014, implementing agencies found that “about 35 percent of refugees’ documents have been misplaced by [Jordanian] authorities.”<sup>134</sup> It appears that many documents were eventually recovered; according to international humanitarian agency staff, as of April 2016, only around 930 Syrian documents had been deemed lost.<sup>135</sup>

Delays in returning documents to refugees has left some families unable to enroll children in public schools. Hassan, 34, left a Syrian army unit three months before the uprising began in 2011, and fled to Jordan in 2013. He tried to enroll his six-year-old daughter in first grade at a public school in Amman. The only school in his area said he had to present her

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<sup>131</sup> UNHCR Jordan, “2014 Year in Review,” <http://www.unhcr.org/555359396.pdf> (accessed August 3, 2016), p. 10.

<sup>132</sup> “UNHCR in massive sorting effort to return ID papers to Syrian refugees,” UNHCR press release, October 17, 2013, <http://www.unhcr.org/news/makingdifference/2013/10/525fe1569/unhcr-massive-sorting-effort-return-id-papers-syrian-refugees.html> (accessed August 2, 2016). Jordanian authorities gave out pink receipts for retained documents: in some cases, authorities issued only one receipt for a family’s documents, while in other cases, they issued separate receipts for each document retained.

<sup>133</sup> UNHCR Jordan, “2014 Year in Review,” p. 10.

<sup>134</sup> Syria Needs Analysis Project (SNAP), “Regional Analysis Syria – Part II: Host Countries -April 4, 2014,” [http://www.acaps.org/reports/downloader/part\\_ii\\_host\\_countries\\_apr\\_2014/80/syria](http://www.acaps.org/reports/downloader/part_ii_host_countries_apr_2014/80/syria) (accessed March 26, 2016), p. 19.

<sup>135</sup> Human Rights Watch interview with international humanitarian agency staff, Amman, April 19, 2016.

Syrian identification documents to do so, “but we had left the documents in Zaatari camp, and then they were sent to Rabaa al Sarhan [the reception center].”<sup>136</sup>

Hassan said police failed to register the fact he had been bailed out of the camp, necessitating his return to the camp, then to Amman, to retrieve the family’s documents from two different police stations. “The problem is we’re now a month late to enroll her and the school says it has no space,” Hassan said.<sup>137</sup>

As of March 31, 2016, the Interior Ministry had issued about 319,647 new biometric service cards to registered Syrian asylum seekers in host communities, in addition to 22,623 cards issued to Syrian non-refugees, as a result of the urban verification exercise.<sup>138</sup> However, around 520,000 registered Syrian asylum seekers are living in host communities, according to UNHCR data, meaning that more than 40 percent of the population still did not have an updated service card more than 13 months after the policy requiring them was announced on February 15, 2015.<sup>139</sup>

Jordanian policy is that Syrians must provide a new service card to access government services including education and healthcare.<sup>140</sup> Jordan has not enforced this policy to date, and according to staff at humanitarian agencies and nongovernmental organizations (NGOs), the Education Ministry had also pledged not to enforce this policy in the 2016-2017 school year.<sup>141</sup>

### *Address Requirements*

Some refugees faced delays enrolling their children in school because they had moved after receiving a service card but could not update their registration and obtain new cards, or did not know how to do so, prolonging the time they had already been out of school.

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<sup>136</sup>Human Rights Watch interview with Hassan, Amman, October 5, 2015.

<sup>137</sup> Ibid.

<sup>138</sup> Human Rights Watch interview with international humanitarian agency staff, Amman, April 19, 2016. The number of service cards issued increased substantially since October 2015. USAID, “Syria Complex Emergency - Fact Sheet #1 (FY16),” Jordan, December 11, 2015, <https://www.usaid.gov/crisis/syria/fy16/fso1> (accessed January 14, 2016).

<sup>139</sup> UNHCR, “Syria Regional Refugee Response – Jordan,” data updated as of January 19, 2016, <http://data.unhcr.org/syrianrefugees/country.php?id=107> (accessed February 16, 2016).

<sup>140</sup> Jordan Inter-Sector Working Group Update-February 2015, <http://reliefweb.int/report/jordan/jordan-inter-sector-working-group-update-february-2015> (accessed January 16, 2016), p. 1.

<sup>141</sup> Human Rights Watch interviews with humanitarian agencies, NGOs, and donor country aid agency staff, Amman, April 18-21, 2016.

Halima, 50, fled from Eastern Ghouta, Syria to Jordan in 2013. Her children had already missed a year of school in Syria due the conflict.<sup>142</sup> The family obtained UNHCR asylum seeker certificates, but then moved, and were unable to obtain new certificates or service cards valid in their new district from the Interior Ministry. As a result, her youngest son, Hassan, was only able to enroll in school in the fall of 2015, two years after coming to Jordan. “I visited so many schools, but they would not register him,” Halima said. “They would say, ‘If you’re Syrian we can’t let you in without an ID [i.e., a service card].’” She said that two schools in the area where they moved refused to enroll her children because they did not have service cards. Unable to attend school in Jordan, her three older children were working in construction and house-painting.<sup>143</sup>

Noura, 25, said that her family came from Eastern Ghouta in 2013 to Zaatari refugee camp, but left after 10 days without going through the bailout procedure. When she tried to enroll her 7-year-old daughter, Aya, in first grade in a United Nations Relief and Works Agency for Palestine Refugees (UNRWA) school in Baqaa, a Palestinian refugee camp outside Amman, the school asked for a UNHCR asylum seeker certificate, a record of vaccinations, and an Interior Ministry service card, “but the thing they really cared about was the area. The problem is that the [service card] says ‘Amman,’ not ‘Baqaa’.”<sup>144</sup> With the help of a camp resident who “has connections,” Noura said, she was eventually able to enroll Aya, but said she was scared that Aya would not be able to re-enroll the following year because school officials told her they expected her to change her official residency. She was unaware of what steps she could take to do so.<sup>145</sup>

## “Three Year Rule” and Inadequate Access to Informal Education

A Jordanian Ministry of Education regulation—commonly called the “three-year rule”—bars any child, Jordanian or Syrian, who is more than three years older than the grade level for children their age to enroll in formal schooling.<sup>146</sup>

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<sup>142</sup> Human Rights Watch interview with Halima, Baqaa, October 8, 2015.

<sup>143</sup> Ibid.

<sup>144</sup> Human Rights Watch interview with Noura, Baqaa, October 8, 2015.

<sup>145</sup> Ibid.

<sup>146</sup> See e.g. Mona Christophersen (International Peace Institute), “Securing Education for Syrian Refugees in Jordan,” May 2015, <https://www.ipinst.org/wp-content/uploads/2015/05/IPI-E-pub-Securing-Education-for-Syrian-Refugees.pdf> (accessed August 2, 2016), p. 11.

Estimates of the number of Syrian school-aged children who were ineligible to enroll in public school for this reason range widely, from 60,000 in December 2013, to 77,000 children in June 2014.<sup>147</sup>

Jordanian authorities say the three-year rule is necessary to maintain the quality of classrooms. However, the regulation has excluded many Syrian children who had been out of school in Syria because their schools were closed or destroyed, or their families were internally displaced by the conflict, looking for work, or moving to lessen the burden on relatives who were hosting them.<sup>148</sup>

The number of Syrian refugee children in Jordan who were unable to enroll in school due to the conflict is unknown, but UN agencies report that one-quarter of the schools in Syria—6,000 schools—have been destroyed or severely damaged; the conflict, which killed 10,000 children from 2011 to 2013, when the last verified figures were available, has left two million children in Syria unable to go to school.<sup>149</sup> One refugee family said that after their children had missed a year in school in Syria, the lack of available classroom spaces in Jordan had prevented them from enrolling their children in school for up to two years, raising the concern that the “three-year rule” could bar their re-enrollment.<sup>150</sup>

Jordan has accredited one international NGO, Questscope, to teach accelerated classes to children in host communities. But, without substantial donor support, access to accelerated programs for out-of-school children has been limited, and only a few thousand children, including Jordanians and Syrians, have accessed them to date.<sup>151</sup> In February 2016, USAID said it had partnered with Questscope to expand non-formal education to 28 new centers and enroll an additional 1,680 out-of-school children, train teachers (called

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<sup>147</sup> UNICEF, Curriculum, Accreditation and Certification for Syrian Children in Syria, Turkey, Lebanon, Jordan, Iraq and Egypt,” March 2015, [http://www.oosci-mena.org/uploads/1/wysiwyg/150527\\_CAC\\_for\\_Syrian\\_children\\_report\\_final.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/150527_CAC_for_Syrian_children_report_final.pdf) (accessed August 2, 2016), p. 75, citing Jordanian Ministry of Planning and International Cooperation, “Draft National Resilience Plan 2014–2016: Proposed priority responses to mitigate the impact of the Syrian crisis on Jordan and Jordanian host communities,” 2014; UNHCR, “2014 Regional Response Plan 6 Mid-Year Update, Jordan,” 2014, <http://www.unhcr.org/syriarrp6/midyear/index.html> (accessed August 4, 2016).

<sup>148</sup> Christophersen, “Securing Education for Syrian Refugees in Jordan,” 2015, p. 15.

<sup>149</sup> UNICEF, “No Place for Children: The Impact of Five Years of War on Syria’s Children and Their Childhoods,” March 14, 2016, <http://childrenofsyria.info/wp-content/uploads/2016/03/SYRIA5Y-REPORT-12-MARCH.pdf> (accessed April 15, 2016), p. 6.

<sup>150</sup> Human Rights Watch interview with Brahim, Baqaa, October 8, 2015 (Mohammed, 11, and Mariam, 8, were both out of school in 2014-2015).

<sup>151</sup> See I. Background.

“facilitators”), and strengthen programs at up to 115 centers.<sup>152</sup> The programs have not been available to children under 12 or over 15, or to any children barred from re-enrollment by the three-year rule. Some children who obtain an informal qualification equivalent to the 10th grade public school certificate are eligible to continue to secondary school, but only at home.<sup>153</sup>

At least three refugee families whom Human Rights Watch interviewed said their children were barred from enrolling in school due to the “three-year rule.” The total may be higher, but none of the families was aware of the details of the regulation. In addition, none was able to access the informal education programs required to re-enroll in formal education.

Shamsah, from a village near Aleppo, said that she tried to register her daughter Dou`a, 12, and her son Assad, 11, in lower grades after they fled to Jordan in 2014, so that the children could “catch up.” Dou`a had only completed grade 1 in Syria, and Assad had never completed a grade. School officials told their mother that the children were “too old” to be enrolled.<sup>154</sup> Speaking of Assad, she said:

Back in our village ... Assad had allergies and asthma so he missed school a lot. When he came to Jordan he'd never completed a grade. Here I asked them to put him in second grade, but they said he was too big. He cries because he wants to go to school.<sup>155</sup>

Ahlam, 31, said her eldest daughter Lama, age 15, had been out of school for four years. When the family tried to enroll her in school in Jordan, Lama “had only done two months of grade seven in Syria, but she should’ve been in ninth grade according to her age.”<sup>156</sup> School directors first said Lama could not enroll because there was no room for more

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<sup>152</sup> USAID Jordan, Facebook posting of February 17, 2016, <https://www.facebook.com/USAIDJordan> (accessed August 02, 2016)

<sup>153</sup> Human Rights Watch interviews with informal education providers, Azraq camp, October 22, 2015; Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 02, 2016), p. 14.

<sup>154</sup> A UN report found that girls were working in 15 percent of on refugee households in which children worked, almost half of them as domestic workers. UN Women Inter-Agency Assessment, “Gender-Based Violence and Child Protection among Syrian Refugees in Jordan, With a Focus on Early Marriage,” 2013, <http://www.unwomen.org/en/digital-library/publications/2013/7/syrian-refugees> (accessed August 02, 2016), pp. 36–37.

<sup>155</sup> Human Rights Watch interview with Shamsah, Mafraq, October 13, 2015.

<sup>156</sup> Human Rights Watch focus group interview with six Syrian refugee women, Baqaa, October 10, 2015.

students; the following year, she had been out of school for too long. “She’s engaged to a man in Ein al-Basha” and will marry in 2016, her mother said. “She always wanted to finish school but since we came here everything changed.”<sup>157</sup>

In another family, Naima, a 14-year-old girl, had completed grade 6 in Syria but never been to school in Jordan, and the family had stopped trying to enroll her after school officials said she was “too old” to enroll.<sup>158</sup>

### *Local Non-Compliance and Documentation Requirements*

In order to enroll in public schools, Jordan requires Syrian refugees to present their UNHCR asylum seeker certificates and Interior Ministry service cards. In addition, they may be required to prove that their children have been enrolled in school within the past three years, and students seeking to enroll in secondary school must show they have taken the grade 10 exam in Jordan or proof of equivalent education in Syria.<sup>159</sup>

However, some school directors have refused to allow Syrian families to enroll their children on the basis of other, unofficial criteria. Susan, 33, said that when she tried to enroll her three school-aged children in the 2014-2015 school year in Na`imeh, a town near Irbid, the school director told her “that there was a government decision that Jordanians don’t learn with Syrians.”<sup>160</sup> She tried again in January or February 2015, she said, “but the director said the Ministry of Education had rejected my application.”<sup>161</sup>

Leila, 33, from Eastern Ghouta, was able to present her Syrian identification documents and UNHCR asylum seeker certificate to school officials when she tried to enroll her 13-year-old daughter Bisan in the fall semester of 2013, but did not have her daughter’s official school certificate showing she had been enrolled in 5th grade in Syria.<sup>162</sup> On that basis, she said, the school director first rejected her enrollment outright, and then, in a subsequent meeting,

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<sup>157</sup> Ibid.

<sup>158</sup> Human Rights Watch interview with Naima, Mafraq, October 13, 2015.

<sup>159</sup> Human Rights Watch interviews with education and child protection staff, international NGOs, and humanitarian agencies, Amman, October 13, 2015, and April 19 and 21, 2016.

<sup>160</sup> Human Rights Watch interview with Susan, Na`imeh, October 11, 2015.

<sup>161</sup> Ibid.

<sup>162</sup> Human Rights Watch interview with Leila and Bisan (pseudonyms), Baqaa, October 8, 2015.

offered to let her to enroll in grade 4. “The same director rejected my sister Khadija’s kids without explanation, too.” They ultimately enrolled in another school.<sup>163</sup>

In another case, officials at a school in Mafraq refused to enroll Hala, 7, in the fall semester of 2015 because they said they had “no room”; but when her mother tried again, “the school said her UNHCR certificate mistakenly lists her as born in 2009,” instead of 2008, her correct birthdate.<sup>164</sup> “The school told us she can register if there’s proof she’s old enough, but we had to fix the card with UNHCR first.” Adding to the errors, her Interior Ministry-issued service card lists her as born in 2005. Yet even if she were 6 years old, not 7, the girl should be eligible to enroll in school.<sup>165</sup>

### *Lack of Birth Certificates*

Syrian asylum seekers may also face difficulties obtaining birth certificates for their children, without which they cannot obtain the Ministry of Interior service cards that are required to access subsidized healthcare, and will be needed to enroll the children in public school once they reach school age.<sup>166</sup> To obtain birth certificates, Syrian parents must apply to Jordan’s Civil Status Department, which usually requires them to present a valid Ministry of Interior service card as well as proof that the parents are married. Some parents lack valid service cards, for the reasons described above, while others cannot provide proof of marriage.<sup>167</sup>

Some couples who married in Syria fled without bringing the marriage certificates or “family books” issued to married couples by Syrian authorities. In other cases, Jordanian authorities confiscated these documents when the refugees entered. Other couples were married in Jordan but were unable to register their marriages there because they left refugee camps without being bailed out and therefore lacked valid identification documents.<sup>168</sup> And parents who had children in Syria but who fled before obtaining a Syrian birth certificate cannot obtain a Jordanian birth certificate. Parents who do not

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<sup>163</sup> Ibid.

<sup>164</sup> Human Rights Watch interview with Amal, Mafraq, October 13, 2015.

<sup>165</sup> Ibid.

<sup>166</sup> NRC and Harvard International Human Rights Clinic, “Registering Rights: Syrian refugees and the documentation of births, marriages and deaths in Jordan,” October 2015, p. 10.

<sup>167</sup> Ibid., pp. 11-18.

<sup>168</sup> Ibid., p. 20.

register their children's birth within one year must open a court case to do so, which can be expensive, time-consuming, and requires the same documents.

UNHCR estimated in 2014 that up to 30 percent of Syrian refugee children in Jordan—where, as of March 2016, more than 108,000 Syrian children have been born since 2011—did not have birth certificates.<sup>169</sup> The lack of birth certificates could prevent tens of thousands of children from enrolling in school in coming years.<sup>170</sup>

According to international humanitarian agency staff, special committees comprising representatives of the Interior, Education, and Justice ministries, as well as security officials, meet weekly in cities around the country to resolve cases of Syrians who entered Jordan without documentation, or whose marriages or children were incorrectly registered.<sup>171</sup> In 96 percent of cases the special committees have resolved the problems, humanitarian staff said, but in total, are able to process only 35 cases per week.<sup>172</sup>

## Trauma and Inadequate Mental Health Resources

A 2015 UN-coordinated survey that addressed the educational needs of Syrian refugee children with disabilities in Jordan found lack of physical accessibility, specialist educational care, and psychological effects of the Syria conflict were key barriers to education. Jordanian teachers identified lack of training to support children with disabilities as a key need.<sup>173</sup>

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<sup>169</sup> Ibid., p. 10; UNICEF, “No Place for Children,” March 12, 2016, <http://childrenofsyria.info/wp-content/uploads/2016/03/SYRIA5Y-REPORT-12-MARCH.pdf> (accessed April 15, 2016), p. 8.

<sup>170</sup> Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, Articles 28 (education) and 24 (health); International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976., arts. 13 (education) and 12 (health).

<sup>171</sup> Human Rights Watch interviews with international humanitarian agency staff, Amman, April 18 and 20, 2016.

<sup>172</sup> Ibid.

<sup>173</sup> Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 02, 2016), p. 57.



Many Syrian parents said their children had witnessed apparently traumatizing events in Syria before fleeing to Jordan, including in detention.<sup>174</sup> In some cases, these experiences led them not to enroll in school in Jordan.

Ahmad, 15, had already dropped out of school in Syria at age 9 to take care of his father's small store when his father was detained, but had wanted to go back to school until experiences during the conflict "changed his personality," his mother said.

He carried injured fighters, and dead bodies, and once he had to carry his cousin's head. His father was arrested in 2011 and detained for a year and a half. I tried registering him in school [in Jordan] but he didn't want to. He doesn't even want to leave the house anymore.<sup>175</sup>

Maya, 12, is extremely self-conscious about the scar from a shrapnel wound that runs from her wrist to her finger, wets her bed at night, is not in school, and does not want to attend school, her mother said.<sup>176</sup> In one case, a Syrian father who lived near a Jordanian air force base described how an apparent military training exercise "terrified" his seven children, who refused to leave the house to go to school for several days.<sup>177</sup>

Humanitarian organizations including Mercy Corps, and UNICEF-supported Makani centers for children and youth have provided tens of thousands of refugees in Jordan with psychosocial support services in host communities and refugee camps—a significant improvement over international responses to the 2003 Iraqi refugee influx in Jordan.<sup>178</sup>

A 2015 UNICEF review of its psychosocial support response in Jordan found it had appropriately used the Minimum Standards for Mental Health and Psychosocial Support (MHPSS) in emergencies as a starting point and evaluation tool, but that support centers

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<sup>174</sup> Two brothers who now live in Salt, one of whom dropped out of school to work, were 13 and 16 when Syrian government forces detained them for four days, during which time they saw security forces torture and kill two unknown adult men, their mother said. The older boy, now 18, had dropped out of school to work. Human Rights Watch interview with Aisha, Salt, October 14, 2015.

<sup>175</sup> Human Rights Watch interview with Sana'a, Mafraq, October 13, 2015.

<sup>176</sup> Human Rights Watch interview with Rasha (pseudonym), Baqaa, October 8, 2015.

<sup>177</sup> Human Rights Watch interview with Yassir, tented settlement outside Mafraq, October 22, 2015.

<sup>178</sup> See Reva Dhingra, "Providing sustainable psychosocial support for Syrian refugees in Jordan," *Oxford Monitor of Forced Migration*, vol. 5, no. 1, (August 2015), <http://oxmofm.com/wp-content/uploads/2015/08/DHINGRA-Reva-Providing-sustainable-psychosocial-support-for-Syrian-refugees-in-Jordan.pdf> (accessed March 3, 2016), pp. 33-37.

were overcrowded and should be open longer, staff lacked adequate training to deal with issues such as child labor and early marriage, and as a result, “almost all staff seemed to struggle with their intended role of identifying and addressing psychosocial or mental health needs.” Some staff felt more serious cases needing referral were sometimes missed.<sup>179</sup>

While greater access to sustained psychosocial support for Syrian children is needed, such interventions may be insufficient to counter the loss of self-sufficiency and hope resulting from work-permit restrictions.<sup>180</sup>

Some parents whose children were enrolled in school in Jordan said that traumatic experiences in Syria badly affected their ability to study and to function socially. Kunuz, 34, from Homs, said her son Mahmud, a nine-year-old in third grade at a public school, “had memorized the [Arabic] letters in Syria, he was a good student there, but now he can’t learn,” after the children’s neighbors were burned during an attack in their small village.<sup>181</sup> “He doesn’t want to go to school. If he gets homework and can’t do it he’s afraid he’ll get in trouble.” Mahmud’s father had been missing for three years and was presumed dead. The boy had received some psychosocial support from Terre Des Hommes, an NGO, but told a Human Rights Watch researcher: “I liked my school back in Syria.”<sup>182</sup>

There were no psychosocial support services to help Hana’s three children, who were struggling at their public school in Jordan after witnessing a neighbor’s house in Syria get blown up and subsequently fleeing from town to town:

[I]t fell on top of our house. It was a miracle we got out. All the boys fainted. We didn’t sleep all night, running away from the bombing.<sup>183</sup>

A teacher at a primary school in Zaatari camp said that he had received no training to deal with injured children—including one in a wheelchair and another who cannot see following

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<sup>179</sup> UNICEF, “Evaluation of UNICEF’s Psychosocial Support Response for Syrian Children in Jordan 2013-2014,” 2015, [http://www.unicef.org/evaldatabase/files/UNICEF\\_PSS\\_Evaluation\\_-\\_2013-2014\\_ENG\\_Jordan\\_2015-001.pdf](http://www.unicef.org/evaldatabase/files/UNICEF_PSS_Evaluation_-_2013-2014_ENG_Jordan_2015-001.pdf) (accessed March 23, 2016), pp. 4-6.

<sup>180</sup> Dhingra, “Providing sustainable psychosocial support for Syrian refugees in Jordan,” *Oxford Monitor of Forced Migration*, August 2015, p. 36.

<sup>181</sup> Human Rights Watch interview with Kunuz, Mafraq, October 13, 2015.

<sup>182</sup> Ibid.

<sup>183</sup> Human Rights Watch interview with Hana, Salt, October 14, 2015.

eye surgery—and that he found it difficult to deal with “traumatized children, who share their emotions loudly and unpredictably, or are just silent in class.” One boy, he said, “is not present. You talk to him and he’s always looking far away.”<sup>184</sup>

## Challenges Providing Quality Education

The large number of Syrian students is a part of the challenge of ensuring the quality of education. Syrian students fare much worse in school than Jordanian students.

A joint 2015 study of children aged 9 to 17 by the International Labour Organization (ILO) and Fafo, a Norwegian research foundation, found:

- Around 54 percent of Syrian children are enrolled in the formal school system, as opposed to 94 percent of Jordanian children in this age range.<sup>185</sup>
- Syrian students have less educational experience than Jordanian students.

A 2014 survey found that around 60 percent of Syrian refugees had not completed primary education, compared to 25 percent of Jordanians; while 42 percent of Jordanians had completed secondary education, only 16 percent of Syrian refugees had.<sup>186</sup> Jordanians were four times more likely than Syrian refugees to have pursued post-secondary education.<sup>187</sup>

School infrastructure varies widely but is often poor in both host communities and refugee camps. In Jordan’s refugee camps, the Education Ministry has established and accredited formal schools that teach a modified version of the Jordanian curriculum. The quality of school infrastructure in the camps varies widely. Human Rights Watch visited a school in the Emirati Jordanian refugee camp where classrooms had electricity and windows, and two schools in the Zaatari and Azraq refugee camps that had no electricity, lighting, heating, or cooling. In each camp, the same buildings were used as girls’ schools in the morning and boys’ schools in the afternoon.

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<sup>184</sup> Human Rights Watch interview with Bassam (pseudonym), boys’ school teacher, Zaatari camp, October 20, 2015.

<sup>185</sup> Svein Erik Stave and Solveig Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafrq,” 2015, [www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_364162.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_364162.pdf) (accessed December 24, 2015), pp. 105-106.

<sup>186</sup> Ibid., p. 5; Valenza and Alfayez (UNICEF), “Running on Empty,” 2016, p. 16.

<sup>187</sup> Christophersen, “Securing Education for Syrian Refugees in Jordan,” May 2015, p. 7.

Bassam, who teaches three different classes with a total of 120 students in Zaatari camp, said, “There’s no drinking water at school, no food, and no electricity,” which left classrooms exposed to desert heat in late spring and early fall, and very cold in winter.<sup>188</sup>

Some schools in refugee camps as well as host communities suffer overcrowding. Marwan, a 12-year-old student in fourth grade in Mafraq, is enrolled in the afternoon shift at a public school, where normally there are almost 30 children in his class, but “teachers sometimes combine their Arabic or science classes, so they teach us all together.”

When they combine the classes ... the other children who come in have to sit on the floor, and some have to stand. It doesn’t happen all the time, maybe three days a week.<sup>189</sup>

He and his brother were not learning much, their mother said: “It’s as if they weren’t going to school.”<sup>190</sup> Teachers and administrators in some refugee camp schools described overcrowding of up to 50 students per class, and wide age ranges of students in each grade, which made it impossible to reach each child at the appropriate level of instruction.<sup>191</sup>

Children at schools operating two shifts receive fewer hours of instruction than children at other public schools operating on a regular schedule. Second shift classes in host communities and all classes in refugee camps, which are attended only by Syrian refugee children, offer fewer subjects than morning shift and single shift classes, which are attended by both Jordanian and Syrian children. The reduced class time was necessary to keep classes short enough to operate the double shift, but has resulted in a two-tier education system, with reduced quality for Syrian and Jordanian students in double shift schools, and for Syrian students attending afternoon shifts in particular. Bassam teaches grade 7 classes at an accredited public school in Zaatari camp. He described the differences between the curricula:

We teach English, Arabic, religion, history, math, physics, and science, but no chemistry or sports like they would in a normal school. In a normal

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<sup>188</sup> Human Rights Watch interview with Bassam (pseudonym), Zaatari camp, October 20, 2015.

<sup>189</sup> Human Rights Watch interview with Marwan and his mother Sana’a, Mafraq, October 13, 2015.

<sup>190</sup> Ibid.

<sup>191</sup> Human Rights Watch interviews with Bassam (pseudonym) and school administrator, Zaatari camp, October 20, 2015.

school, each class would be 45 minutes long, but here, it's 30 minutes. Normally you'd have a 5-minute break between classes, so the teachers can change, plus a 30-minute lunch break. Here, there's no breaks. Students eat in class. Really you only get 25 minutes per class.<sup>192</sup>

Bassam and an administrative official at his school said that they were not aware of any visits from external quality monitors or observers.<sup>193</sup> Bassam said he had not received "any kind of training" before he began teaching:

The Education Ministry published an ad saying they need teachers in the camps. When I applied, they only asked for my ID [identification document] and my university certificate. Then suddenly they called me and said "You can go to the camp now." I was shocked. I had no time to prepare a teaching plan or even to put a cover on my book. I didn't even know where the school was.<sup>194</sup>

Jordanian teachers at public schools are government employees who should receive teacher training, divided by classroom study and on-the-job training, and donors have supported projects to increase the number of teachers trained by the Queen Rania Teacher Academy.<sup>195</sup> In practice many public school teachers have still not received adequate training.<sup>196</sup> Second shift teachers in public schools in both host communities and in the refugee camps are hired on a temporary contract, and should receive at least 10 days' worth of training, but in practice many have received less or even, as in Bassam's case, none.<sup>197</sup>

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<sup>192</sup> Human Rights Watch interview with Bassam (pseudonym), Zaatari camp, October 20, 2015.

<sup>193</sup> Human Rights Watch interviews with Bassam (pseudonym) and school administrator, Zaatari camp, October 20, 2015.

<sup>194</sup> Human Rights Watch interview with Bassam (pseudonym), Zaatari camp, October 20, 2015.

<sup>195</sup> Donors that have funded the Queen Rania Teacher Academy include the European Union, Canada, and USAID. UNESCO, "UNESCO Launches Teacher Professional Development Project," October 28, 2015, <http://en.unesco.org/news/unesco-launches-teacher-professional-development-project-partnership-ministry-education-queen?language=fr> (accessed August 02, 2016); "Queen Rania attends launch of new partnership to boost education," *Petra News Agency*, February 25, 2014, <http://www.qrta.edu.jo/assets/queen-rania-attends-launch-of-new-partnership-to-boost-education---cisle.pdf> (accessed August 2, 2016); Government of Canada, "Canada increases support for education in Jordan," May 29, 2014, <http://reliefweb.int/report/jordan/canada-increases-support-education-jordan> (accessed July 26, 2016).

<sup>196</sup> Human Rights Watch telephone interview with humanitarian agency staff, July 25, 2016.

<sup>197</sup> Human Rights Watch interviews with education specialists at two foreign state donor agencies, Amman, April 17 and 20, 2016.

Second shift teachers do not receive health insurance or paid vacation during the winter and summer school break. “There’s a lot of turnover among the teachers here,” Bassam said. “The ones who stay are retired teachers who are mostly living on their pensions. But the younger ones don’t stay, if they can find better jobs. Several teachers left this year already,” he said in October 2015, around one month after the school year began.<sup>198</sup>

Jordanian teachers who taught Syrian students in host communities had varied experiences, but some who taught in relatively poor, rural areas described less-crowded classrooms and better facilities than in refugee camps.<sup>199</sup> Parents whose children had been enrolled in school in Zaatari before leaving the camp said that schools in host communities provided better-quality education, including during the afternoon shift.<sup>200</sup>

In April 2016, staff at international humanitarian agencies and foreign aid agencies, and at the Education Ministry, tentatively agreed to ensure that all second shift teachers in host community and refugee camp schools receive at least 10 days of teacher training.<sup>201</sup> As of July, the Education Ministry had agreed to increase classroom instruction for children in morning shift classes to 30 hours per week.<sup>202</sup> However, doing so required reducing weekday classroom instruction for children in afternoon shifts, and making up for the reduced time by adding six hours of instruction on Saturdays. Afternoon shift students would receive 21 hours of instruction per week, about the same as previously.

A foreign donor agency also described an ongoing project of external quality assessments at Jordanian schools, which as of April 2016 had completed baseline and follow-up surveys based on questionnaires, focus group discussions, and classroom visits, and which formed the basis for interventions that had led to measurable improvements in quality of education.<sup>203</sup>

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<sup>198</sup> Human Rights Watch interview with Bassam (pseudonym), Zaatari camp, October 20, 2015.

<sup>199</sup> Human Rights Watch interviews with J. and B., primary school teachers with Syrian and Jordanian students, in a village near Mafraq, October 23, 2015.

<sup>200</sup> Human Rights Watch interview with Ghada (pseudonym), Baqaa, October 8, 2015.

<sup>201</sup> Human Rights Watch interviews, foreign donor agency and humanitarian agency staff, Amman, April 17 and 19, 2016.

<sup>202</sup> Human Rights Watch telephone interviews with humanitarian NGO staff, July 25 and 26, 2016.

<sup>203</sup> Human Rights Watch interview, Amman, April 20, 2016.

### *Exclusion of Syrian Teachers*

Qualified Syrian teachers who have fled to Jordan are an unused resource that could help meet the need for more teachers. Research indicates that involving teachers from refugee communities in education can improve the performance of students whose experiences they shared, and support greater parental and community involvement in education.<sup>204</sup>

A May 2015 report by the International Peace Institute, an NGO, found that lack of funding to hire qualified Jordanian teachers for Syrian children is “prolonging the time refugee children and youth spend outside of formal education [and] creating a risk that many Syrian youths will drop out of formal education.”<sup>205</sup>

Under Jordanian regulations, only Jordanian citizens who are members of the teachers’ syndicate can be employed in schools. Jordan has allowed around Syrian refugees to act as “assistants” to help manage overcrowded refugee camp school classes with more than 45 children, but otherwise bars refugees who were qualified teachers in Syria from teaching. In 2015 there were approximately 200 Syrian assistants in refugee camp schools.<sup>206</sup>

While the number of qualified Syrian teachers in Jordan is not known, overall, the Syrian school system has lost more than 52,000 teachers and 500 school counselors due to the conflict, and “the lack of opportunities for professional development along with the recruitment of unqualified teachers on a temporary contractual basis is seriously impacting the provision of quality education in host countries.”<sup>207</sup>

As of July 2016, Jordan’s Education Ministry had tentatively agreed to allow up to 1,000 Syrian “assistants,” with stipends paid by donors, to support overcrowded, afternoon shift classrooms in host communities, outside refugee camps. However, the ministry had

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<sup>204</sup> Human Rights Watch interview with education specialist, international humanitarian NGO, Amman, April 19, 2016. For community involvement, see also Inter-Agency Network for Education in Emergencies, “INEE Minimum Standards for Education,” 2010, <http://www.ineesite.org/en/minimum-standards> (accessed August 2, 2016).

<sup>205</sup> Christophersen, “Securing Education for Syrian Refugees in Jordan,” May 2015, p. 12.

<sup>206</sup> Human Rights Watch interviews, humanitarian agency staff, Amman, April 19, 2016.

<sup>207</sup> No Lost Generation, “Syria Crisis Education Strategic Paper, London 2016 Conference,” 2016, [http://www.oosci-mena.org/uploads/1/wysiwyg/160128\\_UNICEF\\_MENARO\\_Syria\\_policy\\_paper\\_final.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/160128_UNICEF_MENARO_Syria_policy_paper_final.pdf) (accessed August 2, 2016), p. 4, citing UNICEF, “Curriculum, Accreditation and Certification for Syrian Children,” 2015.

indicated it would not allow Syrian teachers to teach, citing regulations that only permit Jordanians to teach.<sup>208</sup>

## Violence

### *Bullying and Harassment*

Harassment and violence by other children on the way to school or just outside schools have caused some Syrian refugee children to drop out of school; take longer, alternate routes; and altered their perceptions of school and their families' views of Jordanian host communities. UNICEF reported that nearly 1,600 Syrian children dropped out of school in 2015-2016 due to bullying.<sup>209</sup> In poorer host communities, residents sometimes view Syrians as straining already limited municipal and educational resources.<sup>210</sup>

Fatma, 12, is the only one of three school-aged children in her family who had enrolled in school in Jordan, but her parents pulled her out.<sup>211</sup> Fatma suffers from thalassemia, a blood disorder, and her parents were afraid that an assault by other children, who would harass her as she returned from school in the Baqaa Palestinian refugee camp northeast of Amman, could seriously hurt her. Her mother, Hanan said:

We sent Fatma to the Madmar school [in fall 2014], and she went for 20 days, but the kids were beating her and we got scared she'd get really sick. They hit her, and took her school books and pulled her hair. She said they shouted, 'You Syrian, why are you here?' We didn't send her to school this year. I went twice to talk to the school director, and she took care of the

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<sup>208</sup> Human Rights Watch interviews with donor agency and humanitarian agency staff, Amman, April 19, 20, and July 25, 2016.

<sup>209</sup> Valenza and Alfayez (UNICEF), "Running on Empty: The situation of Syrian children in host communities in Jordan," May 2016, p. 32.

<sup>210</sup> See, e.g., Mercy Corps, *Mapping of Host Community–Refugee Tensions in Irbid, North Jordan*, February 2014, p. 14 ("Conflict in the schools — namely, bullying and jeering by Jordanian classmates as well as verbal and physical abuse at the hands of stressed teachers — emerged as one of the main reasons that Syrian mothers were taking their children out of school"), copy on file with Human Rights Watch; REACH, "Education and Tensions in Jordanian Communities Hosting Syrian Refugees," August 2014, <http://www.alnap.org/resource/12711> (accessed August 4, 2016), p. 11; ("11 percent of Syrians and 2 percent of Jordanians reported security issues as a reason for tension in access to educational services" leading some Syrians to withdraw children from school); Education Sector Working Group (UNICEF), "Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment," March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 02, 2016), pp. 21, 38. ("The most commonly stated primary reasons for boys aged 12-17 that had dropped out were that they had to work to earn money, due to aggression or violence from teachers, or due to lack of resources").

<sup>211</sup> Human Rights Watch interview with Fatma and her mother, Hanan, Baqaa, October 8, 2015.



harassment inside the school, but the kids were waiting for Fatma outside the school gate.<sup>212</sup>

Abdelaziz, 14, dropped out of school in Mafraq after one semester because “the Jordanian kids hit him,” his father said.<sup>213</sup> His brother, Jihad, 16, said he was enrolled in grades 7 and 8 in Jordan but dropped out before the fall 2014 semester, for the same reason.

The teachers mostly just threatened to hit me. The kids always hit me. They beat me outside the school, they waited outside the door. If the [Jordanian] kids see a Syrian, they say, ‘Give me your money or I’ll hit you.’ I didn’t want to go anymore. I went to the teacher and he said, ‘It’s not my problem what happens outside the school.’<sup>214</sup>

The boys’ father, Nasser, 53, brought his family to Jordan from Deir Ezzor in 2012. According to Nasser, no school officials followed up with the family after Jihad and Abdelaziz dropped out.<sup>215</sup>

Another Syrian family in Mafraq described a Jordanian child who “waits for [their children] by the road to the school and says ‘It’s not for Syrians.’” On several occasions, “there were 10 kids who brought wires, and they hit the Syrian kids,” including brothers Faez, 13 and Marwan, 10. The boys’ mother believed that the double-shifting of schools was part of the problem.

This doesn’t happen to all families in Jordan, where the [Syrian and Jordanian] children go to school together. The two shifts here make it an issue, the children feel different from each other. Every Syrian child in Mafraq is getting hit all the time.<sup>216</sup>

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<sup>212</sup> Ibid.

<sup>213</sup> Human Rights Watch interview with Nasser (pseudonym), Mafraq, October 13, 2015.

<sup>214</sup> Human Rights Watch interview with Jihad, Mafraq, October 13, 2015.

<sup>215</sup> Human Rights Watch interview with Nasser (pseudonym), Mafraq, October 13, 2015.

<sup>216</sup> Human Rights Watch interview with Sana’a, Mafraq, October 13, 2015.

Some children said they had to take longer detours on their way to school to avoid being attacked by other children or even blocked by adults. Mohamad, a nine-year-old, is enrolled in third grade in Salt, at a school that is not double-shifted and teaches both Jordanian and Syrian students. “Sometimes other boys wait for him at the school gate to hit him,” said his 11-year-old sister Selsebil, who walks to school with him.<sup>217</sup>

There is always fighting, but sometimes they hit him very badly. And there’s a woman who goes out with her children to block the road they use to go to school. She goes out herself into the road. She says, ‘This isn’t a road for Syrians.’ Sometimes she shouts, ‘You Syrians, stay in your houses.’

The siblings now take a much longer route to walk to school “to avoid getting hit,” Mohamad said. Their mother, Hana, says their behavior has changed. “Mohamad and Selsebil are getting very aggressive and hot tempered after school. They now curse as well. They hit each other, which they didn’t used to do at all.”<sup>218</sup>

Other children continued to go to school, despite violence on the way. Abdulrahman, a 12-year-old with physical and intellectual disabilities, was still going to school after children threw a rock that hit him outside his school in Zarqa, Jordan, because his older brother Talal walked with him to provide some protection.<sup>219</sup>

Education specialists have argued that double-shifted schools have been necessary to enroll more Syrian students in the short term, but blending Syrian and Jordanian children in the same classes could reduce tensions between the communities, including bullying and harassment.<sup>220</sup> Staff at humanitarian agencies and donor country aid agencies said they supported a plan proposed by the Education Ministry to move from double-shift to integrated schools by 2019.<sup>221</sup>

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<sup>217</sup> Human Rights Watch interview with Mohamad, Selsebil, and their mother Hana, Salt, October 14, 2015.

<sup>218</sup> Ibid.

<sup>219</sup> Human Rights Watch interview with Abdulrahman, Talal, and their father, S., Zarqa, October 9, 2015.

<sup>220</sup> Human Rights Watch interviews with education specialists at foreign donor agencies and humanitarian NGOs, Amman, April 18, 20 and 21, 2016.

<sup>221</sup> Human Rights Watch interviews with humanitarian NGOs and donor aid agency staff, Amman, April 18, 19, 21, 2016.

## *Corporal Punishment*

Corporal punishment in schools existed in Jordan before the Syrian crisis. A 2007 study commissioned by UNICEF found that 57 percent of schoolchildren in Jordan were subject to physical abuse by school officials, an average of 10 times per month.<sup>222</sup> With the support of Jordan's Education Ministry and Queen Rania, UNICEF launched a three-year campaign against violence in schools in 2009, aimed at reducing violence in schools by 2012.<sup>223</sup>

Because classrooms are often overcrowded, students in the same classroom have different levels of education and may have spent long periods out of school or experience trauma, and teachers are relatively less experienced and well-trained, corporal punishment may be exacerbated in afternoon shift classes, according to a child protection specialist at an NGO that operates education programs in Jordan.<sup>224</sup> The Education Ministry noted in January 2016 that "school violence has been a generalized issue [...] particularly in boys' schools," and requested more donor support to reduce "increased violence" via teacher training.<sup>225</sup> UNICEF reported in May 2016 that 78 percent of Syrian parents with children in public schools complained that teachers had used physical violence.<sup>226</sup>

Jordan bans corporal punishment in schools; teachers who violate the rule can be terminated.<sup>227</sup> However, there is "no enforcement against teachers in Jordanian schools," said an NGO staff member, who added enforcement was "much better" in UNRWA schools for Palestinian refugees, which some Syrians and Palestinians from Syria attend and where UNICEF provides positive discipline training for teachers to manage classrooms without the need for verbal or physical violence. In general, international and local NGO staff who

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<sup>222</sup> UNICEF, "Violence against children study in Jordan: Summary," 2007, [http://www.unicef.org/jordan/VAC\\_Study\\_English\\_FOR\\_SCREEN%282%29.pdf](http://www.unicef.org/jordan/VAC_Study_English_FOR_SCREEN%282%29.pdf) (accessed April 15, 2016).

<sup>223</sup> See, e.g., UNICEF, "Ma'an Campaign to reduce violence in schools 2009-2012," undated, [http://www.unicef.org/jordan/protection\\_6079.html](http://www.unicef.org/jordan/protection_6079.html) (accessed April 15, 2016).

<sup>224</sup> Human Rights Watch meeting with international NGO child protection staff, Amman, October 13, 2015.

<sup>225</sup> Jordanian Ministry of Education, "Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children," January 2016, p. 8, copy on file with Human Rights Watch.

<sup>226</sup> Valenza and Alfayez (UNICEF), "Running on Empty: The situation of Syrian children in host communities in Jordan," May 2016, p. 27.

<sup>227</sup> School Discipline Regulation, Instruction No. 4 on School Discipline 1981, issued in accordance with Law No. 16 1964, cited in Global Initiative to End All Corporal Punishment of Children, "Corporal punishment of children in Jordan," September 2015, [www.endcorporalpunishment.org](http://www.endcorporalpunishment.org) (accessed August 4, 2016), p. 2; L. Khateeb, "The Status of Corporal Punishment in Jordanian Primary Schools from the Perspectives of Teachers, Students and Parents," *Journal of Education and Practice*, vol. 6, no. 27, 2015, p. 162.

work with Syrian families said they received fewer complaints of corporal punishment in UNRWA schools than in Jordanian public schools.<sup>228</sup>

Teachers at a school in Zaatari refugee camp regularly meted out corporal punishment, a 7th grade teacher there said, due to a lack of training on classroom management and frustration at difficult classroom environments. “Some teachers respect boys whose mustaches are starting to grow. But others hit kids on the palms with sticks or a rubber hose.”<sup>229</sup> The teacher said that he and his colleagues had received no training specific to teaching Syrian refugee children, and that some teachers received no training at all.<sup>230</sup>

Rouqiya, 33, from Houleh village outside Homs, said that teachers in a Jordanian public primary school hit one of her daughters, Sawsan, 9, when she forgot a book, and that another daughter, Raw’a, 11, felt discriminated against in the school she attends with Syrian and Jordanian girls because she had been punished unfairly and harshly.<sup>231</sup>

Brahim, a student in the second grade at a public school in Mafraq, said the teachers at his school “hit boys who are annoying, and they use a stick,” about two-and-a-half feet long.<sup>232</sup> Ahmad, a 12-year-old in fourth grade in a different school in Mafraq, said that teacher hit students “almost every day,” using their hands.<sup>233</sup> Marwan, 12, said that a fourth-grade teacher at his school in Mafraq hit him on the head “with an iron bar, but only when I do something wrong.”<sup>234</sup> Abdulrahman, 12, and his brother Talal, 11, said their teachers in Zarqa hit them. “The teachers aren’t good, they hit us with a hose,” Talal said. “I hate math class because the teacher always hits me.”<sup>235</sup>

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<sup>228</sup> Human Rights Watch interviews with NGO and community-based organization (CBO) staff in Amman, Baqaa, and Zarqa, October 2015.

<sup>229</sup> Human Rights Watch interview with Bassam (pseudonym), Zaatari camp, October 20, 2015.

<sup>230</sup> Ibid.

<sup>231</sup> Human Rights Watch interview with Rouqiya, Zarqa, October 9, 2015.

<sup>232</sup> Human Rights Watch interview with Brahim and his mother, H., in Mafraq, October 12, 2015.

<sup>233</sup> Human Rights Watch interview with Ahmad and his mother, Hiyam, Mafraq, October 13, 2015.

<sup>234</sup> Human Rights Watch interview with Marwan and his mother, Sana’a, Mafraq, October 13, 2015.

<sup>235</sup> Human Rights Watch interview with Abdulrahman, Talal, and their father, S., Zarqa, October 9, 2015.

## Economic-Related Barriers

### *Work Restrictions*

The inability of Syrian refugees to obtain permits to work lawfully, exploitative low wages, or non-payment for many who work informally, increases family dependence on children to earn income—in turn impacting their education by either preventing enrollment or compelling them to drop out.

Jordan bars Syrians who entered the country irregularly or who live in refugee camps from applying for work permits; as well, under Jordanian regulations applicable to foreign workers, Syrians must show that they have specialized skills and would not compete for jobs with Jordanians to be eligible for work permits, which is not possible for many low-skilled jobs.<sup>236</sup> Some professions and jobs are also closed to non-Jordanians, and in all sectors, Jordan imposes quotas on foreign employees.<sup>237</sup> In addition, many Syrians find work permits prohibitively expensive: the permits must be renewed annually at a cost ranging from Jordanian dinars 170-370 (\$240- \$522), and up to 700 dinars (\$986), depending on the sector and type of work.<sup>238</sup>

While Jordanian law formally requires employers to pay for work permits, in practice, employees are forced to pay, and the costs are unaffordable to most Syrian refugees.<sup>239</sup> The minimum monthly wage in Jordan is 190 dinars (\$265) for nationals, and 150 dinars (\$210) for foreign workers.<sup>240</sup> Some experienced, skilled Syrian refugees said that because they were unable to obtain permits needed to practice their professions, they resorted to

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<sup>236</sup> International Labour Organization (ILO), “Work Permits for Syrian Refugees in Jordan,” 2015, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_422478.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_422478.pdf) (accessed March 26, 2016), p. 5.

<sup>237</sup> Ibid.

<sup>238</sup> The Closed Professions List published by the Ministry of Labor specifies 16 job types closed to all non-Jordanians, including medical and engineering, teaching, service sector and industrial jobs, clerical and telephone jobs, driving, guard and servant positions. ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan: a discussion paper on labour and refugee laws and policies,” 2015, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_357950.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_357950.pdf) (accessed July 24, 2016), p. 14.

<sup>239</sup> Jordanian Labour Law, Labour Code, Law No. 8 of 1996, <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45676/65048/E96JOR01.htm> (accessed August 3, 2016), art. 12 (employers bear the cost of foreigners’ work permits); ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan,” 2015, pp. 15-16.

<sup>240</sup> ILO NATLEX, “Tripartite Commission for Labour Affairs Order of 31/12/2011, setting the monthly minimum wage,” December 31, 2011, [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=90853&p\\_country=JOR&p\\_classification=12.02](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=90853&p_country=JOR&p_classification=12.02) (accessed January 28, 2015).

occasional, unskilled agricultural work in Jordan; one former electrician said the need to follow the harvest season meant he had moved seven times in two years, and was unable to enroll his three school-aged children as a result.<sup>241</sup>

Syrian refugees, like other foreign workers, must also be sponsored by a Jordanian employer, produce Syrian passports, and meet administrative requirements, including background security checks, a process that took six months in one case documented by the International Labour Organization (ILO).<sup>242</sup> Syrians may face exploitation by employers and arrest by police if caught working without the government-issued permits that Jordan requires all foreigners, including refugees, to obtain.<sup>243</sup> Jordan, which has barred entry to Palestinians from Syria and confined around 200 in the Cyber City Refugee Camp, similarly bars most from obtaining work permits.<sup>244</sup>

Some of the estimated 120,000 to 200,000 Syrians working in Jordan entered the country before the conflict under the two countries' 2001 Agreement of Workforce Cooperation, but most are assumed to be refugees without work permits.<sup>245</sup> Few Syrians have applied for permits because the cost is too expensive or administrative requirements are too

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<sup>241</sup> Human Rights Watch interview with Abu Mohammed, Na`imeh, October 11, 2015.

<sup>242</sup> ILO, "Work Permits for Syrian Refugees in Jordan," 2015, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_422478.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_422478.pdf) (accessed March 26, 2016), p. 8. The UNHCR Memorandum of Understanding (MOU) with Jordan mentions the need for refugees to provide a living for their family (art. 8) and authorizes those with degrees recognized by the Jordanian authorities to practice certain professions (art. 9). ILO Regional Office for Arab States, "Access to work for Syrian refugees in Jordan," 2015, p. 14.

<sup>243</sup> Abu Mohammed, 53, said that because he did not have a work permit, he could not complain to police after Jordanian employers had repeatedly failed to pay him after hiring him for electrical repairs. Human Rights Watch interview with Abu Mohammed, Na`imeh, October 11, 2015. See also Joint Agency, "Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis," Joint Agency Briefing Paper, November 9, 2015, <https://www.savethechildren.net/sites/default/files/Report%20ofinal-%20Syria.pdf> (accessed January 28, 2016), p. 7.

<sup>244</sup> UNRWA Representative Office to the European Union, "Helping Vulnerable Palestine Refugees from Syria Meet Their Essential Needs," August 11, 2015, <https://europa.eu/eyd2015/en/unrwa/stories/palestine-refugees-syria-jordan-cash-assistance> (accessed February 12, 2016). In January 2016 Jordan began to require even Palestinians who fled to Jordan from the West Bank and Gaza in 1967 to obtain work permits as though they were foreign workers. "Palestinians in Jordan outraged over new work permit requirements," *Al-Monitor*, February 8, 2016, <http://www.al-monitor.com/pulse/originals/2016/02/jordan-work-permits-palestinian-refugees.html> (accessed March 26, 2016).

<sup>245</sup> JT, "Around 200,000 Syrians illegally work in Jordan — ministry," *Jordan Times*, June 20, 2015, <http://www.jordantimes.com/news/local/around-200000-syrians-illegally-work-jordan-%E2%80%94-ministry> (accessed August 2, 2016); Joint Agency, "Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis," Joint Agency Briefing Paper, November 9, 2015, <https://www.savethechildren.net/sites/default/files/Report%20ofinal-%20Syria.pdf> (accessed January 28, 2016), p. 11; ILO Regional Office for Arab States, "Access to work for Syrian refugees in Jordan," 2015, p. 10, citing "Agreement Of Workforce Cooperation Between The Government Of The Hashemite Kingdom Of Jordan And The Government Of The Syrian Arab Republic," October 8, 2001.

difficult.<sup>246</sup> Syrians had work permits in fewer than one percent of households outside refugee camps that were assessed by UNHCR in 2014.<sup>247</sup>

The Jordanian Labor Ministry has stated that at the beginning of the conflict it gave Syrian refugees priority over other foreign nationals to apply for work permits, but most of them were not qualified for skilled labor and were ineligible for permits to compete for low-skilled jobs with Jordanian workers; by the end of 2013, only 2,600 Syrians had received Jordanian work permits.<sup>248</sup> The ministry issued 5,700 work permits to Syrians in 2014, but did not give work permits to Syrians who entered as refugees.<sup>249</sup>

Jordanian officials have argued that permitting Syrians to work would drive down Jordanian wages and displace Jordanian jobs.<sup>250</sup> Evidence for this argument, insofar as it is based on Jordanian unemployment rates before and after the Syria conflict began, appears inconclusive.<sup>251</sup>

Although Syrians have pushed some Jordanian workers out of the construction industry, the ILO and Fafo found that competition for jobs is limited by the fact that Syrians are viewed as willing to accept jobs, wages, and working conditions that Jordanians would

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<sup>246</sup> Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, pp. 63–64.

<sup>247</sup> Norwegian Refugee Council, “In Search of a Home: Access to Adequate Housing in Jordan,” June 2015, <http://reports.nrc.no/wp-content/uploads/2015/05/In-search-of-a-home-final-design-14062015-hi-res.pdf> (accessed February 2, 2016), p. 25; citing UNHCR, “Living in the Shadows,” January 14, 2015, <http://unhcr.org/jordan2014urbanreport/> (accessed January 30, 2016). Surveyed 150,000 Syrian refugees in Jordan in 2014.

<sup>248</sup> ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan,” 2015, pp. 15-16.

<sup>249</sup> JT, “Around 200,000 Syrians illegally work in Jordan — ministry,” *Jordanian Times*, June 20, 2015, <http://www.jordantimes.com/news/local/around-200000-syrians-illegally-work-jordan-%E2%80%94ministry> (accessed January 20, 2016).

<sup>250</sup> Jordan’s Minister of Planning and International Cooperation, Imad Fakhoury, explained at the World Economic Forum in May 2015 that Jordan had not given work permits to Syrians because they were “displacing Jordanian jobs and pushing wages down,” and warned that “pushing [host] countries” like Jordan to give Syrians jobs could overwhelm their absorptive capacity, especially when international donors had only funded a fraction of Jordan’s refugee response plan. “Responding to the Refugee Crisis,” World Economic Forum on the Middle East and North Africa, May 21-23, 2015, <https://www.weforum.org/events/world-economic-forum-middle-east-and-north-africa-2015> (accessed July 27, 2016).

<sup>251</sup> Doris Carrion (Chatham House), “Syrian Refugees in Jordan: Confronting Difficult Truths,” research paper, September 2015, [https://www.chathamhouse.org/sites/files/chathamhouse/field/field\\_document/20150921SyrianRefugeesCarrion.pdf](https://www.chathamhouse.org/sites/files/chathamhouse/field/field_document/20150921SyrianRefugeesCarrion.pdf) (accessed July 26, 2016), pp. 5-6. The official unemployment rate in Jordan was 12.9 percent in the first quarter of 2015, compared with 12.2 percent in 2012, before the majority of Syrian refugees arrived. However, an ILO report calculated that the actual unemployment rate in Jordan prior to the Syrian conflict was about 14 percent, but that by 2015, unemployment had risen to 22.1 per cent, and was highest among “youth [and the] lowest-educated and poorest segments of the population,” Joint Agency, “Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis,” Joint Agency Briefing Paper, November 9, 2015, p. 11, footnote 59; ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan,” 2015, pp. 6-7.

reject.<sup>252</sup> Unemployment among Syrians in host communities was around 57 percent in 2015, one survey found.<sup>253</sup>

Jordanian police arrest Syrians for working illegally in host communities and have, in some cases, forcibly transferred them to refugee camps, including children. More than a third of the 15,800 “illegal foreign workers” arrested in Jordan from January to November 2013 were Syrians, a government press statement said.<sup>254</sup> A later government press statement said the authorities had “rounded up” 23,000 foreign workers for working without permits in 2013, but did not specify how many were Syrians.<sup>255</sup> Most of those arrested are men, more of whom are working or looking for work than Syrian women.<sup>256</sup> Jordanian police have also arrested Syrian refugee children. At one point in 2015, an NGO worker said, a center for unaccompanied children in one refugee camp had 130 children who had been transferred there without their families for working without permits.<sup>257</sup>

Several refugees described being made to sign pledges not to work after being arrested by Jordanian police, on pain of being sent to the camps.<sup>258</sup> An illiterate Syrian man arrested for working said police told him he had to sign a written pledge not to work—although he could not read it—and that if arrested again, he would have to pay a 500 dinar (\$700) fine and spend 12 days in prison, and that if he could not pay, he would be deported to Syria.<sup>259</sup>

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<sup>252</sup> Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015.

<sup>253</sup> ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan,” 2015, p. 5. The “labor market participation rate” for Syrian men fell from 63 percent in Syria before March 2011 to 51 percent for refugees in Jordan; it remained around the same as it was before the crisis for Syrian women (around 7 percent) and Jordanians (67 percent among men and 18 percent among women).”

<sup>254</sup> “15,800 illegal foreign workers arrested in security sweep,” *Petra News Agency*, October 20, 2013, [http://petra.gov.jo/Public\\_News/Nws\\_NewsDetails.aspx?lang=2&site\\_id=1&NewsID=127346](http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?lang=2&site_id=1&NewsID=127346) (accessed February 1, 2016).

<sup>255</sup> “2,000 illegal foreign workers arrested, 500 deported,” *Petra News Agency*, January 26, 2014, [http://petra.gov.jo/Public\\_News/Nws\\_NewsDetails.aspx?Site\\_id=1&lang=2&NewsID=137912](http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_id=1&lang=2&NewsID=137912) (accessed February 1, 2016).

<sup>256</sup> Police have also arrested Syrian women caught working without permits. In the summer of 2015, police arrested a 24-year-old woman who was working as a hairdresser in Amman and transferred her to Azraq camp, which she had left without going through the required leave process, an acquaintance said. Human Rights Watch interview with Hassan, Amman, October 5, 2015. An ILO study found 67 percent of Syrian men in Jordan were working or looking for work, compared to 8 percent of Syrian women. ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan,” 2015.

<sup>257</sup> Human Rights Watch interview with child protection staff member at an international humanitarian NGO, Amman, October 13, 2015.

<sup>258</sup> Human Rights Watch interview with Sana’a, Mafraq, October 13, 2015.

<sup>259</sup> Human Rights Watch interview, Mafraq, October 13, 2015.



Despite the risk of arrest, many Syrians in host communities said they had no alternative to working illegally. An ILO survey in 2015 found that around 60 percent of Syrian refugee households in host communities reported some income from informal work, but that for two-thirds, the household's entire monthly earnings fell into the category of JD 1 to JD 199 (\$1.40 to \$280), and that these earnings went to support an average household of 10 people.<sup>260</sup> By contrast, in 2012, 12.4 percent of working Jordanians earned less than JD 200 (\$280) a month, and 1.4 percent earned less than JD 100 (\$140).<sup>261</sup> Most Syrians interviewed for this report who said they were working in Jordan said they did not earn enough money to cover basic expenses such as rent and food.<sup>262</sup>

Others said that despite their urgent need for additional income, they were not seeking work because they were afraid they would be sent to refugee camps for working without permits.<sup>263</sup> There is an informal economy in Zaatari camp (roughly 80,000 people), and some camp residents appear able to leave to work nearby.<sup>264</sup> It is also easier to access international humanitarian assistance in refugee camps than in host communities.

However, most refugees interviewed said they would prefer to stay in host communities; one woman said she would "risk anything not to go back" to Zaatari, because "when it snowed, the tents collapsed."<sup>265</sup> Refugees described even harsher conditions at Azraq camp, and said that because it is isolated and difficult to leave informally, it is very difficult to find any informal work near the camp. One woman said, "It's too hard to live in Zaatari, and Zaatari is like Paris compared to Azraq. At least there are markets."<sup>266</sup>

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<sup>260</sup> Stave and Hillesund (ILO and Fafo), "Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq," 2015.

<sup>261</sup> Hani Hazaimah, "1.4% of workforce paid less than minimum wage — DoS [Department of Statistics]," *Jordan Times*, March 5, 2013, available at <http://vista.sahafi.jo/art.php?id=dofa75c4bb81aeocef39d60c66foaca1be21003> (accessed August 2, 2016).

<sup>262</sup> Human Rights Watch interviews, Amman, Irbid, Zarqa, Salt, Baqaa, and Mafraq, October 2015.

<sup>263</sup> Some Syrians said they were in debt as a result of fines incurred for working without permits. A 20-year-old man said he was in debt to Jordanian neighbors who paid his fine after police jailed him for four days for working without a permit at a butcher's shop. He was not paid, and the police confiscated and did not return money he was carrying and his mobile phone, he said. Human Rights Watch interview, Mafraq, October 13, 2015.

<sup>264</sup> Human Rights Watch observations, Zaatari camp entrance, October 21 and 22, 2015. Human Rights Watch is not aware of cases in which Jordan has transferred Syrians arrested for working illegally to the isolated Emirati Jordanian camp, with around 6,000 people, where some refugees work for a salary in a workshop. The United Arab Emirates-funded camp, also known as Muriyep al Fhoud, "provides jobs for refugees willing to work, who receive monthly salaries." "Keeping Refugees Occupied," *Jordan Times*, August 3, 2014, <http://www.jordantimes.com/opinion/editorial/keeping-refugees-occupied> (accessed January 13, 2016).

<sup>265</sup> Human Rights Watch interview, Mafraq, October 12, 2015.

<sup>266</sup> Human Rights Watch interview with Sana'a, Mafraq, October 13, 2015.

Syrian refugees and NGO staff described a number of cases in which Jordan allegedly deported men arrested for working without a permit. In these cases, their families sometimes followed. A foreign volunteer with an NGO said that after Jordan deported a 20-year-old Syrian whom police arrested for working in October 2014, “his wife and children had no more ways to earn a living, so they left too, back to Syria.”<sup>267</sup>

Forcibly returning Syrians creates a risk that their children will also return to the violence in Syria, which UNHCR described in late 2015 as prevalent in “all parts of the country” and is very likely to disrupt the children’s education, since around a quarter of schools in Syria have been destroyed or severely damaged in attacks, used as shelters or for military purposes.<sup>268</sup>

Several parents said that they had taken their children out of school before fleeing Syria due to the risk of attacks or because schools had been closed or destroyed in attacks.<sup>269</sup> Jordan denies that it deportes Syrians who work without permits, and acknowledges that doing so would violate the prohibition on refoulement.<sup>270</sup>

The ILO has warned that the current situation, with most Syrian refugees working outside any legal framework, will lead to the detrimental “informalization” of Jordan’s labor market and downward pressure on wages in some sectors.<sup>271</sup> A 2015 Chatham House report concluded that a policy that denies Syrian refugees the ability to work and support themselves, and forces them to depend on international assistance, threatens to “erode Jordan’s economic potential and social stability.”<sup>272</sup> Allowing more Syrians to support

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<sup>267</sup> Human Rights Watch interview with J., Amman, October 3, 2015.

<sup>268</sup> UNICEF, “Education Under Fire: How Conflict in the Middle East is Depriving Children of Their Schooling,” September 3, 2015, [http://www.unicef.org/mena/Education\\_Under\\_Fire.pdf](http://www.unicef.org/mena/Education_Under_Fire.pdf) (accessed July 20, 2016), p. 4.

<sup>269</sup> Human Rights Watch interviews with Hayat, Amman, October 5, 2015; Halima, Baqaa, October 8, 2015; Abeer (pseudonym), Zarqa, October 9, 2015; and Ali, Zarqa, October 9, 2015.

<sup>270</sup> Labor Ministry Secretary General Hamada Abu Nijmeh reportedly stated that Syrian workers without permits are not sent back to Syria because of the political and security situation JT, “Around 200,000 Syrians illegally work in Jordan — ministry,” *Jordan Times*, June 20, 2015, <http://www.jordantimes.com/news/local/around-200000-syrians-illegally-work-jordan-%E2%80%94-ministry> (accessed August 02, 2016)

<sup>271</sup> ILO Regional Office for Arab States, “The Impact of the Syrian refugee crisis on the Labour Market in Jordan: A preliminary analysis,” 2014, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_242021.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_242021.pdf) (accessed August 4, 2016) ; Joint Agency, “Right to a Future: Empowering refugees from Syria and host governments to face a long-term crisis,” Joint Agency Briefing Paper, November 9, 2015, p. 11.

<sup>272</sup> Carrion (Chatham House), “Syrian Refugees in Jordan: Confronting Difficult Truths,” 2015, pp. 8-9.

themselves could increase the economic contribution Syrians make to Jordan, and their ability to send their children to school.<sup>273</sup>

At a donors' conference on February 4, 2016, the Jordanian government stated that it would take steps that could, depending on donor support, "provide about 200,000 job opportunities for Syrian refugees [...] without competing with Jordanians for jobs."<sup>274</sup>

Jordan pledged that by the summer of 2016, it would allow Syrian refugees "to formalize their existing businesses and to set up new, tax-generating businesses"; "provide for a specific percentage of Syrian involvement" in municipal projects funded by donors; and lift "restrictions preventing small economic activities within the camps hosting Syrian refugees, and on commerce with people outside the camps."

The Jordanian statement forecast that "roughly 50,000 jobs could be created in sectors like construction, agriculture, and cleaning," in areas "where there is low Jordanian participation and a high ratio of foreign workers." In addition, Jordan pledged to make "the necessary administrative changes to allow Syrian refugees to apply for work permits," renewable annually, for work in these areas and also for a new "pilot" project that would "designate five development zones" in which Syrians and Jordanians will work.<sup>275</sup> To create a market for goods produced under the new plans, the Council of the European Union (EU) agreed in July to relax "preferential rules of origin" for a period of 10 years in order to increase imports from the planned development zones.<sup>276</sup> In cooperation with UNHCR, Jordan had previously opened up to 4,000 work permits for Syrians in the textile industry.

In March 2016, the World Bank issued a \$100 million low-interest-rate loan to Jordan, to spur job creation spending for Syrians and Jordanians.<sup>277</sup>

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<sup>273</sup> Ibid.

<sup>274</sup> "The Jordan Compact: A New Holistic Approach between the Hashemite Kingdom of Jordan and the International Community to deal with the Syrian Refugee Crisis," February 4, 2016, <https://2c8kkt1ykog81j8k9p47oglb-wpengine.netdna-ssl.com/wp-content/uploads/2016/02/Supporting-Syria-the-Region-London-2016-Jordan-Statement.pdf> (accessed February 6, 2016), p. 2.

<sup>275</sup> Ibid.

<sup>276</sup> Ibid.; Council of the European Union, Decision 10882/16, July 12, 2016 <http://data.consilium.europa.eu/doc/document/ST-10882-2016-INIT/en/pdf> (accessed July 28, 2016).

<sup>277</sup> "\$100 million from World Bank to create 100,000 Jordan jobs," *Daily Star*, March 28, 2016, <http://www.dailystar.com.lb/News/Middle-East/2016/Mar-28/344319-100-million-from-world-bank-to-create-100000-jordan-jobs.ashx> (accessed March 28, 2016).

The positive Jordanian announcement in February appeared to have unintended consequences, because Labor Ministry inspectors substantially increased arrests afterward, due to a mistaken understanding that many new work permits had already been issued.<sup>278</sup> In response, Jordan declared a three-month amnesty period, beginning in April, during which Syrians could seek to obtain work permits, and waived the fees that are normally required.<sup>279</sup>

Jordan issued 13,000 work permits to Syrians before the grace period ended in July. The International Labour Organization found that the number of applicants was limited due to the need to pay social insurance fees and to obtain Jordanian employers as sponsors.<sup>280</sup> Syrians employed in seasonal agricultural or short-term construction work did not have contracts with their employers and many went into debt to middlemen who helped them fulfill the sponsorship requirement, a situation that created vulnerability to exploitation. With support from the ILO, some 2,300 Syrians were able to obtain permits through agricultural cooperatives rather than individual employers.<sup>281</sup>

### *Child Labor*

The inability of Syrian refugees to gain lawful employment harms their children's ability to go to school. Nasser, a 53-year-old former truck driver who came to Jordan in 2012 from Deir Ezzor, is unemployed and has no further savings.<sup>282</sup> Nasser said he could not afford to apply for a Jordanian work permit as a driver, which cost hundreds of dollars annually. None of Nasser's four school-aged children is enrolled in school. Nasser said he would like to enroll his youngest son Bilal in pre-primary school, but could not afford to pay the fees. His 17-year-old son left school in 4th grade in Syria and has never gone to school in Jordan, and he works to support his family in a car sales store. Nasser's 18-year-old son had also never enrolled in

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<sup>278</sup> Human Rights Watch interviews with two foreign donor agency officials and humanitarian agency staff, Amman, April 19, 20 and 21, 2016.

<sup>279</sup> UNHCR, "Frequently Asked Questions: Work Permits for Refugees in the Urban Environment in Jordan," April 14, 2016, <https://data.unhcr.org/syrianrefugees/download.php?id=10686> (accessed August 3, 2016).

<sup>280</sup> ILO, "Results of Focus Group Discussions on Work Permits with Syrian Refugees and Employers in the Agriculture, Construction & Retail Sectors in Jordan," April 2016, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/briefingnote/wcms\\_481312.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/briefingnote/wcms_481312.pdf) (accessed July 26, 2016), p. 4.

<sup>281</sup> Hannah Patchett, "Why Jordan's plan to integrate Syrian refugees into workforce has faltered," *Al-Monitor*, July 5, 2016, <http://www.al-monitor.com/pulse/originals/2016/07/jordan-free-work-permits-syrian-refugees.html> (accessed August 3, 2016), citing Labor Ministry spokesman Mohammad Khatib.

<sup>282</sup> Human Rights Watch interview with Nasser (pseudonym), Mafraq, October 13.

school in Jordan and was looking for work.<sup>283</sup> UNICEF’s Jordan office reported in 2016 that child workers are four times more likely to be out of school than other children.<sup>284</sup>

A substantial percentage of Syrian children in Jordan are working or looking for work, and although child labor existed in Syria before the conflict, rates have increased for Syrian refugee children. Studies have found rates of child labor among Syrian refugees in Jordan up to four times higher than in pre-conflict Syria.<sup>285</sup> More than a quarter of Syrian households rely on children as the primary breadwinner, and around half depend on child labor for some household income, surveys found.<sup>286</sup> Most of the Syrian children in host communities who work do so six or seven days a week, an ILO survey found, and one-third work more than eight hours a day, for a daily income of \$4- \$7.<sup>287</sup>

Because few working children stay in school, many work long hours, and many work in jobs that are likely hazardous, the ILO and Fafo concluded it is “likely that a vast majority” of working Syrian children are subject to child labor in violation of international standards.<sup>288</sup> In 2014, Ministry of Labor inspections identified 1,060 child laborers, of

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<sup>283</sup> Ibid.

<sup>284</sup> Valenza and Alfayez (UNICEF), “Running on Empty: The situation of Syrian children in host communities in Jordan,” May 2016, p. 16.

<sup>285</sup> In 2013, according to one study, 30,000 Syrian children in Jordan were working, and the rate of child labor was four times higher among Syrians in Jordan than in Syria before 2011., Hani Hazaimah, ‘Rising number of working Syrian children hinders efforts to combat child labour’, *Jordan Times*, 11 June 2013, <https://business-humanrights.org/en/%E2%80%99rising-number-of-working-syrian-children-hinders-efforts-to-combat-child-labour%E2%80%99-jordan> (accessed August 3, 2016). A survey from 2015 found that 8 percent of Syrian refugee children in Jordan aged 9 to 15, and 37 percent of those aged 15 to 18, are working – quadruple and double the rates for Jordanian children in the respective age groups. Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, pp. 6-7.

<sup>286</sup> One study found 47 percent of Syrian families in Jordan depended on a child to earn household income. Child Protection and Gender Based Violence sub-working Group in Jordan, “Interagency/UN Women Assessment of Gender-Based Violence and Child Protection among urban Syrian refugees in Jordan, with a focus on early marriage,” 2013, cited in Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 2, 2016). An NGO study found 29 percent of Syrian households in Jordan rely on a child as their primary breadwinner. Human Rights Watch interview with international humanitarian NGO staff, Amman, October 5, 2015.

<sup>287</sup> ILO, “Report of the rapid assessment on Child Labour in the Urban Informal Sector in three governorates of Jordan (Amman, Mafraq and Irbid),” 2014, p. 31, cited in Save the Children and UNICEF, “Small Hands, Heavy Burden: How the Syria conflict is driving more children into the workforce,” July 2, 2015, <http://childrenofsyria.info/wp-content/uploads/2015/07/CHILD-LABOUR.pdf> (accessed August 3, 2016), p. 2.

<sup>288</sup> Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, p. 101.

whom half were Syrian refugees.<sup>289</sup> A joint ILO–Fafo survey found that 37 percent of Syrian refugee children employed in Jordan work in construction, and 48 percent of boys aged 15 to 17 work in manufacturing, where there is a “substantial probability” of hazardous working conditions.<sup>290</sup> In Zaatari camp, around 75 percent of working children reported health problems and almost 40 percent reported an injury, illness, or poor health; in Mafraq and the Jordan valley, 22 percent of working children had been injured.<sup>291</sup> Studies in the Jordan Valley found that about 18 percent of Syrian children working in agriculture are under 12 years old.<sup>292</sup> In urban areas, 34 percent of working children are under 15, one study found.<sup>293</sup>

Syrian families rely on children to earn income in order to cover necessities such as rent.<sup>294</sup> Families interviewed by Human Rights Watch universally said that they would prefer to send their children to complete their primary and secondary education rather than send them to work. However, for 16 families, children’s work was a source of income required to pay for basic needs.<sup>295</sup> As the Ministry of Education noted in January 2016:

Refugee households are increasingly dependent on child labour to supplement their income and additional out of pocket expenses [for education, like transportation] increase financial hardship and dropout.<sup>296</sup>

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<sup>289</sup> US Department of Labor, “2014 Findings on the Worst Forms of Child Labor: Jordan,” <https://www.dol.gov/sites/default/files/documents/ilab/reports/child-labor/findings/2014TDA/jordan.pdf> (accessed August 3, 2016).

<sup>290</sup> Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, p. 107.

<sup>291</sup> UNICEF and Save the Children, “Baseline Assessment of Child Labour among Syrian Refugees in Za’atari Refugee Camp Jordan,” November 2014, [http://www.unicef.org/jordan/ChildLabourAssessment\\_ZaatariCamp\\_2015.pdf](http://www.unicef.org/jordan/ChildLabourAssessment_ZaatariCamp_2015.pdf) (accessed August 3, 2016), pp. 6–7; ILO, “Rapid assessment on child labour in the agricultural sector in Mafraq and the Jordan Valley,” 2014, p. 52, cited in Save the Children and UNICEF, “Small Hands, Heavy Burden: How the Syria conflict is driving more children into the workforce,” July 2, 2015, p. 8.

<sup>292</sup> ILO Jordan, “Rapid Assessment on Child Labour in the Agricultural Sector in Jordan/Mafraq and Jordan Valley, (Ghor) Jordanians and Syrians working children,” November 2014, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_246206.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_246206.pdf) (accessed August 3, 2016), p. 28

<sup>293</sup> Save the Children and UNICEF, “Small Hands, Heavy Burden: How the Syria conflict is driving more children into the workforce,” July 2, 2015, pp. 4-5.

<sup>294</sup> Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 02, 2016), p. 13.

<sup>295</sup> Human Rights Watch interviews, Jordan, October 4-21, 2015.

<sup>296</sup> Jordanian Ministry of Education, “Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children,” January 2016,, p. 13, copy on file with Human Rights Watch.

Child labor existed in Jordan before the Syria conflict—UN statistics from 2011 reported that 0.8 percent of Jordanian children aged 5 to 14 were working. But studies have found rates of Syrian child labor up to five times higher than for Jordanian children.<sup>297</sup> Employers surveyed in Jordanian cities in 2014 had greatly increased employment of children after the conflict began: 84 percent of employers said they had employed children for one to two years, compared to only 11 percent who had employed children for three to four years.<sup>298</sup>

Jordanian law provides for 10 years of compulsory education, from around ages 6 to 15. A far smaller percentage of Syrian children than Jordanian children who are working or trying to find work are enrolled in school.<sup>299</sup> Refugees and NGO workers said that Syrian children in rural areas of Jordan who are enrolled in school often missed the first weeks or even months of the fall semester because they work full-time during the harvest season.<sup>300</sup>

Yassir, 38, said that his 12-year-old son is not in school, but worked along with him and his wife farming tomatoes.<sup>301</sup> “Yesterday he told me he wanted to go back to school. We had an argument. I said, ‘It’s impossible, you have to go to the farm. Who’s going to feed us?’” At the height of the tomato season, Yassir’s wife also takes their 7-year-old, 9-year-old, and 10-year-old sons out of first grade to work, “but sometimes the farmers kick them out

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<sup>297</sup> US Department of Labor, Bureau of International Labor Affairs, “Jordan: 2014 Findings on the Worst Forms of Child Labor,” <http://www.dol.gov/ilab/reports/child-labor/jordan.htm> (accessed February 2, 2016); Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafrq,” 2015, p. 100 (about 14 per cent of Syrian boys aged of 15 to 18 are employed, compared to 8 per cent of Jordanian boys); UNICEF and Save the Children Jordan, “Comprehensive Outreach Assessment on Education Needs of Syrians in Ghor and Irbid, 18 Feb – 20 Mar 2013” (rates are five times higher for Syrian children), cited in Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 2, 2016).

<sup>298</sup> ILO, “Report on the rapid assessment on child labour in the urban informal sector in three governorates of Jordan: Amman, Mafrq and Irbid,” 2014, p. 40, cited in Save the Children and UNICEF, “Small Hands, Heavy Burden: How the Syria conflict is driving more children into the workforce,” July 2, 2015, p. 11.

<sup>299</sup> Sixty-two percent of Jordanian children who are seeking work are still in school, as opposed to 8 percent of Syrian children; of children who are working, 23 percent of Jordanians and only 3 percent of Syrians are in school. Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafrq,” 2015, pp. 105-106. An ILO survey in the Jordan Valley and in Mafrq, areas with substantial agriculture, found in 2014 that 28 percent of working Jordanian children were able to attend school, compared with only 2.4 of working Syrian children. ILO Jordan, “Rapid Assessment on Child Labour in the Agricultural Sector in Jordan/Mafrq and Jordan Valley, (Ghor) Jordanians and Syrians working children,” November 2014, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_246206.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_246206.pdf) (accessed August 3, 2016), p. 35.

<sup>300</sup> Human Rights Watch interviews with NGO staff, Azraq al-Janoob, October 8, 2015; Shamsah, Mafrq, October 13, 2015; and NGO staff, Amman, October 13, 2015.

<sup>301</sup> Human Rights Watch interview with Yassir, tented settlement outside Mafrq, October 22, 2015.

because they're too young to work in tomatoes," Yassir said. They live with about 14 other families from Hama in a cluster of tents outside the city of Mafraq. The families do not pay rent for the land, which they say they could not afford, but pay Jordanian neighbors whose electricity and water services the tents are connected to. The families collectively owe about 1,200 dinars (\$1,680) for water and electricity. "There's nothing left in Hama for us," said Yassir. "This is our country now."<sup>302</sup>

Where a husband's income is lacking, women may be unable to afford the childcare needed to work outside the home and unable to pay up to 350 JD (around \$500) in rent each month in large households of up to 10 children.<sup>303</sup> Halima, whose husband is in Syria with his second wife, said she relied on the income of her oldest sons, aged 16 and 17, who had found occasional work building and painting homes.<sup>304</sup> The brothers work from 6 a.m. to 9 p.m., they said, after having dropped out of school to work when they were 14 or 15. "How are we going to live if they go to school?" Halima asked.<sup>305</sup>

In another family, Mohamad, 14, is not in school but looking for work; he is typically able to work one or two days per week loading vegetables onto trucks in order to "take responsibility for the family," his mother said, after his father was disabled by a head injury during the Syria conflict; two of his siblings are enrolled in school.<sup>306</sup> The family has no other source of income and had previously resorted to selling humanitarian food aid to pay rent, before the World Food Programme cut assistance due to budget shortfalls.<sup>307</sup>

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<sup>302</sup> Ibid.

<sup>303</sup> Mercy Corps, *Mapping of Host Community-Refugee Tensions in Irbid, North Jordan*, February 2014, p. 29, copy on file with Human Rights Watch.

<sup>304</sup> Human Rights Watch interview with Halima, Baqaa, October 8, 2015.

<sup>305</sup> Ibid.

<sup>306</sup> Human Rights Watch interview with Hiyam, Mafraq, October 13, 2015.

<sup>307</sup> In Zaatari camp, where one in five households are headed by women, a random survey of 518 children in 2014 found 179 were working. UNHCR, "Zaatari Factsheet," December 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/FACTSHEET-ZaatariRefugeeCamp-December141215.pdf> (accessed November 20, 2015), p. 1; UNICEF and Save the Children, "Baseline Assessment of Child Labour among Syrian Refugees in Za'atari Refugee Camp Jordan," November 2014, [http://www.unicef.org/jordan/ChildLabourAssessment\\_ZaatariCamp\\_2015.pdf](http://www.unicef.org/jordan/ChildLabourAssessment_ZaatariCamp_2015.pdf) (accessed August 3, 2016). Women head one in three households in Azraq camp, but rates of child labor appear to be much lower, as it is difficult for any refugees, including children, to leave the isolated camp to find work. UNHCR, "Azraq Factsheet," December 2015, <http://reliefweb.int/report/jordan/unhcr-jordan-factsheet-field-office-azraq-camp-december-2015> (accessed August 3, 2016), p. 2.



Not all working children drop out of school, but long hours of work harm their school experience. Fifteen-year-old Ahmad goes to school from 7 a.m. to 1 p.m., and then works delivering bottled water from 3 p.m. to 10 p.m., six days per week, for 3 dinars (\$4.20) per day. “I can see he’s tired and not feeling good about it,” his mother said. “He can only manage to do it because he knows how important the three dinars are for us. We make him stop work to study for his exams, but his employer doesn’t like it.”<sup>308</sup>

Girls and boys as young as 7 skipped school on two or three days each week whenever work was available, such as during the tomato and olive harvests, to work alongside their parents in farm fields.<sup>309</sup> Mahmud, 41, who came to Jordan from Hama in early 2013, takes his 11 and 10-year-old daughters out of their 5th grade class to work with him on a farm two school days a week to pick tomatoes, he said. “Each of us gets one dinar [\$1.40] per hour and we get our wages paid every 10 days. But little girls can’t work more than four or five hours at a time.”<sup>310</sup>

In other cases, children attended non-formal education rather than public schools in order to be able to work, or because transportation costs to public schools were prohibitive. Abeer, 30, said that her 13- and 10-year old daughters had never been to public school in Jordan, and had last attended 3rd grade and 2nd grade in Syria.<sup>311</sup> They were attending an informal school that had classes only two hours per day, three days per week, which was free, nearby, and made it possible for them to work:

If we tried to enroll [the older two girls] in school, we wouldn’t be able to afford to send them. We collect old bread people throw out and sell it to herders and farmers. The [older] girls go out and help us gather it, two hours each morning and two in the evening. If the weather is not too hot, we also go out in the afternoons.

The family earns 10 piasters (14 cents) per kilogram of stale bread they collect.

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<sup>308</sup> Human Rights Watch interview with Ahmad and his mother Aisha, Salt, October 14, 2015.

<sup>309</sup> Human Rights Watch interviews, informal tented settlement, Mafraq, October 22, 2015.

<sup>310</sup> Human Rights Watch interview with Mahmud (pseudonym), tented settlement outside Mafraq, October 22, 2015.

<sup>311</sup> Human Rights Watch interview with Abeer (pseudonym), Zarqa, October 9, 2015.

Every case that Human Rights Watch documented in which Syrian children were working appeared to violate Jordanian labor law. For example, although Jordanian law sets the minimum age for work at 16 (it is 15 in Syria), Human Rights Watch met 13 children aged 14 or younger who were working full-time.<sup>312</sup> One eight-year-old boy sold packets of nuts that he carried in a cardboard box, and said that he worked—standing on busy street corners—from 7 a.m. to 2 p.m. each day.<sup>313</sup>

Jordanian law restricts 16 and 17-year olds from working more than 6 hours per day or 36 hours per week, forbids hazardous work, requires employers to obtain the written consent of the child’s guardian and a health certificate, and prohibits children from work during the weekends, holidays, or after 8 p.m.<sup>314</sup> Yet a survey found that nearly half of working Syrian children aged 12 to 17 work 60 or more hours per week, as opposed to less than 10 percent of working Jordanian children.<sup>315</sup>

### **Child Labor as a Means to Minimize Risk of Arrest**

The policy of arresting illegal workers has led some Syrians to rely on their children to work where the male head of household had been arrested, or where he was afraid he would be but believed his children were less at risk of arrest. Nejwa, 28, who fled Homs and lives

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<sup>312</sup> Jordanian Labour Law (with amendments), Law No. 08 of 2006, unofficial English translation, <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/45676/84920/F-1672011876/JOR45676%20Eng.pdf> (accessed February 4, 2016), arts. 73-76. See also “Ministerial Order of 2011, concerning occupations that are dangerous or tiring or harmful to the health of youth [under 18],” June 2011, [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=90849&p\\_country=JOR&p\\_classification=04](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=90849&p_country=JOR&p_classification=04) (accessed February 4, 2016).

<sup>313</sup> Human Rights Watch interview with Mohamad (pseudonym), Mafraq, October 13, 2015.

<sup>314</sup> Jordanian Labour Law (with amendments), Law No. 08 of 2006, unofficial English translation, <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/45676/84920/F-1672011876/JOR45676%20Eng.pdf> (accessed February 4, 2016), arts. 73-76. See also “Ministerial Order of 2011, concerning occupations that are dangerous or tiring or harmful to the health of youth [under 18],” June 2011, [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=90849&p\\_country=JOR&p\\_classification=04](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=90849&p_country=JOR&p_classification=04) (accessed February 4, 2016). The minimum age for hazardous work is 18 in both Jordan and Syria. US Department of Labor, Bureau of International Labor Affairs, “Jordan: 2014 Findings on the Worst Forms of Child Labor,” 2014, <http://www.dol.gov/ilab/reports/child-labor/jordan.htm> (accessed February 2, 2016).

<sup>315</sup> Svein Erik Stave and Solveig Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, [www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_364162.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_364162.pdf) (accessed December 24, 2015), p. 107. Overall, Syrian children work regardless of their families’ former income and education level, unlike most working Jordanian children, who come from families in the bottom income quintile and in which the head of household has had few or no years of school. *Ibid.*, p. 104. Of working children, 41 percent of Syrian 16 to 17-year-olds, and 49 percent of 12- to 15-year-olds work more than 60 hours per week.

with her children in Amman, said her husband was arrested for working without a permit in early October 2015, and sent to Azraq camp.<sup>316</sup>

The eldest of her four children, 12-year-old Abdelwahad, was already working in a butcher's shop to help support the family before his father's arrest. "His employer raised his salary after his father was arrested," Nejwa said. Abdelwahad works from 8 a.m. to 8 p.m. every day except for Friday, when he works until 4 p.m. He finished first grade in Syria, then completed two more years of school in Jordan before the family had to "pull him out so he could work. He asked me to put him back in school but he understood when I explained we needed the money."<sup>317</sup>

In some cases, Syrian parents said they sent their daughters to work because they believed police were more likely to arrest boys than girls. Shamsah, 38, fled to Jordan with her eight children in February 2014 from their village near Aleppo. She works with her daughters, Houda, 13 and Dou`a, 12, during the olive and tomato seasons, from 4 a.m. to 7 or 8 p.m. "We go from farm to farm, the three of us. Sometimes we get one dinar [\$1.40] for a box of olives, or six dinars [\$8.40] for tomatoes," Shamsah said.<sup>318</sup> All the children whom Human Rights Watch interviewed who were working in urban areas were boys, but in some rural areas, Syrian girls worked seasonally to pick olives and tomatoes, alongside their parents and other relatives.<sup>319</sup>

### **Child Labor and Residency-Related Medical Expenses**

Refugees who live in host communities but cannot meet registration requirements are unable to obtain the Jordanian service cards required to access subsidized medical care, and relatives' medical expenses have added to the financial pressure that drives families to rely on child labor.

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<sup>316</sup> Human Rights Watch interview with Nejwa, Mokhayam Hossein, Amman, October 8, 2015.

<sup>317</sup> Ibid.

<sup>318</sup> Human Rights Watch interview with Shamsah, Mafraq, October 12, 2015.

<sup>319</sup> A UN report found that girls were working in 15 percent of on refugee households in which children worked, almost half of them as domestic workers. UN Women Inter-Agency Assessment, "Gender-Based Violence and Child Protection among Syrian Refugees in Jordan, With a Focus on Early Marriage," July 2013, <http://www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2013/7/Report-web%20pdf.pdf> (accessed January 2, 2016), pp. 36–37.

Omar, 14, began working part-time in a market when he was 13 and then dropped out of school to work in a bakery, where he earned 5 JD (\$7) per day. Each week, his family takes around of 13 dinars (\$18) of Omar's salary to pay for medicine and occasional X-rays that his brother, Ahmad, 1, needs due to lung problems. Omar's father has back problems and cannot do physical work, and the family does not have access to subsidized healthcare because they are not registered with the Interior Ministry in the district where they are living. To register, the family needs to submit blood tests for all seven members, which at the time of the interview cost 30 dinars each (later reduced to 5 dinars, or \$7 each); Omar's mother said the family was trying to save Omar's salary to pay for the tests.<sup>320</sup>

Another family without subsidized healthcare is using the salary of a 17-year-old boy who dropped out of 11th grade to pay 1,700 dinars (\$2,380) in hospital costs for his older sister's C-section. The hospital was holding her UNHCR asylum seeker certificate and service card until the family paid, they said, and threatened to take them to court if they did not pay within three months.<sup>321</sup>

Fifteen-year-old Ali's parents and two of his sisters suffer from thalassemia, need bloodwork that costs a total of 45 dinars (\$63) per month, and have been prescribed medicine that the family cannot afford. Ali, the sole breadwinner, had previously tried unsuccessfully to enroll in school, and now works selling head scarves in the public market in Baqaa, from 6:30 or 7 a.m. to 10 p.m., six days per week, and earns 30-35 dinars (\$42-49) per week.<sup>322</sup>

The family arrived in Zaatari camp from Eastern Ghouta in 2013 and moved to Amman in order to be closer to a hospital, but could not afford rents. The family moved to Baqaa, a Palestinian refugee camp, where their service cards are not valid to access subsidized medical treatment there. To obtain new cards, the family said they needed to submit Syrian identity documents, but Jordanian authorities had confiscated the documents when the family first entered the country. The family applied through UNHCR for the documents to be returned in March 2015, but waited more than eight months to receive them.<sup>323</sup>

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<sup>320</sup> Human Rights Watch interview with Brahim, Baqaa, October 8, 2015.

<sup>321</sup> Human Rights Watch interview with Dua'a, Alaa, and Alia, Salt, October 14, 2015.

<sup>322</sup> Human Rights Watch interview with Hanan, October 8, 2015, and telephone interview, Baqaa, November 10, 2015.

<sup>323</sup> Ibid.

In 2011, Jordan formed a National Framework to Combat Child Labor, including a national committee. The Ministry of Labor stated in 2013 that the influx of Syrians had set back efforts to fight child labor practices in Jordan.<sup>324</sup> While some Jordanian employers hire Syrian children to help their families earn income, the lack of accountability for child labor has also contributed to abuse by employers, including sexual abuse.<sup>325</sup>

Jordan's Labor Ministry secretary general has stated that the national committee needed better coordination; a Jordanian NGO, Tamkeen for Legal Aid and Human Rights, has recommended that the committee should increase penalties for employers who violate child labor laws and increase resources for the Labor Ministry's child labor inspection unit.<sup>326</sup> The ILO found that the national committee had not engaged community-based organizations with "successful track records in identifying child labor cases" and helping them re-enroll in school or providing them with vocational training.<sup>327</sup> Jordan should either revitalize the National Framework to Combat Child Labor or create a more effective mechanism, and work to implement ILO recommendations.

The ILO has consistently recommended increased cash assistance for refugees to mitigate the need for child labor, and also noted that such assistance will not be adequate without improved access to the labor market, vocational education, and income-generating activities.<sup>328</sup>

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<sup>324</sup> Hani Hazalmeh, "Rising number of working Syrian children hinders efforts to combat child labour," *Jordan Times*, June 11, 2013, excerpts available at <http://business-humanrights.org/en/%E2%80%98rising-number-of-working-syrian-children-hinders-efforts-to-combat-child-labour%E2%80%99-jordan> (accessed March 2, 2016).

<sup>325</sup> According to a 2013 news report, 28 percent of all working children in Jordan are exposed to abuse by their employers. According to Mercy Corps, "some mothers who became aware that their sons were physically or sexually abused at work chose to return to Syria rather than expose their children to such violations." Hani Hazalmeh, "Rising number of working Syrian children hinders efforts to combat child labour," *Jordan Times*, June 11, 2013, excerpts available at <http://business-humanrights.org/en/%E2%80%98rising-number-of-working-syrian-children-hinders-efforts-to-combat-child-labour%E2%80%99-jordan> (accessed March 2, 2016). Mercy Corps, "Seeking Stability: Evidence on Strategies for Reducing the Risk of Conflict in Northern Jordanian Communities Hosting Syrian Refugees," 2014, , [https://www.mercycorps.org/sites/default/files/Seeking%20Stability%20Report\\_Draft%206.pdf](https://www.mercycorps.org/sites/default/files/Seeking%20Stability%20Report_Draft%206.pdf) (accessed August 3, 2016), p. 10.

<sup>326</sup> Laila Azzeh, "Child labor 'increasingly common' among Syrians in Jordan – study," *Jordan Times*, October 24, 2015, <http://www.jordantimes.com/news/local/child-labour-increasingly-common%E2%80%99-among-syrians-jordan-%E2%80%94-study> (accessed March 24, 2016).

<sup>327</sup> ILO, "Report of the rapid assessment on Child Labour in the Urban Informal Sector in Three Governorates of Jordan (Amman, Mafraq and Irbid)," 2014, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms\\_246207.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_246207.pdf) (accessed August 03, 2016), p. 65.

<sup>328</sup> *Ibid.*, pp. 66-67.

## *Early Marriage*

Few Syrian refugee girls in Jordan who marry—and even some who are not yet married, but engaged—complete their education, and early marriage appears more prevalent among Syrians in Jordan than it was in Syria generally before the conflict.<sup>329</sup>

According to UNICEF, child marriage accounted for 13 percent of marriages in Syria before the conflict, and 12 percent of Syrian marriages registered in Jordan in 2011, but increased to 32 percent of Syrian marriages in Jordan in 2014.<sup>330</sup> More than half of married Syrian women in Jordan were married before the age of 18, and nearly half of married girls aged 15-17 are married to men who are at least a decade older than them.<sup>331</sup>

Jordanian law sets 18 as the minimum marriage age, but allows for Sharia court judges to make exceptions for children as young as 15 years old.<sup>332</sup> Because of the costs involved, some Syrian families do not register their marriages with Jordanian Sharia courts.<sup>333</sup>

Many Syrian refugee parents whose daughters marry early view child marriage as a way to cope with poverty and insecurity, and yet early marriage also increases the danger that girls may be subject to domestic abuse or exploitation.<sup>334</sup> More than 16 percent of Syrian girls in Jordan who were married between the ages of 15 and 17 married men who were 15 or more years older, compared to 6 percent of married Palestinian girls and 7 percent of

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<sup>329</sup> Ayoush, 30, said that his daughter Randa, 16, was engaged to be married in Jordan in November 2015, and had not re-enrolled in school for the 2015-2016 school year for that reason. Human Rights Watch interview with Ayoush, Mafraq, October 13, 2015.

<sup>330</sup> “Child Marriages Double Among Syrian Refugees in Jordan,” AFP, July 16, 2014, <http://english.alarabiya.net/en/News/middle-east/2014/07/16/Child-marriages-double-among-Syria-refugees-in-Jordan.html> (accessed August 2, 2016). In 2013, 735 of 2,936 Syrian marriages registered by Jordanian Sharia courts involved children, but many Syrian families did not register marriages due to perceived administrative difficulties. UNICEF, “A study on early marriage in Jordan 2014,” July 2014, p. 10, [http://www.unicef.org/mena/UNICEFJordan\\_EarlyMarriageStudy2014%281%29.pdf](http://www.unicef.org/mena/UNICEFJordan_EarlyMarriageStudy2014%281%29.pdf) (accessed August 3, 2016).

<sup>331</sup> Valenza and AlFayez (UNICEF), “Running on Empty: The situation of Syrian children in host communities in Jordan,” May 2016, [http://www.unicef.org/jordan/Running\\_on\\_Empty2.pdf](http://www.unicef.org/jordan/Running_on_Empty2.pdf) (accessed August 2, 2016), pp. 17-18.

<sup>332</sup> Jordan’s Provisional Personal Status Law, No. 36 of 2010, art. 10. The constitution sets out the role of Sharia courts in article 105. UNICEF, “A study on early marriage in Jordan 2014,” July 2014, p.6.

<sup>333</sup> Norwegian Refugee Council and Harvard International Human Rights Clinic, “Registering Rights: Syrian refugees and the documentation of births, marriages and deaths in Jordan,” October 2015, <http://hrp.law.harvard.edu/wp-content/uploads/2015/11/Registering-rights-report-NRC-IHRC-October20151.pdf> (accessed August 2, 2016).

<sup>334</sup> Overall, the early marriage rate in Jordan ranged from 14.3 per cent in 2005 to 13.2 per cent in 2013, despite legislation setting a minimum marriage age of 18 years in 2001. UNICEF, “A study on early marriage in Jordan 2014,” 2014, [http://www.unicef.org/mena/UNICEFJordan\\_EarlyMarriageStudy2014%281%29.pdf](http://www.unicef.org/mena/UNICEFJordan_EarlyMarriageStudy2014%281%29.pdf) (accessed August 3, 2016), p. 13.

Jordanian girls.<sup>335</sup> In surveys, Syrian mothers have said they did not want their girls to be married as children, but that marriage could alleviate poverty, provide protection (*sutra*) for young girls, maintain traditions, and help girls escape an abusive home situation. Early marriage is most often “instigated by a parent, and the ultimate decision usually lay with the male head of household,” UNICEF found.<sup>336</sup>

In one case, Jordanian policies exacerbated the poverty that led a family to marry off their daughter. Nour, 15, was married in Jordan in July 2015, and did not re-enroll in school that fall.<sup>337</sup> Her father is unable to work due to illness; her brother Omar, 14, works full-time in a bakery; her infant brother has lung problems; and because her family’s registered address is different from the host community where they are actually living, they need to collect money from Omar’s salary to pay for mandatory blood tests in order to re-register with the Interior Ministry and obtain new service cards. Nour’s father said that her new in-laws were in a better financial position to be able to support her.<sup>338</sup>

### *Transportation*

The lack of publicly-funded transportation to schools in Jordan was identified as a barrier to education for poor Jordanian children long before the Syria conflict; it is now also a barrier for Syrian children. The majority of Syrian families interviewed by Human Rights Watch said that they faced difficulties getting to school. The distance to schools is most significant as an obstacle in host communities, but the distance to school from some parts of the sprawling Zaatari refugee camp, and the need for children to return home at night along dark, unlit paths during the winter, has also been one of the main obstacles to education there, particularly for younger children.<sup>339</sup>

Nearly all of the Syrian families interviewed in host communities said they had difficulty paying transportation costs to send their children to school, and many parents whose

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<sup>335</sup> The number of registered marriages between Jordanians and Syrians also doubled from 2011 to 2012. UNICEF, “A study on early marriage in Jordan 2014, 2014, [http://www.unicef.org/mena/UNICEFJordan\\_EarlyMarriageStudy2014%281%29.pdf](http://www.unicef.org/mena/UNICEFJordan_EarlyMarriageStudy2014%281%29.pdf) (accessed August 03, 2016), p. 8.

<sup>336</sup> *Ibid.*, p. 9.

<sup>337</sup> Human Rights Watch interview with Brahim, Baqaa, October 8, 2015.

<sup>338</sup> *Ibid.*

<sup>339</sup> Education Sector Working Group (UNICEF), “Access to Education for Syrian Children and Youth in Jordan Host Communities: Joint Education Needs Assessment,” March 2015, [http://reliefweb.int/sites/reliefweb.int/files/resources/REACH\\_JENA\\_HC\\_March2015\\_.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/REACH_JENA_HC_March2015_.pdf) (accessed August 02, 2016).

children were not in schools or had dropped out said that their inability to pay for transportation was the main reason. In most cases, families said that private microbus drivers usually charged around JD 10- 15 (\$14- \$21) per month per child, but sometimes much more, depending on the location and the distance to school.

Transportation fees are the largest public school-related expense for Syrian families in Jordan, where it costs an average of JD 26 (\$36) per month “to send a child to public school,” according to humanitarian NGO staff.<sup>340</sup> Susan, 33, said that she had tried unsuccessfully to enroll her three school-aged children in nearby schools in the fall of 2014 and the spring of 2015, before enrolling them in another public school that was farther away from their home outside Irbid, but the children stopped attending after a month because transportation fees cost a total of JD 30 (\$43) per month, which she could not afford.<sup>341</sup>

Abdel Hakim, 55, and his wife Sabaa, 30, said they could not afford to send any of their six school-aged children to school in Mafraq.<sup>342</sup> Abdel Hakim has heart problems and lost a leg in an accident in Syria, and cannot do physical work. Sabaa said, “I can’t pay the bills as it is, and there’s no money to pay for them to go to school.” A microbus would cost 10 JD per month per child, she said.<sup>343</sup>

Families in rural areas often pay even higher transportation fees to send their children to school. Yassir, 38, who came to Jordan from Hama in early 2013, said he paid 100 JD per month (\$140) for transportation to send four of his six school-aged children to school from an area outside Mafraq where they live in a tent.<sup>344</sup> He had to take his son Hossein, 12, out of school because “the bus driver wanted twice the price for him, because he’s at a different school.” Although Hossein was now working as an agricultural laborer, his family was JD 2,000 (\$2,800) in debt. Yassir’s desire to keep his other children in school meant he needed to stay in the same area all year round, even though “there’s no work here after the end of the tomato season.” In the winter, Yassir said, most Syrian families in his area

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<sup>340</sup> Human Rights Watch interview with international humanitarian NGO staff, Amman, October 5, 2015.

<sup>341</sup> Human Rights Watch interview, Na’imeh, October 11, 2015.

<sup>342</sup> Human Rights Watch interview, Mafraq, October 13, 2015.

<sup>343</sup> Ibid.

<sup>344</sup> Human Rights Watch interview with Yassir, tented settlement outside Mafraq, October 22, 2015.



moved to the Jordan Valley, where the warm climate meant there was farm work available. “If I didn’t have kids I’d move too, but then I wouldn’t be able to put them in school.”<sup>345</sup>

The wages of two sisters, ages 10 and 11, who miss school two days a week to work with their father as agricultural laborers, help pay the microbus that takes them and two of their younger siblings to school, which costs 10 JD per month per child. A few weeks ago, “they all missed school for two days because we couldn’t pay the bus driver,” their father said.<sup>346</sup> He said he hoped the girls would be able to continue their schooling, but did not know if it would be possible: “I hope so, but I don’t know.”<sup>347</sup>

The lack of affordable transportation to schools, which in some cases are only reachable by walking along main roads, puts young children at risk of road accidents and can lead to dropouts. Amal, 8, from Homs, dropped out of 2nd grade in February 2015 after she saw a car hit her cousin as they were walking back from school together in the Jordanian city of Zarqa,<sup>348</sup> resulting in a broken leg. She, her cousin, and her sister Sawsan, who was also present, did not attend school for the rest of the spring semester. “No one from the school followed up with us,” her mother, Rouqiya, said, “until the end of the school year [around May] when the principal called and asked why the girls weren’t coming to school and that they had to do final exam.” The girls did not take the exam, but the school allowed them to enroll in the fall 2015 semester. Amal attended school for one week in the fall but then dropped out again. “She’s still afraid,” her mother said. If Amal could take a microbus, she would go back to school, but that was unaffordable, her mother said. “My husband is in Syria and he managed to sell our furniture and send us some money, but I’m three months behind on our rent.”<sup>349</sup>

Staff from foreign donor state agencies and international humanitarian agencies said in April that donors had tentatively agreed to fund Jordan’s Education Ministry to provide transportation for both Syrian and Jordanian children. Jordan’s Education Ministry proposed in January a program to provide subsidized transportation for younger children and for girls who were enrolled in afternoon shift classes to return home from school.

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<sup>345</sup> Ibid.

<sup>346</sup> Human Rights Watch interview with Mahmoud, October 22, 2015, tented settlement outside Mafraq.

<sup>347</sup> Ibid.

<sup>348</sup> Human Rights Watch interview with Amal and her mother Rouqiya, Zarqa, October 9, 2015.

<sup>349</sup> Ibid.

Such a targeted program would help address key security concerns; Syrian parents told Human Rights Watch, consistent with the findings of several UN agency surveys, that they were particularly afraid for their children’s safety when they returned home in the dark after the end of afternoon-shift classes, and were afraid that younger and teenaged girls would be harassed or sexually abused.

## IV. Barriers Affecting Particular Groups

### Young Children

#### *Pre-Primary School*

Around 31 percent of Jordanian children attend pre-primary school, which is not free or compulsory under Jordanian law.<sup>350</sup> In 2015, Jordan initiated a plan to enroll 3,750 Jordanian and Syrian children in host communities in free, double-shift kindergartens, at a cost of around \$2.1 million.<sup>351</sup> In cooperation with Jordan's Education Ministry, foreign donors tentatively pledged, as of April 2016, to fund a revised plan to open more kindergartens to accommodate both Jordanian and Syrian children, including by opening "afternoon shift" kindergartens.<sup>352</sup>

Donors and the Education Ministry should follow through on these efforts. Research on education and on brain development indicates that early childhood education is a critical factor in children's development, and that it can play an important role in helping children cope with the toxic stress of humanitarian emergencies such as forced displacement.<sup>353</sup>

Only one of the Syrian parents Human Rights Watch spoke to said they were able to afford sending their child to pre-primary school, temporarily, because a family friend had paid the costs but then left Jordan; three other families said they had tried to put their children in pre-primary school but could not afford the costs—including an initial payment of 30-50 dinars (\$42-70) plus monthly fees of 15-20 dinars (\$21-28).<sup>354</sup> Some public schools and

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<sup>350</sup> United Nations Educational Scientific and Cultural Organisation (UNESCO) Institute for Statistics, "Country Profiles: Jordan," undated, <http://www.uis.unesco.org/DataCentre/Pages/country-profile.aspx?code=4000&SPSLanguage=EN> (accessed August 3, 2016).

<sup>351</sup> Hashemite Kingdom of Jordan, "Jordan Response Plan for the Syria Crisis: 2015, Annexes," undated, <http://www.jrpsc.org/> (accessed August 2, 2016), p. 5 (Table 1.1, Ref. 1.1).

<sup>352</sup> Human Rights Watch interviews with international humanitarian and foreign state donor agencies, Amman, April 19, 20, 21, 2016.

<sup>353</sup> Hania Kamel (UNESCO), "Early Childhood Care and Education in Emergency Situations: Background paper prepared for the Education for All Global Monitoring Report 2007, Strong foundations: early childhood care and education," 2006, <http://unesdoc.unesco.org/images/0014/001474/147469e.pdf> (accessed July 23, 2016), pp. 8-14, 16-19. See also National Scientific Council on the Developing Child, Center on the Developing Child, "Excessive Stress Disrupts the Architecture of the Developing Brain," Working Paper 3., 2014, [http://developingchild.harvard.edu/wp-content/uploads/2005/05/Stress\\_Disrupts\\_Architecture\\_Developing\\_Brain-1.pdf](http://developingchild.harvard.edu/wp-content/uploads/2005/05/Stress_Disrupts_Architecture_Developing_Brain-1.pdf) (accessed July 23, 2016).

<sup>354</sup> Human Rights Watch interviews with Noura, Baqaa, October 8, 2015; Hassan, Amman, October 5, 2015; and Safaa, 25, Salt, October 13, 2015.

humanitarian organizations operate free kindergartens, but some refugees said they were unable to enroll their children because the kindergartens were already full, or were too far away and they could not afford the cost of transportation.<sup>355</sup>

## Older Children

### *Lack of Access to Secondary Education and the Tawjihi Exam*

Many factors may dissuade Syrian students from attempting to finish secondary school in Jordan. At each level of education, opportunities for Syrians decrease and costs increase. In host communities, only primary schools operate “double shifts” for Syrian students; no secondary schools do.<sup>356</sup>

In refugee camps, secondary schools may be closer to children’s homes than in many host communities; humanitarian assistance has been higher and more consistent; and access to work opportunities is less, reducing pressure for child labor. Yet a United Nations Children’s Fund (UNICEF) assessment in Azraq camp in June 2015 found that only 22 percent of girls and 32 percent of boys age 16 and 17 were in school.<sup>357</sup> The Ministry of Education reported net enrollment rates of 72.56 percent in secondary school during the 2014-15 academic year.<sup>358</sup>

A UN survey in Zaatari camp found that children dropped out or did not go to school because of the need to do housework or paid work, perceptions the education was low quality, and a sense that there was no point receiving an education.<sup>359</sup> Only 464 Syrian students were enrolled in secondary education in the country’s three refugee camps in the

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<sup>355</sup> Human Rights Watch interviews with H., Mafraq, October 13, 2015; and Ghada (pseudonym), Baqaa, October 8, 2015.

<sup>356</sup> Mona Christophersen (International Peace Institute), “Securing Education for Syrian Refugees in Jordan,” May 2015, <https://www.ipinst.org/wp-content/uploads/2015/05/IPI-E-pub-Securing-Education-for-Syrian-Refugees.pdf> (accessed August 2, 2016), p. 9.

<sup>357</sup> United Nations Children’s Fund (UNICEF), “Comprehensive Child-Focused Assessment: Za’atari Refugee Camp,” June 2015, [http://www.reachresourcecentre.info/system/files/resource-documents/reach\\_jor\\_report\\_comprehensive\\_child\\_focused\\_assessment\\_zaatari\\_refugee\\_camp\\_june\\_2015\\_2.pdf](http://www.reachresourcecentre.info/system/files/resource-documents/reach_jor_report_comprehensive_child_focused_assessment_zaatari_refugee_camp_june_2015_2.pdf) (accessed January 23, 2016).

<sup>358</sup> Jordanian Ministry of Education, “Impact of Syria Crisis on Education in Jordan and Accelerating Access to Quality Formal Education for Syrian Refugee Children,” January 2016, p. 2, copy on file with Human Rights Watch.

<sup>359</sup> UNICEF, “Comprehensive Child-Focused Assessment: Za’atari Refugee Camp,” June 2015, [http://www.reachresourcecentre.info/system/files/resource-documents/reach\\_jor\\_report\\_comprehensive\\_child\\_focused\\_assessment\\_zaatari\\_refugee\\_camp\\_june\\_2015\\_2.pdf](http://www.reachresourcecentre.info/system/files/resource-documents/reach_jor_report_comprehensive_child_focused_assessment_zaatari_refugee_camp_june_2015_2.pdf) (accessed January 23, 2016), p. 36.

fall of 2015, according to the Ministry of Education, out of roughly 6,440 secondary school-aged students in the camps.<sup>360</sup>

Outside camps, there are fewer secondary schools, and they are often farther away and more expensive for families to send children to attend. Lack of public transportation to schools affects both Syrian and poorer Jordanian children's access to education.

Leila, 33, said she wanted her daughter, Bisan, to go to high school, but would not be able to send her the next year because the family cannot afford to pay for a bus.<sup>361</sup> They fled to Jordan from Eastern Ghouta in 2013 and were able to enroll their three school-aged children at that time because they could walk to school safely. Bisan, 13, is enrolled in a grade 8 class at a school that teaches up to grade 9. "We don't know what will happen after grade 9," Leila said. "There's a high school, but it's not close. We can't send the kids to [walk in] unsafe areas we don't know." Her husband only found work occasionally, and it was impossible to pay the rent, particularly after the World Food Programme halved their monthly food assistance to 10 JD (\$14) per person a few months previously.<sup>362</sup>

Some families said they could not afford to send their children to secondary school because they needed them to work. Aisha, 43, said her son Zoheir, 18, had been "a good student in Syria" but dropped out of grade 9 when he was 16 to support the family after his father became ill.<sup>363</sup> When the family fled to Jordan in February 2013, they tried to enroll Zoheir in 11th grade, "but they told him he had to go into tenth grade, unless he had a certificate [showing] that he had already finished it," Aisha said. The family of seven now depends on the income that Zoheir earns working at a restaurant in Amman, "but he's always worried they'll catch him" for working without a permit. He leaves the house at 7 a.m., returns at 10 p.m., and earns 250 JD (\$352) per month, she said.<sup>364</sup>

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<sup>360</sup> Jordanian Ministry of Education, "Accelerating Access to Formal Education for Syrian Refugee Children," January 2016, p. 3, copy on file with Human Rights Watch.

<sup>361</sup> Human Rights Watch interview with Leila and Bisan (pseudonyms), Baqaa, October 8, 2015.

<sup>362</sup> Ibid. In August 2015, a shortage of donor funds required the World Food Programme (WFP) to reduce food aid from US\$28 to \$14 per person per month for the "most vulnerable" refugees—about 200,000 people—and from \$14 to \$7 for other recipients. Karin Laub, "World Food Program cuts aid to Syrian refugees in Jordan," *Associated Press*, July 31, 2015, <http://bigstory.ap.org/article/54ef216af02f4a0792ea9b4b4384744e/world-food-program-cuts-aid-syrian-refugees-jordan> (accessed January 28, 2016).

<sup>363</sup> Human Rights Watch interview with Aisha, Salt, October 14, 2015.

<sup>364</sup> Ibid.

For many families, the costs of secondary education are not offset by any clear benefits. Most Syrian labor is unskilled and informal, since it is illegal to work without permits, which few can obtain. In such a labor market, higher levels of education do not appear to be of help to job seekers. An International Labour Organization-Fafo joint survey of Syrian refugee children who were not in school found no relationship between the level of education that the children had completed, and whether or not they had found employment.<sup>365</sup>

Hana, 32, who fled to Jordan in April 2013, enrolled her school-aged children in school, and wants them to complete secondary school, but worries their education will end at that level. Her oldest children, 15-year-old twins, are in 10th grade. “Safaa is the top of her class, and she used to love school, but after the *tawjihi*, will that be it for my children?” Hana asked.<sup>366</sup>

In some cases, Syrian parents have considered returning to Syria so their secondary school-aged children can finish their studies and enroll in university. In October 2015, a Syrian father living in Irbid said he planned to take his 19-year-old daughter, Ayat, back home to Daraa so she could finish secondary school and be eligible to enroll in university, while his wife remained in Jordan with their other children.<sup>367</sup> The family’s monthly expenses were around \$847, and their savings had run out.<sup>368</sup>

### *Lack of Vocational Training Programs in Host Communities*

Jordanian authorities have permitted international humanitarian agencies to operate job-skills programs in the camps,<sup>369</sup> but have limited nongovernmental organization (NGO)-run vocational training programs in host communities due to “political sensitivities” around the integration of Syrians on the labor market, where they would compete with Jordanians.<sup>370</sup> Staff at international humanitarian NGOs told Human Rights Watch in

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<sup>365</sup> Svein Erik Stave and Solveig Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafrq,” 2015, [www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_364162.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_364162.pdf) (accessed December 24, 2015), p.106.

<sup>366</sup> Human Rights Watch interview with Hana, Salt, October 14, 2015.

<sup>367</sup> Yolande Knell, “Desperate Syrian refugees return to war zone,” October 12, 2015, *BBC*, <http://www.bbc.com/news/world-middle-east-34504418> (accessed January 10, 2016).

<sup>368</sup> *Ibid.*

<sup>369</sup> See, e.g., UNICEF, “Za’atari youth gain entrepreneurial skills for technology, creative industries and social initiatives,” April 17, 2016, [http://www.unicef.org/jordan/media\\_10979.html](http://www.unicef.org/jordan/media_10979.html) (accessed April 18, 2016).

<sup>370</sup> Human Rights Watch interview with international humanitarian NGO staff, Amman, October 5, 2015; Christophersen (International Peace Institute), “Securing Education for Syrian Refugees in Jordan,” May 2015, pp. 7, 10-11.

October 2015, consistent with earlier reports, that Jordanian authorities had not approved a number of projects that include vocational training components for Syrian refugees.<sup>371</sup> Several NGO staff said that Jordan appeared to be relaxing restrictions on NGO-run vocational training projects in 2016, but that there were still too few.<sup>372</sup>

UNDP is the focal point for vocational training programs for Jordanian young adults, as part of the Jordan Response Plan to the Syria conflict, but these programs were intended to ease the burden on host communities, not to train Syrian refugees.<sup>373</sup>

Jordanian secondary schools have both academic and vocational “streams,” which Syrian students can access. Donors supported 800 scholarships in vocational training for Syrian students at Jordanian community colleges,<sup>374</sup> which few could otherwise afford.<sup>375</sup> Some refugees benefited from these donor-funded technical training programs but were unable to obtain work permits.<sup>376</sup>

### *Limited Access to University*

The enrollment rate in tertiary education among Syrian refugees has declined since before 2011.<sup>377</sup> Jordan is not obliged to provide access to tertiary education to refugees, but has worked with donors to create scholarships for Syrian students at Jordanian universities. The European Union, United Kingdom, and Germany provided donations to sponsor more

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<sup>371</sup> Human Rights Watch interviews with international humanitarian NGO staff, Amman, October 2015. See also Christophersen (International Peace Institute), “Securing Education for Syrian Refugees in Jordan,” May 2015; *ibid.*, Doris Carrion (Chatham House), “Syrian Refugees in Jordan: Confronting Difficult Truths,” research paper, September 2015, [https://www.chathamhouse.org/sites/files/chathamhouse/field/field\\_document/20150921SyrianRefugeesCarrion.pdf](https://www.chathamhouse.org/sites/files/chathamhouse/field/field_document/20150921SyrianRefugeesCarrion.pdf) (accessed July 26, 2016), p. 9 (citing interviews with a UN official in July 2014 that Jordan had not approved vocational, cash-for-work or income-generating projects).

<sup>372</sup> Human Rights Watch telephone interviews with nongovernmental organization (NGO) staff in Amman, May 18 and July 24, 2016.

<sup>373</sup> Christophersen (International Peace Institute), “Securing Education for Syrian Refugees in Jordan,” May 2015, pp. 10-11.

<sup>374</sup> Human Rights Watch interview with foreign donor agency official, April 20, 2016; see also Spark (international NGO), “Jordan,” undated, <http://spark-syria.eu/jordan/> (accessed July 26, 2016).

<sup>375</sup> Human Rights Watch telephone interview with international NGO staff in Amman, July 25, 2016.

<sup>376</sup> “Peace, bread, and work,” *The Economist*, May 7, 2016, <http://www.economist.com/news/middle-east-and-africa/21698260-jobs-syrian-refugees-help-them-and-their-hosts-and-slow-their-exodus-peace> (accessed July 27, 2016).

<sup>377</sup> No Lost Generation, “Syria Crisis Education Strategic Paper, London 2016 Conference,” 2016, [http://www.oosci-mena.org/uploads/1/wysiwyg/160128\\_UNICEF\\_MENARO\\_Syria\\_policy\\_paper\\_final.pdf](http://www.oosci-mena.org/uploads/1/wysiwyg/160128_UNICEF_MENARO_Syria_policy_paper_final.pdf) (accessed August 2, 2016), p. 3, citing European Union (EU) Delegation to the Syrian Arab Republic, “Study to Design a Programme / Clearinghouse Providing Access to Higher Education for Syrian Refugees and Internally Displaced Persons: Final report,” March 2015, <https://www.utwente.nl/bms/cheps/news/finalreportstudyhighereducationsyrianrefugeesandidp.pdf> (accessed August 3, 2016). University enrollment was 20 percent in Syria and 8 percent among refugees in Jordan.

than 300 Syrian students to enroll in university programs in Jordan, and 750 students in distance learning and online university courses in 2016.<sup>378</sup> Policy improvements could increase university access for Syrian refugees and thus provide an additional incentive for Syrian children to complete primary and secondary school.

In some cases, students were unable to continue with their university education because they did not have proof that they had been enrolled in university in Syria. Alaa' and Dua'a, twin sisters from Daraa, said they had each completed one year of university in Damascus in education and information technology respectively before their family fled to Jordan in August 2011. They did not have any certification of their university-level study, and were ineligible for subsidized tertiary education. "Since coming to Jordan, we stayed at home. We didn't have the money to go to any private schools," Dua'a said.<sup>379</sup> Instead, the family was funding the lower university costs of their 19-year-old brother, who was in his second year of studying Arabic literature at a university in Zarqa. He was able to study at less expensive rates because he had completed high school in Jordan and had scored very well on his *tawjihi*.<sup>380</sup>

Amal, a 20-year-old from Nasriyya and a volunteer second-grade teacher at a non-formal school for Syrian children near Azraq camp, experienced similar problems.<sup>381</sup> She had completed all her *tawjihi* exams in Syria "except the very last one, and they wouldn't let me finish it here," she said.

They said they needed proof I had passed 11th grade, but they wouldn't accept my faxed form, and told me I needed to send in the original. But the border is closed, and anyway it is dangerous for me to go back to Syria.

Amal, who hopes to study psychology, said the Ministry of Education denied several requests she made to finish her exams in Jordan.<sup>382</sup>

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<sup>378</sup> Human Rights Watch interview with foreign donor agency official, Amman, April 20, 2016.

<sup>379</sup> Human Rights Watch interview with Dua'a, Alaa, and Alia, Salt, October 14, 2015.

<sup>380</sup> Ibid.

<sup>381</sup> Human Rights Watch interview with Amal (pseudonym), southern Azraq governorate, October 13, 2015.

<sup>382</sup> Ibid.



Jordanian education authorities, concerned by reports of fake school certificates, are demanding original *tawjihi* certificates from Syria.<sup>383</sup>

## Children with Disabilities

### *Lack of Access to Public Schools*

Research conducted by international NGOs in late 2013 found that 26 percent of all Syrian refugees in Jordan had a physical, sensory, or intellectual impairment, 1 in 15 had been injured, including wounds sustained due to the conflict, and nearly 5 percent of all Syrian refugee children in host countries had an intellectual disability.<sup>384</sup> The research found that schools often lacked accessible toilets, access ramps, handrails, or doors wide enough for wheelchairs, or inclusive teaching methods adapted to children with disabilities.<sup>385</sup>

The most common reason children were not in school was because the school was not physically accessible to them. Another 20 percent of disabled children had intellectual or mental disabilities.<sup>386</sup>

A centralized United Nations High Commissioner for Refugees (UNHCR) refugee database, ProGres, classifies physical and mental disabilities, as well as visual, hearing, and speech impairments, and mental illness. In order to identify Syrian refugees with disabilities, the agency has developed a Vulnerability Assessment Framework; it also leads an “Age and Disability Taskforce” in Jordan, which includes partner organizations and meets regularly.<sup>387</sup>

Access to education for disabled children was an issue in Jordan before the Syrian crisis. In 2007, there were 1,450 students with mental disabilities in Jordan, 800 deaf students, and

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<sup>383</sup> Human Rights Watch interviews with international humanitarian agencies and foreign donor agency official, Amman, April 18, 19, and 21, 2016.

<sup>384</sup> Handicap International and HelpAge, “Hidden Victims of the Syria Crisis: Disabled, Injured, and Older Refugees,” 2014, [http://d3n8a8pro7vvhmx.cloudfront.net/handicapinternational/pages/454/attachments/original/1397045203/Hidden\\_Victims\\_of\\_the\\_Syrian\\_Crisis%E2%80%94disabled\\_\\_injured\\_and\\_older\\_refugees.pdf?1397045203](http://d3n8a8pro7vvhmx.cloudfront.net/handicapinternational/pages/454/attachments/original/1397045203/Hidden_Victims_of_the_Syrian_Crisis%E2%80%94disabled__injured_and_older_refugees.pdf?1397045203) (accessed February 28, 2016), pp. 6, 20.

<sup>385</sup> Handicap International and HelpAge, “Hidden Victims of the Syria Crisis,” 2014, p. 33.

<sup>386</sup> Better-quality data should be available after the results of the November 2015 census are tabulated. UNICEF, “UNICEF to build local capacity in measuring child disability in Jordan,” September 1, 2015, [http://www.unicef.org/jordan/media\\_10554.html](http://www.unicef.org/jordan/media_10554.html) (accessed February 28, 2016).

<sup>387</sup> Mary Crock, Ben Saul, et. al. (University of Sydney and Research Center on Migration and Development (IGAM)), “Syrian refugees with disabilities in Jordan and Turkey,” January 2015, [https://www.researchgate.net/publication/281853465\\_Syrian\\_refugees\\_with\\_disabilities\\_in\\_Jordan\\_and\\_Turkey](https://www.researchgate.net/publication/281853465_Syrian_refugees_with_disabilities_in_Jordan_and_Turkey) (accessed August 3, 2016), pp. 20-21, 26.

one primary and secondary school for blind students.<sup>388</sup> Government figures identified 16,451 Jordanian children with disabilities in 2015.<sup>389</sup> Among Jordanian citizens, a 2004 census found most disabled persons aged 15 years and older were illiterate.

In 1990, Jordan's national charter established the right to education of persons with disabilities.<sup>390</sup> Its national education strategy refers to the need to provide diagnostic testing, programs, and resources to support children with disabilities.<sup>391</sup> Jordan ratified the UN Convention on the Rights of People with Disabilities in 2008, which applies to refugees.<sup>392</sup> From 2010 to 2015, the National Strategy for Persons with Disabilities noted Jordan had "made progress in education integration for persons with disabilities" but cited "weak linkages with detection and early intervention programs."<sup>393</sup>

The Law for the Rights of Persons with Disabilities emphasizes "the right of disabled persons to education and higher education commensurate with his/her abilities." It allows for import-duty and tax exemptions for educational materials, school-related products, and land for schools for people with disabilities; established the Higher Council for the Affairs of Persons with Disabilities,<sup>394</sup> which leads and coordinates projects such as teacher

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<sup>388</sup> National Centre for Human Rights, "The Rights of Disabled people in the Hashemite Kingdom of Jordan: As Per the National Legislative System and International Standards," 2008, <http://www.nchr.org.jo/english/ModulesFiles/PublicationsFiles/Files/The%20Rights%20of%20Disabled%20people%20in%20the%20Hashemite%20Kingdom%20of%20Jordan%20As%20Per%20the%20National%20Legislative%20.pdf> (accessed February 28, 2016), p. 32.

<sup>389</sup> Higher Council for Affairs of Persons With Disabilities, "Statistical Report," 2015, [http://hcd.gov.jo/sites/default/files/ltqryr\\_lhsyy2.pdf](http://hcd.gov.jo/sites/default/files/ltqryr_lhsyy2.pdf) (accessed March 2, 2016), p.4.

<sup>390</sup> The Jordanian National Charter, December 1990, "Education," <http://www.kinghussein.gov.jo/charter-national.html> (accessed March 2, 2016), Chapter Six, art. 2(5).

<sup>391</sup> Ministry of Education, National Education Strategy, 2006-2016, <http://inform.gov.jo/Portals/0/Report%20PDFs/2.%20Human%20&%20Social%20Development/i.%20Education%20&%20Training/2006%20ERFKE%20National%20Education%20Strategy.pdf> (accessed February 28, 2016), p. 19.

<sup>392</sup> UN Convention on the Rights of Persons with Disabilities (CRPD), adopted December 13, 2006 G.A. RES/61/106, entered into force May 3, 2008, in 2007. The Convention, which Jordan ratified on March 31, 2008, obliges states parties to apply its protections to "all persons with disabilities," without differentiation; see UN, "Convention On The Rights Of Persons With Disabilities," undated, <http://www.un.org/disabilities/convention/conventionfull.shtml> (accessed August 3, 2016); United Nations High Commissioner for Refugees (UNHCR) also applies the convention's provisions to refugee. UNHCR, "People with Disabilities," undated, <http://www.unhcr.org/pages/4a0c310c6.html> (accessed August 3, 2016).

<sup>393</sup> Ministry of Planning and International Cooperation, "2010-2015 National Strategy for People with Disabilities," <http://inform.gov.jo/en-us/By-Date/Report-Details/ArticleId/86/2010-2015-National-Strategy-for-People-with-Disabilities> (accessed February 28, 2016).

<sup>394</sup> Law on the Rights of People with Disabilities, no. 31 of 2007, <http://hcd.gov.jo/content/law-rights> (accessed February 28, 2016). The 2007 law annulled and replaced Jordan's 1993 Law for the Welfare of Disabled Persons; law <http://dredf.org/legal-advocacy/international-disability-rights/international-laws/jordan-law-for-welfare-of-disabled-persons/> (accessed March 2, 2016).

trainings to improve inclusive education;<sup>395</sup> and obliges the Ministry of Education to teach mathematics and computer skills for blind students. It also stipulated that integration programs should teach people with disabilities and avoid separating them, except for cases of severe disabilities that the government should accommodate with special institutions to rehabilitate and educate. Despite these provisions, math and computer skills have been taught only in special schools for the blind and no educational diagnosis center had been established at time of writing.

The Education Ministry, in consultation with NGOs, has recognized the need for inclusive education. Some Jordanian schools have accepted Syrian children with physical disabilities; according to UNICEF, 134 Syrian children with disabilities were accepted into public schools in May 2016.<sup>396</sup> However, public schools lack necessary facilities for children with movement-related disabilities. In four of five cases, Syrian parents of children with multiple disabilities—usually intellectual and physical—told Human Rights Watch they could not enroll their children, or did not attempt to because they assumed they would be rejected.

Hanin and Bayan, sisters who attend 4th and 1st grade at a Jordanian public school in Mafraq, have difficulty walking.<sup>397</sup> Although it has taken several steps to accommodate them—including letting the girls skip the assembly line and allowing them to enroll despite it not having a double-shift—the school has no elevators or wheelchair ramps, said their mother, who added she fears her daughters will have to drop out next year:

Hanin was the second-best in her class and even the principal told me not to take her out of school. But it takes them 30 minutes to get to school, and I have to be with them and help carry them. They're getting heavier, and their bags are heavy. I can only afford to pay a car one dinar [\$1.40], but the drivers asked for 25 dinars (\$35) a month. I don't want the girls to be at home, and they told me they want to study, so they'll be able to read,

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<sup>395</sup> See e.g. “ختتام المرحلة الأولى من برنامج رفع كفاءة العاملين بمؤسسات التربية الخاصة” *Petra News Agency*, July 25, 2016, <http://hcd.gov.jo/ar/news/المرحلة-الأولى-من-برنامج-رفع-كفاءة-العاملين-بمؤسسات-التربية-الخاصة-اختتام> (accessed July 27, 2016).

<sup>396</sup> UNICEF, “Jordan Response Overview May 2016,” [http://www.unicef.org/jordan/UNICEF\\_Jordan\\_update\\_May\\_2016.pdf](http://www.unicef.org/jordan/UNICEF_Jordan_update_May_2016.pdf) (accessed August 4, 2016), p. 2.

<sup>397</sup> Human Rights Watch interview with Hamida, Mafraq, October 13, 2015.

unlike me. But Bayan has to go to another floor with the first graders, and there are two big steps....I don't think they'll be able to stay there.<sup>398</sup>

Other children with physical and intellectual disabilities had never attended school in Jordan. Amal, who came to Jordan in 2013 from Homs, said she tried to enroll her 12-year-old son, Ali, who has physical and intellectual disabilities, at one school but was told “no schools will take him.”<sup>399</sup>

Jordan's healthcare system provided Ali with free physiotherapy at the Princess Basma Hospital in Amman in 2014, “but after a month they called us and said it was all they could do....” Amal said the family had received one-time cash assistance from Save the Children, and a wheelchair and diapers from a local charity, but that for almost three weeks she had not been able to afford Ali's prescribed medication, a psychostimulant/nootropic sometimes prescribed for children with attention deficit disorder.<sup>400</sup>

Hamda, 42, said her daughter Heba, 6, “can't walk or balance, or study very well,” and was not in school.<sup>401</sup> The family was unable to find a doctor to diagnose and treat her physical and intellectual disabilities, and Hamda does not believe any school will accept Heba.

She spent six months doing physical therapy with Handicap [International, an NGO] but she didn't get better and they closed the file. I heard about another NGO but it was only for deaf and mute kids. I went to a third NGO for kids with disabilities but they had no room. There's a private clinic but it costs 100 JD (\$140) per session and I don't know how many she'd need.<sup>402</sup>

Hind, 50, lives with her seven children, of whom five are younger than 18 years old, in a small village north of Irbid.<sup>403</sup> Hind's 12-year-old daughter, Nada, has Down Syndrome and had been enrolled in a “special school for Downs kids, a very good and free school run by a charity” after the family arrived in Jordan in 2012. But Hind pulled Nada out in 2014

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<sup>398</sup> Ibid.

<sup>399</sup> Human Rights Watch interview with Amal, Mafraq, October 13, 2015.

<sup>400</sup> Ibid.

<sup>401</sup> Human Rights Watch interview with Hamda, Mafraq, October 22, 2015.

<sup>402</sup> Ibid.

<sup>403</sup> Human Rights Watch interview with Hind, Samar village, October 12, 2015.

because she could not afford a bus to the school. Plans to enroll her in a nearby public school with some of her other children collapsed when the school director said there was “no room.” “Now she stays at home,” Hind said.<sup>404</sup>

Ahlam, 31, said her son Mohamad, 10, was burned on his neck and lost sight in one eye in Syria during an accident at a school where 4,000 displaced persons were sheltering in July 2014. Mohamad has had two surgeries and “always has headaches,” his mother said. His teacher follows up with the family, but the only special help he receives at school in light of his impaired vision is that “she lets him sit in the front of the class.”<sup>405</sup>

Abdulrahman, a 12-year-old with intellectual disabilities and difficulty walking due to a congenital leg malformation, gets help walking to school from his brother Talal, 11.<sup>406</sup> Both have trouble seeing in class due to occluded retinas, for which they had surgery in Syria, but cannot afford medical follow-ups or glasses. Their mother, R., asked for their teachers to seat them at the front of the class at a United Nations Relief and Works Agency for Palestine Refugees (UNRWA) school.<sup>407</sup>

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<sup>404</sup> Ibid.

<sup>405</sup> Human Rights Watch focus group interview with six Syrian refugee women, Baqaa, October 10, 2015.

<sup>406</sup> Human Rights Watch interview with Abdulrahman, Talal, and their father, S., Zarqa, October 9, 2015.

<sup>407</sup> Ibid.

## V. Legal Standards

### Refugees

Jordan has not ratified the 1951 Convention on Refugees or its 1967 Protocol that expanded its territorial and temporal scope beyond Europe. However, in 1998, Jordan signed a Memorandum of Understanding (MOU) with United Nations High Commissioner for Refugees (UNHCR), which recognizes UNHCR's mandate to determine the refugee status of asylum seekers, and pledges to respect the customary norm of non-refoulement.<sup>408</sup> The agreement accords refugees treatment equal to nationals regarding the religious education of their children, but does not otherwise refer to the right to education.<sup>409</sup> The parties revised the MOU in 2014, increasing the amount of time UNHCR has to review asylum applications from 30 to 90 days, and increasing the validity of a refugee's renewable residency from 6 months to one year.<sup>410</sup>

An International Labour Organization (ILO) research paper notes that “in practice, Jordan avoids the official recognition of refugees under its domestic laws and prefers to refer to Syrian refugees as ‘visitors,’ ‘irregular guests,’ ‘Arab brothers,’ or simply ‘guests,’ which has no legal meaning under domestic laws.”<sup>411</sup>

Article 21 of Jordan's Constitution prohibits the extradition of political refugees. The 1973 Residency and Foreigners' Affairs Law allows exemptions to the requirements for the entry and residence of foreign nationals “on account of special consideration connected with international or humanitarian courtesy or of the right to political asylum,” and provides that *laissez-passers* shall be issued to stateless persons and “refugees recognized as such.”<sup>412</sup>

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<sup>408</sup> UN High Commissioner for Refugees (UNHCR), “Memorandum of Understanding between the Government of Jordan and UNHCR,” 5 April 1998 (1998 MOU), art. 2.1, cited in ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan: a discussion paper on labour and refugee laws and policies,” 2015, [http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_357950.pdf](http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_357950.pdf) (accessed July 24, 2016), p. 12.

<sup>409</sup> UNHCR – Jordan, 1998 MOU, art. 6.

<sup>410</sup> Khetam Malkawi, “Gov't, UNHCR sign amendments to cooperation memo,” *Jordan Times*, March 31, 2014, <http://www.jordantimes.com/news/local/gov%E2%80%99t-unhcr-sign-amendments-cooperation-memo> (accessed February 3, 2016).

<sup>411</sup> ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan: a discussion paper on labour and refugee laws and policies,” 2015, p. 12.

<sup>412</sup> Residency and Foreigners' Affairs Law, No. 24 of 1973, <http://www.refworld.org/docid/3ae6b4ed4c.html> (accessed August 3, 2016), arts. 29, 4(c). Under art. 6, persons seeking political asylum must report to the Directorate of Public Security/Division for Residence and Foreign Affairs. Cited in ILO Regional Office for Arab States, “Access to work for Syrian refugees in Jordan: a discussion paper on labour and refugee laws and policies,” 2015.

Jordan also ratified the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment in 1991, which prohibits refoulement in article 3(1).<sup>413</sup>

## Right to Education

All children have a right to access education without discrimination. Jordan is party to a number of international treaties that outline this right, including the United Nations Educational Scientific and Cultural Organization (UNESCO) Convention Against Discrimination in Education,<sup>414</sup> the International Covenant on Economic, Social and Cultural Rights (ICESCR),<sup>415</sup> the Convention on the Rights of the Child (CRC),<sup>416</sup> the International Covenant on Civil and Political Rights (ICCPR),<sup>417</sup> and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>418</sup> Jordan has not made reservations to these treaties relevant to the right to education.

The ICESCR and the CRC provide that primary education shall be “compulsory and available free to all”<sup>419</sup> and that secondary education “shall be made generally available and accessible to all.”<sup>420</sup> For children who have not received or completed their primary education, “[f]undamental education shall be encouraged or intensified.”<sup>421</sup> Governments

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<sup>413</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, acceded to by Jordan on November 13, 1991.

<sup>414</sup> United Nations Educational Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education (1960). Accepted by Jordan on April 06, 1976. See <http://www.unesco.org/eri/la/convention.asp?KO=12949&language=E&order=alpha> (accessed March 27, 2016).

<sup>415</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, ratified by Jordan on May 28, 1975.

<sup>416</sup> Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, ratified by Jordan on May 24, 1991 (with reservations to articles 14, 20 and 21, “which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah”).

<sup>417</sup> International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Jordan on May 28, 1975.

<sup>418</sup> Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted December 18, 1979, G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force September 3, 1981, ratified by Jordan on July 1, 1992 (with reservations to articles 9(2) and 16(1)(c), (d), and (g)).

<sup>419</sup> ICESCR, art. 13(2)(a); CRC, art. 28(1)

<sup>420</sup> ICESCR, art. 13(2)(b); CRC, art. 28(1)

<sup>421</sup> ICESCR, art. 13(2)(d)

also have an obligation to “[t]ake measures to encourage regular attendance at schools and the reduction of drop-out rates.”<sup>422</sup>

International law prohibits discrimination on grounds such as religion, ethnicity, social origin, or other status.<sup>423</sup> Education should foster development of respect for a child’s “cultural identity, language and values.”<sup>424</sup> According to the Committee on Economic, Social and Cultural Rights, the international expert body that monitors implementation of the ICESCR, prohibition against discrimination “is subject to neither progressive realization nor the availability of resources; it applies fully and immediately to all aspects of education.”<sup>425</sup>

According to the committee, a government that fails to provide a significant number of individuals “the most basic forms of education is, prima facie, failing to discharge its obligations” under the right to education.<sup>426</sup>

The Convention on the Rights of the Child provides that states parties “shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.”<sup>427</sup>

Jordan is not party to the 1951 Refugee Convention, which provides that refugees shall receive the same treatment as nationals with respect to elementary education, and

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<sup>422</sup> CRC, art. 28(1)(e).

<sup>423</sup> See, e.g. *Ibid.*, art. 2

<sup>424</sup> *Ibid.*, art. 29(1)(c)

<sup>425</sup> Committee on Economic Social and Cultural Rights (CESCR), General Comment no.13, “The Right to Education (Art. 13),” (1999) E/C.12/1999/10, [http://www.right-to-education.org/sites/right-to-education.org/files/resourceattachments/CESCR\\_General\\_Comment\\_13\\_en.pdf](http://www.right-to-education.org/sites/right-to-education.org/files/resourceattachments/CESCR_General_Comment_13_en.pdf) (accessed July 22, 2015), para. 31.

<sup>426</sup> CESCR, General Comment no. 3, “The nature of states parties obligations,” 1990, E/1991/23, art. 2, para. 1. See also, Committee on the Rights of the Child, General Comment no. 7, “Implementing Child Rights in early Childhood,” 2005, CRC/C/GC/7/Rev.1. “potential discrimination in access to quality services for young children is a particular concern, especially where health, education, welfare and other services are not universally available and are provided through a combination of State, private and charitable organizations.”

<sup>427</sup> Convention on the Rights of the Child, art.22.



treatment “not less favourable than that accorded to aliens generally in the same circumstances” regarding other levels.<sup>428</sup> Nonetheless, under the international legal principles codified in the conventions on children’s rights; on economic, social and cultural rights; and on the elimination of discrimination, Jordan is obliged to provide Syrian refugee children with free primary education and generally accessible secondary education without discrimination.

## Child Labor

Jordan has ratified the key international conventions concerning child labor, the International Labor Organization Minimum Age Convention (ILO C.138)<sup>429</sup> and the ILO Worst Forms of Child Labor Convention (ILO C. 182),<sup>430</sup> as well as the CRC and the ICESCR. These conventions acknowledge that a child engaged in labor is less likely to access a proper education.<sup>431</sup> Furthermore, they require governments to protect “children and young persons...from economic and social exploitation”<sup>432</sup> and “any work that is likely to be hazardous or to interfere with the child’s education.”<sup>433</sup>

Under Jordanian law, the legal minimum age for work is 16, and the minimum age for hazardous work is 18.<sup>434</sup>

Jordan’s Child Law defines “juveniles in need of protection” to include child laborers, such as street vendors and garbage collectors; under the law, the Ministry of Social

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<sup>428</sup> Convention relating to the Status of Refugees, 189 U.N.T.S. 150, entered into force April 22, 1954, art.22.

<sup>429</sup> International Labour Organization (ILO) Convention No. 138 concerning the Minimum Age for Admission to Employment (Minimum Age Convention), adopted June 26, 1973, 1015 U.N.T.S. 297, entered into force June 19, 1976), ratified by Jordan on March 23, 1998 (specifying 16 as minimum age).

<sup>430</sup> ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention), adopted June 17, 1999, 38 I.L.M. 1207 (entered into force November 19, 2000), ratified by Jordan on April 20, 2000.

<sup>431</sup> CESCR, General Comment no. 13, “The right to education (Art. 13)””; see also ILO, Convention No. 182 on the Worst Forms of Child Labor. art. 7(2)

<sup>432</sup> ICESCR. arts. 7. 10.

<sup>433</sup> CRC. art. 32

<sup>434</sup> Jordanian Labour Law, Labour Code, Law No. 8 of 1996, <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45676/65048/E96JOR01.htm> (accessed August 03, 2016), arts. 73-76. Under the law, children aged 16 and 17 are not permitted to work more than six hours per day, after 8 p.m. (and before 6 a.m.), or during weekends and religious and official holidays, or without written consent from the minor’s guardian and a certificate of fitness to work. Jordanian regulations also prohibit children under 18 from hazardous work involving dangerous machinery, high noise, fumes, confined spaces, and other factors. Stave and Hillesund (ILO and Fafo), “Impact of Syrian Refugees on the Jordanian Labour Market: Findings from the governorates of Amman, Irbid and Mafraq,” 2015, p. 102.

Development is responsible for a Child Labor Unit to work with the Ministry of Labor's Child Labor Unit. The Ministries of Labor, Education, and Social Development established a child labor monitoring system (CLMS) for data collection, coordination and referral.<sup>435</sup>

## Right to Work

Jordan is entitled to regulate access to employment through relevant labor laws and systems, but its human rights obligations means that there should be no blanket exclusion on refugees from the right to earn a living. Fulfilling these obligations would not require Jordan to give refugees unfettered access to the labor market, but rather to ensure that they have a meaningful opportunity to engage in wage-earning employment in non-discriminatory conditions, under the law.

Jordan is not a party to the 1951 Convention relating to the Status of Refugees, which gives refugees who are “lawfully staying” in a country’s territory the right to engage in wage-earning employment.<sup>436</sup> However, Jordan’s Memorandum of Understanding with UNHCR states: “In order to enable a refugee to provide a living for his family it was agreed to accord a refugee who is legally residing in Jordan to work for his own account whenever the laws and regulations permit.”<sup>437</sup> The executive committee of the UNHCR has stated that “the enhancement of basic economic and social rights, including gainful employment, is essential to the achievement of self-sufficiency and family security for refugees and is vital to the process of re-establishing the dignity of the human person and of realizing durable solutions to refugee problems.”<sup>438</sup>

Jordan is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Racial Discrimination (CERD), both of which also include obligations with respect to the right to work and encourage states to allow non-nationals, including asylum seekers, enjoy the right to work.<sup>439</sup> Article 6 of the ICESCR declares that States Parties “recognize the right to work,

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<sup>435</sup> Ibid.

<sup>436</sup> 1951 Refugee Convention, art.17.

<sup>437</sup> UNHCR- Jordan MoU, 1998, art. 8.

<sup>438</sup> UNHCR Executive Committee, General Conclusion on International Protection No. 50 (XXXIX) (Oct. 10, 1998), <http://www.unhcr.org/3ae68c9510.html> (accessed August 3, 2016).

<sup>439</sup> International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), adopted December 21, 1965, G.A. Res. 2106 (XX), annex, 20 U.N. GAOR Supp. (No. 14) at 47, U.N. Doc. A/6014 (1966), 660 U.N.T.S. 195, entered into force January 4, 1969, ratified by Jordan on May 30, 1974.

which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.”<sup>440</sup>

The convention imposes this obligation as one of progressive realization and allows countries to “determine to what extent they would guarantee the economic rights recognized in the present covenant to non-nationals.”<sup>441</sup> However, the committee that oversees compliance with the ICESCR has emphasized that nationality should not bar access to Covenant rights and that the right to work applies “to everyone including non-nationals, such as refugees, asylum-seekers, stateless persons, migrant workers and victims of international trafficking, regardless of legal status and documentation.”<sup>442</sup>

Article 5 of the Convention on the Elimination of All Forms of Racial Discrimination (CERD) guarantees “the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the...rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration.”<sup>443</sup>

In 2004, the convention’s treaty body acknowledged states’ right to differentiate between citizens and non-citizens, but said that human rights are, in principle, to be enjoyed by all persons. It called on States specifically to remove obstacles that prevent the enjoyment of economic, social, and cultural rights by non-citizens in the area of employment<sup>444</sup> and to take measures to eliminate discrimination against non-citizens in relation to working conditions and requirements.<sup>445</sup>

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<sup>440</sup> ICESCR, art.6.

<sup>441</sup> ICESCR, art. 2.

<sup>442</sup> CESCR, General Comment No. 20, “Non-discrimination in economic, social and cultural rights,” U.N. Doc. E/C.12/GC/20 (2009), <http://www.refworld.org/docid/4a60961f2.html> (accessed August 03, 2016, para. 30).

<sup>443</sup> ICERD, acceded to by Jordan on May 30, 1974.

<sup>444</sup> UN Committee on the Elimination of Racial Discrimination, General Recommendation No.300 “Discrimination against Non-citizens,” CERD/C/64/Misc.11/rev.3 (2004), <http://hrlibrary.umn.edu/gencomm/genrec30.html> (accessed August 3, 2016), para. 29.

<sup>445</sup> *Ibid.*, para. 33.

## VI. Recommendations

### To the Jordanian Ministry of Education

- Create inclusive and flexible registration and documentation systems that allow children from Syria to enroll in and attend formal education;
- Establish and implement flexible guidelines so that children will not be denied the ability to enroll in school because they lack birth certificates or service cards or because their service cards were issued in a different district from the school in which enrollment is sought;
- Establish a flexible accreditation system to allow Syrian students in secondary and higher education to present supporting documents if originals are unavailable, or to retake *tawjihi* exams instead of repeating years of schooling;
- Waive the bar on enrollment for children who are three years older than their age cohort;
- Carry out plans to enroll 25,000 children in accredited, accelerated learning programs that will allow them to re-enroll in formal education upon completion;
- With donor support, expand plans to make more frequent grade placement testing, and accredited learning programs available to out-of-school children over the age of 12, and create more flexible requirements than the requirement that children must provide Syrian educational or Jordanian certificates in order to enroll in secondary school;
- In cooperation with donors, the Ministry of Labor, and the Teachers' Association, work to eliminate detrimental regulatory restrictions prohibiting Syrian teachers from being able to teach;
- Implement teacher training plans and build on lessons learned from previous campaigns against corporal punishment in schools to implement meaningful accountability measures, and increase involvement from both Syrian and Jordanian families;
- Work with donors to improve school facilities for children in afternoon shift classes and in refugee camp schools, and for girls and boys with disabilities.

## **To the Jordanian Interior Ministry**

- Ensure that Syrian refugees are able to register their presence in host communities;
- Ensure that Syrian children are able to obtain birth certificates;
- Cease the policy of arresting and forcibly transferring to refugee camps or deporting to Syria those Syrians who cannot prove they left the camps through formal procedures, such as the “bailout” process, or who were arrested for working without permits.

## **To the Jordanian Labor Ministry**

- In cooperation with UN agencies, the International Labour Organization (ILO), and civil society, revise employment regulations to allow Syrian refugees meaningful opportunities to obtain affordable work permits;
- Improve the enforcement of labor law protections for all children, including Syrian refugees.

## **To the Jordanian Government**

- Ratify the 1951 Convention on Refugees and its 1967 protocol without reservations.

## **To International Donors**

- Ensure that adequate funding is disbursed in a timely fashion to fulfill positive pledges to increase the number of classroom spaces available for Syrian children in pre-primary and primary schools, to make equal school learning facilities available to Syrian children, to expand and renovate existing schools and construct new schools, and to significantly expand accredited accelerated learning programs that will enable children to re-enroll in public schools;
- Support the Ministry of Education to increase the number of hours of instruction for children in afternoon shift classes and ensure that all students in public schools receive equal classtime;
- Continue to work with Jordan to expand accredited, accelerated programs to children older than 12;

- Encourage and support Jordan to improve tracking of educational outcomes, with a particular focus on secondary school-aged children;
- Ensure sustainable funding to provide consistent support to refugees and avoid fluctuations in assistance, including humanitarian support to refugees in host communities who have been unable to register;
- Support and expand income-generating opportunities in Jordan for Syrian refugees adequate to overcome financial hardship that can lead to dropouts, child labor, early marriage, and returns to Syria;
- Support and expand programs to help Syrian as well as Jordanian families offset school-related fees that would otherwise be a barrier to education, including transportation expenses.

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## PREVENTING A LOST GENERATION: JORDAN

# “We’re Afraid For Their Future”

### Barriers to Education for Syrian Refugee Children in Jordan

In Jordan, more than one-third of the 226,000 school-aged Syrian children registered with the United Nations High Commissioner for Refugees did not receive a formal education last year.

“*We’re Afraid For Their Future*” addresses key reasons why Jordan, despite significant steps to include Syrian refugee children in the public education system since the Syrian conflict began in 2011, has been unable to enroll more Syrian children in schools and keep them in the system.

The report, the last of a series addressing the urgent issue of access to education for Syrian refugee children in Turkey, Lebanon, and Jordan, documents how Jordan’s generous enrollment policy for Syrian children is undermined by policies that limit access to public schools, exacerbate poverty, and contribute to child labor. Corporal punishment and bullying in schools as well as an inability to pay for transportation cause children to drop out. Children with disabilities face especially difficult obstacles. The problems become more acute as children get older and enrollment rates plummet.

Jordan’s Education Ministry has hired new teachers; allowed free public school enrollment for Syrian children; and opened second shifts at primary schools to create more classroom spaces. With increased donor support, the ministry plans to educate up to 75,000 more Syrian children in the 2016-2017 school year.

For these plans to succeed, Human Rights Watch calls on the Jordanian government and international donors to take the necessary steps to ensure all Syrian children can realize their fundamental right to education.

*(above) Syrian children leave school in the Emirates Jordanian refugee camp, in northern Jordan, October 21, 2015. Jordan’s Education Ministry staffs schools in refugee camps with teachers and administrators.*

*(front cover) Syrian children attend class in a school in the Zaatari refugee camp in northern Jordan, October 20, 2015. The school taught Syrian girls in the morning and boys in the afternoon, but lacked electricity, heating, and running water.*

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