

Legal Protection for Syrian Refugees in Jordan

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Abstract

This study aims to clarify the nature of the rights and guarantees provided by international humanitarian law to syrian refugees in jordan. Study employed both the legal method and the case study method. The findings indicate that jordan is deeply committed to covenants related to refugee rights, particularly the international covenant on civil and political rights and the international covenant on economic, social, and cultural rights. Jordan has ratified most of the relevant covenants and agreements. Despite not being a signatory to the 1951 refugee convention, jordan has approached the issue of syrian refugees with a high level of humanitarianism. The jordanian government refers to syrian refugees as "guests" rather than refugees. The study recommends the development of a clear and specific national strategy for dealing with refugees, particularly if the crisis persists for many years. Additionally, it emphasizes the importance of considering the unique circumstances of asylum seekers, such as the burden of proof and their psychological condition.

Keywords: Protection, Refugees, International Humanitarian Law, Syrian Refugees.

Introduction

The international interest in refugees was evident through the signing of the 1951 geneva convention on refugees, which granted refugees the right to be protected and live in peace. Although refugees are subject to the laws of the host country and enjoy rights and duties like those of the host country's citizens, their circumstances necessitate specific determinations of their rights and obligations that may differ from those of nationals. This is referred to in article 44 of the fourth geneva convention, which requires the host state to treat refugees preferentially. The first additional protocol of 1977 reinforced this principle in article 73, stipulating that "protection is guaranteed in accordance with the provisions of title i and iii of the fourth convention, in all circumstances and without any unfair discrimination of persons who, prior to the commencement of hostilities, do not belong to any state, or are refugees under international conventions on the subject and accepted by the host state or the national legislation of the host state." moreover, article 45 of the fourth geneva convention asserts that "no protected person may, in any case, be transferred to a country where he or she fears persecution because of his political opinions or religious beliefs."

Considering this issue, international humanitarian law emerged to protect civilians, military personnel, or those out of combat during armed conflicts, restrict the parties to a conflict from the use of military force, protect assets and objects that have no direct link to military operations or humanitarian needs, and provide maximum protection to individuals in armed conflicts. The rules of international humanitarian law are binding on states and members of armed forces alike, yet they are frequently violated under the pretext of military necessity. Jordan is among the countries that have adhered significantly to human rights and refugee-related covenants and conventions. It has committed to the international covenant on civil and political rights as well as the international covenant on economic, social, and cultural rights, ratifying most of these agreements to include all residents on its territory and providing a relatively high level of rights in various fields.

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As part of the efforts and interest pursued by the hashemite kingdom of Jordan regarding refugees and the guarantee of their rights, the kingdom signed a memorandum of understanding with the United Nations High Commissioner for Refugees (UNHCR) in 1998, which was amended in 2014. Jordan agreed to respect the principle of non-refoulement, which confirms its recognition of the right of asylum and protection for individuals in need. This study attempts to analyze the effectiveness of international humanitarian law in providing refugee protection and granting them rights that guarantee a dignified life. It also seeks to explore the reality of Syrian refugees in Jordan as a case study illustrating the rights and guarantees provided by international humanitarian law to Syrian refugees in Jordan (Mansoor et al., 2021).

Jordan, Turkey, and Lebanon are the countries that have received the highest number of refugees. Although some host countries have ratified conventions and protocols related to refugees, none of the Syrians have been officially recognized as "refugees." This reluctance arises from the concern of host countries over their obligations and the potential increase in the number of displaced persons due to violence in Syria, crimes against humanity, and forced displacement by the Syrian regime. Consequently, the Syrian people have sought protection outside Syria, and neighboring countries have received them as temporary asylum seekers. However, this opens the door to many interpretations regarding the status of Syrians in these countries and lacks the minimum guarantees offered by fully applying international law or specific national laws on refugee status. Despite the shortcomings of the asylum system in Arab countries, temporary asylum has been granted to displaced persons, while allowing Syrian refugees to register as asylum seekers with relevant authorities and UNHCR provides them with a clearer legal status and better protection against refoulement. This recognition also gives asylum seekers the right to identity documents and a temporary residence permit.

Study questions

The study seeks to answer the following key questions: what obligations arise from international conventions and international humanitarian law in terms of providing protection to Syrian refugees? What is the legal status of Syrian refugees in Jordan?

Importance of the study

The importance of the study stems from the significance of understanding refugee rights under international humanitarian law and providing a realistic example of refugee rights.

Scientific importance: the study will contribute to enriching the Arab library in general, and the Jordanian library in particular, with this type of research. It will benefit specialists, scholars, and interested individuals by providing research material to the Arab reader interested in refugee issues and international humanitarian law's stance on providing them with protection. It will also present the legal protection afforded to Syrian refugees under international and Jordanian law, providing objective information to decision-makers on the subject.

Practical importance: the study highlights the practical importance of clarifying the international legal system for refugee protection in light of international conventions and treaties, focusing particularly on the rights of Syrian refugees in Jordan. This will benefit decision-makers in host countries in formulating and managing their policies toward Syrian refugees. Moreover, the study explains Jordan's role in handling the issue of Syrian refugees with humanity and understanding, despite being a non-signatory to the 1951 Refugee Convention. Jordan's 1998 memorandum of understanding with UNHCR outlines key principles of international protection, including the definition of refugees and the principle of non-refoulement.

Objectives of the study

The study primarily aims to identify the legal status of Syrian refugees under international humanitarian law, illustrate the rights enjoyed by Syrian refugees in Jordan, and demonstrate the effectiveness of international law in providing mandatory protection to refugees.

Study limits

Time limits: the study covers the period from 2011 to 2020, during which Jordan faced the Syrian refugee crisis.

Spatial boundaries: the study includes the Hashemite Kingdom of Jordan.

Objective boundaries: the context is determined by the international humanitarian law addressing refugee issues, focusing on Syrian refugees in Jordan.

Methodology of the study

Based on the nature of the research subject, its problem statement, questions, and objectives, the researcher found it appropriate to use the following methods:

Legal approach: to analyze legal texts in international treaties, jurisprudential opinions, and national legislation concerning refugee rights and protection under international humanitarian law.

Case study method: this method was used to analyze the legal status of Syrian refugees and their protection under Jordanian law.

Concepts and terms of the study

Asylum: the 1951 Convention defines "refugee" as any person who, as a result of events before January 1, 1951, has a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion, and is outside the country of nationality and unable or unwilling to avail themselves of that country's protection (Juma, 1997, p. 20).

Syrian refugee: the influx of hundreds of thousands of Syrian refugees into Jordan as a result of the Syrian crisis, which began in 2011, occurred through the northern border legally or illegally. Refugees sought safety and medical treatment for the wounded, leading to the establishment of the Za'atari camp to manage the increasing number of refugees (Jordan Society for Human Rights, 2013, pp. 7–43).

International humanitarian law: a set of international legal rules, based on the purposes and principles of the United Nations Charter, aimed at maintaining international peace and security, deterring aggression, and excluding war as a means of resolving international disputes (Masher, 2013, p. 54).

Previous studies

A few relevant studies can be found below.

Arabic studies

The study of Belemidoni, Mohammed (2017), entitled "The Status of Refugees in International Humanitarian Law," aimed to identify the status of refugees under international humanitarian law. It also aimed to analyze the legal framework governing refugees according to international law and conventions established for this purpose, such as the 1951 Refugee Convention. The study concluded that, in some cases, international humanitarian law provides stronger or complementary protection compared to international refugee law, and that both fields share similar strengths and weaknesses regarding the existence of a protection and assistance body.

The study also aimed to explore the international human rights approach to the refugee concept, examining the legal texts and provisions related to refugee rights. It highlighted that the primary responsibility for protecting and assisting refugees lies with states, especially asylum countries to which refugees flee. The role of the UNHCR is to encourage and urge states to comply with the 1951 Convention and enable them to

provide adequate protection to refugees on their territory, as stipulated in the convention. All states, whether they have signed the refugee convention or not, are obligated to uphold the basic protection standards that form part of public international law.

Murad's study, umniah (2017), entitled legal protection of refugees under international law: an analytical study, aimed to demonstrate the legal protection available to refugees under international law. The study concluded that asylum is a humanitarian situation that calls for the intervention of states and international organizations to provide effective assistance. Although the rules of international law and humanitarian law provide for the protection of refugees and define their legal status, the problem often lies in the lack of implementation of these legal provisions to the extent intended.

Foreign studies

Francis, alexandra (2015), entitled the refugee crisis in jordan, sought to investigate the reality of the refugee crisis in jordan, relying on local, regional, and international reports. The study emphasized the need for jordan to prioritize the integration of development and humanitarian assistance, while the international community should recognize this approach and integrate national development aid with humanitarian assistance to address the syrian refugee crisis. This integration would benefit both host communities and refugees.

The undp study (2011), entitled mitigating the impact of the syrian refugee crisis on host communities in jordan, aimed to demonstrate the impact of the syrian refugee crisis on host communities in jordan. The study found that syria has become mired in violence and is at risk of an all-out civil war, with significant implications not only for the syrian people but also for neighboring countries in the region.

What distinguishes this study from previous studies

This study is characterized by its focus on a topic that has become a priority in international issues and is the focus of attention for many international organizations. The refugee problem affects the stability and security of many countries, which necessitates that the rules of international humanitarian law regulate refugee rights and establish sufficient guarantees. The current study aims to demonstrate the legal status of refugees in international humanitarian law and illustrate the applicability of these rules to syrian refugees in jordan.

First: syrian refugees in jordan

The syrian people began following the military operations to migrate internally from the hot spots to some syrian cities, and another part began to resort to neighboring countries, especially turkey, lebanon and jordan because of their proximity and ease of transit, and syrian nationality is considered an unrestricted nationality to enter jordan as the card is entered without a visa, note that before the crisis there were already a large number of syrians as migrant workers, and most of the syrian and jordanian villages on the border are linked to kinship relations and marriage, which facilitated the entry of syrians from the beginning to jordan, and the government delayed the establishment of refugee camps, which led to the entry of large numbers of them, where the concerned authorities were guaranteed to any jordanian because part of them enter illegally, and the distribution of syrian refugees in most areas and provinces of the kingdom and their concentration in the capital and the provinces of irbid and mafraq and the table explains the following.

Table 1. Number of syrian refugees in the kingdom's governorates by census (2014)1:

Oman	Irbid	Retail	Blue	Jerash	Ajloun	Karak	Ma'ada	Meanings	Balqa
5.27	4.32	5.12	5.8	1.8	1.6	1.6	1.5	1.5	3.2

Source: general statistics service 2015.

The highest rate of syrian asylum was in the capital, amman, where the proportion of syrian refugees compared to the capital's population was 5.27 percent. Followed by mafrag governorate with 5.12% the syrian refugee crisis has increased the suffering of jordanian citizens in these cities, which are already suffering from the worst conditions before the crisis, i.e., the displacement of syrian refugees, and with this crisis the situation has worsened, i.e. syrian refugees have added up to 9%. To the population, while in some cities in northern jordan, the percentage has crossed the barrier (9%) this is in addition to the approximately seven million jordanian population in 2014 (al-zayd, 2014: www.alghad.com).

Table 2. Number of syrian refugees in the kingdom's governorates by census (2015) (%)

Oman	Irbid	Retaib	Blue	Balqa	Jerash	Ajloun	Karak	Meaning	Ma'ada	The parasite	Aqaba
9.27	8.22	5.12	2.8	3.3	1.7	1.5	1.5	1.2	1.8	0.3	0.5

Source: general statistics service 2015.

The percentage of syrian refugees in the kingdom's governorates in 2015 has increased in the capital, amman, and some provinces relative to the population, as follows: in oman (5.27%-9.27%). In madaa (1.5%-1.8%) and balqa (3.2%-3.3%), a new asylum rate has emerged in tafila governorate by 0.3%. Aqaba governorate (0.5%) this presence was not in the year (2014), indicating that syrian refugees are moving to new areas that may correspond to their livelihoods and meet the requirements of their lives, away from overcrowding in some large governorates, while the significant increase in amman, the capital and nearby governorates (balqa-madaba), indicates that syrian refugees are moving to areas where there are more jobs and better livelihoods.

Second: refugee legal status

The procedures for determining the legal status of the asylum seeker are all procedures performed or handled by the competent authority in deciding asylum applications, by ensuring that the elements and pillars of the refugee's identification of the asylum seeker are in place until the decision on the legal status of the asylum seeker is made (talabani, 2015:51)

Accordingly, the 1951 united nations convention on the status of refugees defined the refugee, which obliges states parties to ensure that there is a fear of persecution and a direct threat to their security and safety until they are granted refugee status, and until the state is granted refugee status, and until the state confirms that the foreigner on its territory is a refugee and the definition applies, the state must study its application and ascertain the extent to which the definition of the person's condition is applied, but the convention has not. The state is obliged to establish a specific national mechanism for the study of asylum applications, thereby granting it the rights contained in the convention and establishing a competent authority to ascertain the credibility of the asylum seeker, so there must be a specific mechanism in the state to ascertain the validity of the asylum applicant. The legal basis for determining whether a person is a refugee or a non-refugee depends on the definition of a refugee, but the mechanism for studying the application depends on the state, the state may put in place whatever procedures it wishes to ensure that the asylum seeker's situation conforms to the definition of the existence of the privacy of its internal system, and because the convention was free of the provision of such procedures, resulting in some states establishing complex procedures in order to eliminate the growing number of refugees(talabani, 2015: 51)

In 1946, the international refugee organization (refugee organization) began its work, defining the rights, obligations and concept of international protection for refugees, but it was also limited to specific groups of refugees, if it extended to the group of refugees recognized by the league of nations as a new category who had dispersed in most of europe in the aftermath of world war i. An example is the 5/6/1922 agreement on the granting of travel documents to russian refugees, the 12/5/1926 agreement on the treatment of russian and armenian refugees, and the agreement of 30 june 1928 on the treatment of assyrian,

chaldean and turkish refugees. The un convention on refugees was adopted on 28 july 1951 at the un conference on refugees and statelessness, and the number of signatories to the convention as of 21 april 2011 (144) (unhcr 2013) was reached.

The convention aims to be the primary international reference with regard to the legal status of refugees, adopting a comprehensive vision of legal issues relating to the issue of asylum, it contains precise provisions on the definition of the concept of refugee and conditions for granting or withdrawing refugee status and conditions for granting or withdrawing refugee status, including provisions on the legal status, duties and rights of refugees, and provisions for persons with whom the convention ceases to apply, for example in the case of acquiring new nationality or voluntary restoration of the nationality it has lost, and persons who are not entitled to protection, such as international criminals or those who are not entitled to protection, such as war criminals or those who are not entitled to protection, such as those who are refugees. He committed a crime against humanity, committed acts contrary to the objectives and principles of the united nations or committed a serious crime outside the country of refuge before entering that country as a refugee.

Unhcr registration procedures

Jordanian territory has witnessed large waves of influx of syrian refugees into its territory from neighboring countries, resulting in significant challenges faced by unhcr in the registration process, as well as difficulty in reaching places where asylum-seekers gather in border areas, and security conditions in that area, all of which play a major role in limiting unhcr's ability to register asylum seekers and thus provide protection to them(unhcr, 2017:3).

In the absence of a clear legal framework governing the status of refugees in jordan, jordan referred the task of identifying refugees to unhcr, which operates under a memorandum of understanding it signed with jordan in 1998, which contained the same definition of "refugee" as the 1951 refugee convention, and contained many articles in the convention, such as adherence to the principle of non-refoulement, non-discrimination, the right to access to the courts, the dropping of departure fees, fines for exceeding the duration of residence, and according to the memorandum unhcr must find permanent solutions for refugees such as voluntary return or resettlement in a third country within a maximum period of six months, and in practice this provision is not coercive but is intended to ensure that the residence is temporary (map action,2015).

The reality of syrian refugees' rights in jordan

Jordan began to receive increasing numbers of syrian families, the majority of whom are residents of the syrian province of daraa, which began to migrate to the territory of the kingdom of jordan a few months after the beginning of the conflict, and its entry during that period through the border posts was legitimately through the center of the ramtha border, which was their main entry point due to the proximity of the distance not more than 2 km between the syrian cities of daraa and ramtha, jordan, since the beginning of the syrian crisis, the jordanian government has confirmed its readiness to keep its borders open to the influx of syrian citizens who did not originally need to enter the kingdom's territory to a visa, residence permit or work permit (amnesty international report, 2013:9).

Since the beginning of the syrian crisis in 2011, the jordanian government has formed a technical committee to research, study the development of the syrian situation and its reflection on jordan, and the committee decided with a meeting held on 2 may 2011 to take over the jordanian armed forces and security services and the various ministries and state institutions manage the affairs of refugees allowed to enter jordanian territory, and the civil efforts in this regard have been to provide assistance to syrian families living in jordanian cities by charities through their own efforts or in cooperation with international bodies (al-dustour newspaper, jordan, 2011).

The government of the sudan has also provided the necessary assands to the government's efforts to protect the population. Between the two parties in 1998 in order to organize unhcr's work and activities on the territory of the kingdom in all refugee affairs in the field of international protection and humanitarian

assistance to persons under its care, with the exception of palestinian refugees (1951 convention on refugees and the 1967 refugee protocol).

Although the kingdom did not sign the 1951 refugee convention, it has ratified many international treaties and conventions on human rights, including the convention on the elimination of racial discrimination, the arab charter of human rights, the international covenant on civil and political rights, the sidow convention, and the convention against torture, the international covenant on economic, social and cultural rights, the convention on the rights of the child, and article 3 of the convention against torture and other degrading treatment or punishment, which is an effective prohibition against refoulement(geneva convention, 1966).

Jordan's signing of previous agreements shows the jordanian state's interest in protecting refugees and their rights. The jordanian government aims to regulate the civil or legal status of refugees who are illegally on jordanian soil (francis, 2015:27),on march 4, 2018, the jordanian government announced the start of regulating the status of urban refugees without legal permits, giving them greater legal protection.

The jordanian government has complied with the humanitarian and national duty to receive syrian refugees on its territory throughout the syrian crisis, with the consequent pressures on the economy, order and state structures, and has tried hard to balance its heavy duty with the services and development to be provided to citizens under extremely difficult economic conditions, and the inadequacy of the international community's efforts to provide aid and assistance to syrian refugees. Unhcr and its international partners from donor countries and international organizations in providing basic relief needs to refugees, while their efforts have been directed towards their citizens, protecting their rights from the pressures of syrian asylum and mitigating the negative effects of such asylum on various government facilities and sectors (undp, 2011).

Since the jordanian labour and labour act does not authorize the employment of refugees who fall under the responsibility of the united nations and related donor organizations, notably the united nations high commissioner for refugees (unhcr), under the memorandum of understanding between the jordanian government and unhcr, the refugee's access to an asylum document is not considered a work permit, so the ilo in the jordanian capital, in cooperation with the jordanian government, began on 29 november 2017 with a new project aimed at helping syrian construction workers obtain work permits, which was not previously in place. Through the holding of courses for syrians and jordanians working in the construction sector, with the aim of preparing them for the skills test, conducted by the center for accreditation and quality assurance in jordan, the training program included two parts, theoretical and practical, including some occupations related to construction (tiling, painting, plumbing, decoration, etc.), and the course lasts for a month, to cover the shortage of workers, especially with regard to occupational health and safety, and the benefit of these certificates, which will enable syrian workers to register in the social security program. Even without a work permit, which enhances their employability, helps them attract official bodies to facilitate the process of applying for work permits and job status, and on february 3, 2017, the jordanian ministry of labor issued work permits for syrian refugees living in camps, allowing them to leave their camps to work in and return to the kingdom's cities within a maximum of one month, which can be renewed with a new permit (jordanian ministry of labor, 2018).

as a result of the fact that jordan is a party to the convention on the rights of the child, it is obliged to provide access to public education for all children living on its territory, and the jordanian government has already responded to this right by issuing a cabinet resolution approving the admission of syrian students to public schools in all jordanian cities and villages. Zaatari camp, where the number of syrian students in schools in the hashemite kingdom of jordan during the period 2013-2014 reached (121,882) students, and during the period (2014-2015) the numbers of in the period (2015-2016), their numbers rose to approximately 143,542, indicating that events in syria since 2011 have led many syrian citizens to return to jordanian territory, thus increasing the number of syrian students in public and private schools in the kingdom, putting pressure on those schools and the education sector in general (ministry of education, 2016).

The influx of syrian refugees into jordanian territory and their stay in specially established camps has led to the spread of many epidemics and chronic and non-chronic diseases, thus the ministry of health in the

kingdom has provided them with all preventive health services, and provides awareness and primary and secondary health care services, i.e. all services provided by the Jordanian Ministry of Health to citizens without any discrimination, and the Jordanian government has taken a series of measures to improve the service of Syrian refugees in the health sector, the most important of which is: (the government of Jordan and United Nations, 2013).

Improving the capacity of health workers to deal with Syrian refugees

Coordination and cooperation with regional and international organizations to provide medical and material assistance to Syrian refugees.

Providing all elements of primary health care: providing vaccination according to the national vaccination programme, in addition to carrying out vaccination campaigns of their own because they have not adhered to the program in their home countries since the beginning of the crisis, providing epidemiological survey services and follow-up, treating infectious diseases, providing all publications, family planning methods and follow-up to the work of women's and children's health items.

Third: UNHCR's role in providing temporary international protection for Syrian refugees:

According to UNHCR, in cases of large-scale mass influx, people seeking asylum should be granted at least temporary asylum, so countries facing large influxes due to their geographical location or otherwise should receive such refugees and request assistance from other countries to provide them temporarily in accordance with the principle of fair burden sharing (Executive Committee Resolutions 15, 1979, paragraph 7).

International, local and regional organizations provide assistance to Syrian refugees in coordination with the United Nations High Commissioner for Refugees (UNHCR), which was established in 1951 by a UN General Assembly resolution in accordance with Chapter 22 of the UN Charter. Of its 6,000 staff in 290 UNHCR offices in 124 countries, they are often in conditions of isolation, hardship and danger (UN, 2016).

In the second half of 2015, UNHCR noted that in the second half of 2015, it received between 300 and 350 new arrivals to the Azraq refugee camp on a daily basis, and in response to this complex humanitarian environment, the United Nations has led a new approach to humanitarian assistance by integrating development assistance to refugee-hosting communities with traditional humanitarian assistance. In December 2014, UNHCR and UNDP issued the "Regional Refugee Plan and Resilience", an emerging model to integrate humanitarian and development resources to meet the needs of displaced persons and host communities, and in light of the worsening Syrian crisis, the plan represents an attempt to expand traditional sources of funding available in the field of humanitarian assistance to address emergencies to become long-term development resources, and the integration of humanitarian and development assistance is the appropriate response to the complexities of the Syrian crisis, which threatens the humanitarian security of millions of Syrians and the stability of host countries, and because host communities are under increasing pressure, refugees and Jordanian communities must receive the necessary support, and the Kingdom has worked on programmes seeking assistance. The Directorate of Syrian Refugees issued a service card for the Syrian community in accordance with international standards and worked to find legal solutions to the problems and challenges related to the marriage of minors, to document marriage contracts, to obtain and register legal documents for newborns with legal authorities (Al-Hammoud, 2015:27).

The government of the United Kingdom has also taken measures to protect the rights of the child, including the right to life, to the right of the child to live in the family, to the right of the child, to the right to the right to life, to the right of the child to the child, to the child, to the family, to the child, to the child, to the family, to the place of the child, and to the family. In addition, programmes have been implemented to combat child labour and reintegration into society, to return them to school, and to implement projects to protect refugees with disabilities from neglect, abuse and exploitation (Pro, 2013:60).

The Jordanian government, in cooperation with UNHCR, has also protected Syrian refugees from any social, cultural, religious or customary practices that would harm them, such as the discriminatory norms and practices of children on the basis of sex or any other basis or female genital mutilation, and to create programmes that set the minimum age of marriage in accordance with the law, implement awareness programmes on the dangers of prostitution, dating and marriage through websites, as well as implement projects and programs aimed at protecting refugees from drugs, alcohol, psychotropic substances and other harmful substances and raising awareness of the dangers of prostitution, dating and marriage through websites. Use (al-hamoud, 2015:28).

Fourth: legal protection for Syrian refugees under the rules of international humanitarian law

There is a legal obligation on Jordan to respect the principle of non-refoulement, which is widely regarded as a component of customary international law to which all states must abide by, and is defined in accordance with the provisions of the 1951 Convention that "no contracting state may expel a refugee or return it in any way to the boundaries of territories where his life or freedom are threatened by his race, religion, nationality, membership of a particular social group or because of his political views", beyond customary international law, Jordan has expressly committed not to return persons through the ratification of the United Nations International Covenant on Civil and Political Rights (UNHCR, 2010).

Also, in 2011-2014, Jordan followed an open border policy that showed its commitment to providing a safe place for Syrian refugees, but at that point, security concerns led to a gradual closure of the border to transit traffic, with limited restrictions on the movement of Syrian refugees, and the Jaber crossing has been closed since 2011. 5, after militants took control of it from the Syrian side, and a suicide attack on the army checkpoint in al-Rukban in June 2016, allegedly carried out by ISIS, led to the closure of al-Rukban and Hadalat crossings, after which the Jaber crossing was opened in 2018 after Syrian regime forces took control of it.

Beginning in 2012, Syrian refugees who entered Jordan from official crossings were transferred to official refugee camps, where they could register with UNHCR and obtain a proof of asylum.

Due to the high number of Syrian refugees on Jordanian territory under the age of 18, there are significant demands for educational capacity (United Nations, 2015). Of the Syrians and Jordanians surveyed, the challenges to education were "very" or "largely urgent", and the study found that (61%) Jordanians reported that the entrances to education had caused tensions in the community (Ministry of Planning and International Cooperation, 2013).

Also, prior to the Syrian crisis, the Hashemite Kingdom of Jordan established a large network of primary health care centres to provide access to health services for all citizens within 10 kilometres (about 6 miles) of their residences, but with the onset of the crisis and the influx of Syrian refugees, these centres are visiting more patients than they can afford, and a shortage of medicines and vaccines, which has frustrated the government's efforts to stay on track and achieve the goals for the health sector. According to the Ministry of Health, the number of Syrian outpatient visits to primary health care centres increased from 68 in January 2011 to 15,975 in March 2013, and the number of Syrian refugees admitted to government hospitals also increased from 300 to 10,330 during that period (World Bank, 2013).

Despite the above, the World Food Programme (WFP) said in July 2015 that it feared that it would have to cut off all aid to 440,000 Syrian beneficiaries in Jordan in August 2015 due to lack of funding, and continued food assistance, the United States of America made a \$21.3 million donation as of August 2015. However, WFP has not received additional contributions, so some of the current beneficiaries will not be able to receive food assistance (US provides, 2015).

According to Jordan's 1952 Constitution and the 1998 Memorandum of Understanding with the United Nations High Commissioner for Refugees (UNHCR), foreigners, including refugees, must hold work leave to legally obtain a job, but the requirement to have a work permit is to obtain a valid card from the Ministry of Interior, so the unemployment rate in 2015 among Syrian refugees (31%) is about 15 percent. Of the Syrian refugees working on a work permit, the rest work without official papers, as many Syrians worked in

the construction sector or other short-term jobs, and in 2015, the average monthly income of the syrian refugee (356) dollars, where (20%) depends on the in 2016, as part of a document between the european union and jordan, the european union increased the jordanian government's access to grants and concessional loans and facilitated the access of its exports to the european market. Jordan to take concrete steps to increase the employment opportunities of syrian refugees and facilitate their entry into the formal labor market, these steps included the abolition of work permit fees and social security proofs by employers, and the medical examination required by the requirements for obtaining work permits (Strochlic, 2015).

Fifth: maintaining the protection of syrian refugees in jordan

Syrian refugees have understood the consequences of the deterioration of international funding sources, and jordan has seen the return of an increasing number of refugees to syria and refugee camps, where life in jordan has become increasingly difficult for syrian refugees in host communities, especially urban areas, where humanitarian agencies have been forced to cut aid, and if wfp cuts food aid, the number of syrian refugees returning to syria is likely to increase (usprovides, 2015).

In response to this complex humanitarian environment, the united nations has led a new approach to humanitarian assistance that integrates development assistance to refugee-hosting communities with traditional humanitarian assistance. In december 2014, unhcr and undp issued the regional refugee and resilience plan, an emerging model for integrating humanitarian and development resources to meet the needs of displaced persons and host communities, and an attempt to expand traditional sources of humanitarian funding available for emergency assistance to become long-term development resources. The integration of humanitarian and development assistance marks the first time that united nations humanitarian and development actors have worked closely together in responding to humanitarian crises, so integrating humanitarian and development assistance is the appropriate response to the complexities of the syrian crisis, which threatens the humanitarian security of millions of syrians and the stability of neighbouring host countries, and as host communities come under increasing pressure, it is essential that refugees and jordanian communities receive the necessary support from the international community (unhcr, 2015).

Conclusion

The study aimed at demonstrating the legal status of syrian refugees in jordan, the rights enjoyed by syrian refugees in jordan, and the effectiveness of international law rules in providing protection to refugees, by answering the following main question: what are the obligations arising from international conventions and international humanitarian law regarding the protection of refugees? What is the legal status of syrian refugees in jordan?

The international humanitarian law in general, the geneva conventions of 1949 and its additional protocols of 1977 in particular and the 1951 convention on refugees guarantee legal protection for refugees and displaced persons within their own countries. This branch of international law protects these two categories of persons not only if they are victims of armed conflict, but if their rules are strictly enforced to allow for the prevention of most displacements, the hashemite kingdom of jordan has welcomed syrian refugees and opened its territory to all its schools and hospitals. The government has sought to take measures to deal with the crisis and mitigate its effects, taking these measures with two main dimensions: first, internally, and represented by the actions of the prime minister, the ministry of interior and the relevant agencies, and the second, at the external level, through cooperation with international organizations, regional and international community, and commitment to international conventions and treaties on refugees, and to the rules and obligations of the international refugee conventions and conventions. International humanitarian law, where it has adopted a comprehensive approach aimed at preserving the lives of the entire civilian population, if the issue of the deportation of the civilian population is rarely mentioned, does not mean at all that it does not provide for legal protection, since respect for the law should, on the contrary, contribute to avoiding forced deportation.

Results

Some of the most important findings of the study include

Regional international conventions on human rights, including the right to asylum, have not provided sufficient guarantees to ensure that this right is respected and protected, especially after the number of international refugees (22 million) exceeded the vast majority in third world countries.

One of the most important conventions governing the subject of asylum and refugees is the Geneva Convention of 1951 to determine the status of refugees, which, thanks to its realistic nature and flexibility, has become the humanitarian base for international refugee protection, so it can be considered the main reference of the international community on the issue of asylum.

Jordan has made a strong commitment to the covenants and conventions relating to human rights and refugee issues, particularly the international covenant on civil and political rights, as well as the international covenant on economic, social and cultural rights. Jordan has ratified most of the covenants and conventions associated with it, giving all residents of its territory relatively high rights within the areas and frameworks stipulated in those covenants in the political, civil, economic, social and cultural fields.

Jordan has treated the issue of Syrian refugees humanely despite the fact that Jordan is a non-signatory to the 1951 Refugee Convention, with the Jordanian government considering Syrian refugees in Jordan to be "guests" rather than refugees.

Since the beginning of the Syrian revolution in 2011, the Hashemite Kingdom of Jordan has received large numbers of Syrian families, mostly residents of the Syrian province of Daraa, which began to migrate to the territory of the Kingdom of Jordan a few months after the beginning of the conflict. Its borders are open to the flow of Syrian citizens who, in their entry into the kingdom, do not even need a visa, residence permit or work permit, except for certain periods of border closure for various reasons.

Recommendations

In the light of the results of the study, it recommends

The work of a modern computerized system to account for all Syrian refugees on the territory of the kingdom, activate a control mechanism for the entry and exit of refugees, increase security awareness for its workers, and provide refugees with educational leaflets and lectures by those concerned.

The need for a law or established regulations governing the residence of refugees on the territory of the kingdom and regulating their daily lives and taking into account the risks of their integration and involvement in Jordanian society.

Jordan's foreign policy should be revitalized to pressure the international community to shoulder its responsibilities towards this humanitarian and international issue and provide adequate assistance to Jordan's assistance.

Controlling entry and dealing with refugees by charities and non-official organizations to be through the Jordanian government and activating the Jordanian Red Crescent.

The special circumstances of asylum-seekers should be taken into account in relation to the burden of proof and the psychological state of the asylum seeker, unaccompanied minor children, mentally disturbed persons and women.

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