

REFUGEE RIGHTS IN JORDAN IN THE LIGHT OF THE MEMORANDUM OF UNDERSTANDING "APPLICATION STUDY ON SYRIAN REFUGEES"

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ABSTRACT

The research dealt with Refugee Rights in Jordan, taking the Syrian refugees as an applied case, given the importance of the issue of asylum and the presence of refugees in large numbers inside Jordan. In addition to Jordan's failure to accede to the 1951 United Nations Convention relating to the Status of Refugees and its 1967 protocol, which is considered the basis for states to deal with refugee issues. This research discussed the legal mechanism used in dealing with refugees by clarifying the most important provisions of the Memorandum of Understanding signed with the Jordanian government, its legal value, and the rights stipulated for refugees contained in the Memorandum of Understanding. With regard to the knowledge of the implementation of granting rights to refugees, the role of the official authorities concerned with providing basic rights, such as the right to work, the right to health care and the right to education, was addressed, and a field study was conducted in order to measure the extent to which Syrian refugees knew their rights and the percentage of their access to them, where 734 random samples of refugees were selected. For research, the questionnaire was distributed in their locations in Zaatari camp and outside the camp. The results of the questionnaire concluded that the Syrian refugees who are inside Jordan have obtained all of their rights as stipulated in the Memorandum of Understanding signed between the Jordanian government and the High Commissioner for Refugees.

Keywords: Refugee Rights, UNHCR, Memorandum of Understanding, Syrian Refugees

INTRODUCTION

Refuging, since the beginning of the twentieth century, is a humanitarian issue that requires global attention. Refuging has become a phenomenon that indicates an imbalance in societies that imposes on members of this society refuging to other places, as it is unable to provide them with basic rights or to social or political groups and does not allow them to participate, or enjoy the right to freedom of speech, work, development and belief.

The United Nations has dealt with the issue of refugees through the development of an international agreement related to refugees, through which the legal foundations for the issue of refuging and refugees and how to deal with them were established. After this phenomenon grew during the Second World War, it became impossible to find a satisfactory solution to this phenomenon without There is international cooperation. This is the result of the heavy burdens that fall on certain countries during wars.

It was the United Nations Convention of 1951, relating to the protection of refugees prepared by the United Nations, which enumerated the refugee rights and their responsibilities, and the obligations of the contracting states. As well as the additional protocol signed in 1967, which expanded the temporal and spatial scope of this agreement, and signed this agreement, and the additional protocol, to date 139 countries. This agreement had a major role in regulating the refugees' conditions and granting them rights in the country of refuge. With the growing movement of refuging due to internal or external armed conflicts and the search for those affected by these conflicts for a safe place to settle, without having the slightest knowledge that the country in which they sought refuge is bound by the 1951 Convention relating to the Status of Refugees.

There are many countries that have not signed this agreement related to the protection of refugees, but they have accepted refugees as a humanitarian principle and then resorted to organizing their situation in coordination with the High Commissioner for Refugees through the development of a mechanism through which refugees are dealt with.

The question that arises here is how these countries that have not signed this convention respect the rights of refugees?

Jordan, due to its geographical location, has suffered and suffers from the problem of asylum, as it has received many refugees of different nationalities, despite not having joined the United Nations Convention relating to the Status of Refugees of 1951 and the absence of an internal law for refugee in it.

Jordan has paid great attention to refugees, as Jordan has put all its capabilities to provide assistance to this group from the moment they come to the border centers until the completion of the refuging requests by the High Commissioner for Refugees. And take the final decision to accept and recognize them as refuging or reject their requests, in coordination with the international organizations operating and present on Jordanian territory.

First: The Problem of the Study

The main problem of the study revolves around the research in the absence of a national asylum law in Jordan and Jordan's failure to accede to the United Nations Convention relating to the Status of Refugees and its annexed protocol and how to deal with refugees. Does the Memorandum of Understanding signed with the High Commissioner for Refugees cover the basic rights of refugees in addition to other international covenants?

Second: The Importance of the Study

The importance of the study lies in addressing the problem of refuging in Jordan, what rights have been recognized for refugees, and their compatibility with international conventions related to asylum, in addition to clarifying the legal mechanism followed and applied to refuging and refugee applicants in Jordan in the absence of an asylum law of its own as well as its failure to sign the United Nations Convention relating to the status of refugees.

Third: Study Questions

- 1) Does the refugee in Jordan actually get all his rights?
- 2) What is the legal framework for providing rights to refugees in Jordan?
- 3) What is the significance of the Memorandum of Understanding signed between Jordan and the High Commissioner for Refugees, and its legal force?
- 4) Did the Memorandum of Understanding signed between the Government of Jordan and the High Commissioner for Refugees include all the rights stipulated in international law?

Fourth: Research Method

This research depends on the descriptive, analytical and comparative approach of international and regional agreements, treaties and charters, and compares them with the legal texts contained in Jordanian legislation and the texts contained in the Memorandum of Understanding concerning refugees with the texts of international law. As well as the applied approach, through a field study on the ground.

The First Topic

What is the Memorandum of Understanding signed between Jordan and UNHCR?

Jordan is one of the countries that did not join the 1951 Geneva Convention on the legal status of refugees, as it lacks a national framework or local law regulating the asylum file, despite the Kingdom's long experience in dealing with refugees.

Therefore, we find that its internal legislation did not regulate the rights and obligations of refugees, despite the fact that some of the principles mentioned in the Convention have become a stable custom in international law. Such as the principle of non-return to the state of persecution, knowing that Jordan is a party to a set of international conventions on human rights, which prevent the return of an alien to a country where he may be subjected to torture, such as the United Nations Convention against Torture of 1984 and the International Covenant on Civil and Political Rights.

In the absence of legislative regulation, the United Nations High Commissioner for Refugees (UNHCR) undertakes the task of receiving and deciding on refuging requests through a Memorandum of Understanding signed with the Government of the Hashemite Kingdom of Jordan. This memorandum contains the definition of a refugee in accordance with the provisions of the 1951 Convention and gives the authority to UNHCR to carry out its tasks of providing protection to refugees and finding permanent solutions for them. UNHCR also undertakes to resettle refugees in other countries as soon as possible. There is often a fixed period of stay for the refugee on the territory of the host country.

In order to clarify the importance and strength of the Memorandum of Understanding, and to clarify the rights of the refugee that it stipulates, this topic will be divided into two demands:

The First Requirement: the importance and legal force of the Memorandum of Understanding.

The Second Requirement: the rights of the refugee contained in the Memorandum of Understanding.

The First Requirement

The Importance and Legal Strength of a Memorandum of Understanding

Section One: The Importance of Memorandum of Understanding

In October of 1991, Jordan agreed that the United Nations High Commissioner for Refugees (UNHCR) would have an office in it to carry out its work of providing international protection for refugees. This was due to the influx of a large number of refugees to Jordan at the time due to the Gulf War (The Second Gulf War, n.d).

Where the UNHCR office in Amman studies the refuging applications submitted by foreigners in Jordan and decides on them to determine who is eligible for refugee status. The task of determining the legal status of the applicant for refuging is one of the primary tasks of the Commission, as its primary mandate is to secure international protection for those who are entitled to it and who are covered by the provisions of its statute, in addition to seeking permanent solutions to the refugee problem, in accordance with the provisions of Article (1) of its statute (Al-Halsa, 2006).

On the fifth of April 1998, Jordan signed a memorandum of understanding with the High Commissioner for Refugees, which was considered the first source of legal protection for refuging seekers and refugees on the territory of Jordan, and it guaranteed the minimum international standards to protect their rights (Esfahani, 2017).

The signing of this memorandum came in order for the High Commissioner for Refugees to be able to carry out its work and activities related to international protection and humanitarian assistance for the benefit of refugees as well as the persons under its care, with the exception of Palestinian refugees (Hashemite Kingdom of Jordan, n.d).

This memorandum was considered one of the basic documents organizing the issue of refuging in Jordan, because it clarified the mechanism by which matters relating to refugees in Jordan are dealt with (Isfahani, n.d), and the Memorandum of Understanding was published in the Official Gazette on 3/5/1998 (The Official Gazette, 1998).

Section Two: The legal value of the Memorandum of Understanding between the Jordanian government and the UNHCR

The talk about the extent of the obligatory Memorandum of Understanding has received widespread jurisprudential controversy. Some see that the Memorandum of Understanding has mandatory power, and others think that the Memorandum of Understanding is only a document that defines the *modus operandi* between the UNHCR and the Jordanian government (Al-Zubaidi, 2016).

As for the opinion that the Memorandum of Understanding has mandatory power, this opinion was based on a number of legal grounds, most notably, that the Office of the High Commissioner for Refugees is considered a subsidiary body established by the General Assembly in accordance with Article 22 of the Charter of the United Nations. Accordingly, what was stated in the Convention on the Privileges and Immunities of the United Nations for the year 1946 (Saeed, 2015) applies to his status, privileges and immunities.

The Memorandum of Understanding is an international treaty or a binding international agreement, as stated in the definition of the treaty/agreement contained in the Vienna Convention on the Law of Interstate Treaties of 1969, and in the Vienna Treaty on Treaties Concluded between States and International Organizations or between Organizations Among themselves of 1986.

And because the elements of the definition contained in the aforementioned agreements apply to the texts of the Memorandum of Understanding, they are an international agreement concluded between the Jordanian government and the High Commissioner for Refugees, which is an international organization, which included legal obligations on its parties and subject to the provisions of public international law (Al-Halsa, n.d).

The other opinion differs by saying that the Memorandum of Understanding has no binding force and is nothing but an attempt by the Jordanian government, in cooperation with the Office of the United Nations High Commissioner for Refugees, to assist the waves of refuging seekers and refugees in Jordan in light of the scarcity of legislation regulating the right of refuging, and therefore it is not binding. It did not live up to the level of treaties and conventions in the extent of its binding (Heba, n.d).

Based on a number of considerations, including not considering the Memorandum of Understanding as an international treaty established between two or more persons of international law and that would create rights and obligations under public international law. International organizations are defined as a continuous legal entity established by a group of countries to achieve specific goals and common interests, enjoying an independent self-will that is expressed through special organs established by the organization's charter (Al Shukri, 2012).

While the UNHCR is considered one of the branches of the United Nations, whose statute indicates the subordination of the High Commissioner to the political directions issued to him by the General Assembly or the Economic and Social Council, which means that the Commission has lost one of the most important elements in the definition of the organization, which is independence (UNHCR, n.d).

Also, pursuant to Article (33/2) of the Jordanian Constitution, which states: "Treaties and agreements that entail charging the state treasury with some expenses or infringing on the public or private rights of Jordanians shall not be effective unless approved by the National Assembly? It is not permissible in any case. That the secret terms of a treaty or agreement contradict the public terms), and the Memory of Understanding has not been submitted to the National Assembly for ratification in order to be enforceable (The Jordanian Constitution, 1952).

The texts of the Memorandum of Understanding do not infringe on the public or private rights of Jordanians, but there are some texts that may incur some expenses for the state treasury. Article (12) of the Memorandum of Understanding indicates that when refugee flows occur on a large scale, the two parties cooperate to respond quickly. This agreement includes the establishment of a joint mechanism for emergency and medical care and the strengthening of the physical security of refugees and asylum seekers. Undoubtedly, such obligations incurred by Jordan incur huge expenses for the state treasury.

Also, Article (10) of the Memorandum of Understanding exempts the refugee from fines for overstaying and departure tax, thus depriving the state treasury of some of its revenues (Al-Halsa, n.d).

The Memorandum of Understanding signed between the Jordanian government and the UNHCR did not fully state the rights granted to refugees, such as the rights stipulated in the 1951 Convention relating to the Status of Refugees. And it is not binding unless it is submitted to the National Assembly for ratification in order for it to be enforceable and obligatory for all parties.

However, in the absence of national legislation dealing with refugees, the Memorandum of Understanding enjoys great importance and respect by the Jordanian government, and it abides by the provisions of the memorandum, although it is not legally binding. For Jordan, it is considered a basis for dealing with the issues of refuging and refugees, in addition to national legislation, some of which came with texts related to refugees.

The Second Requirement

Refugee Rights Contained in the Memorandum of Understanding

The Memorandum of Understanding has adopted the definition of "refugee" in the 1951 Convention relating to the Legal Status of a Refugee. As the first article of the memorandum stipulates that for the purposes of the Memorandum of Understanding, the definition of a refugee is as follows: (a refugee is a person due to a well-founded fear of being persecuted because of his race, religion, nationality, membership of a particular social group or political opinions, outside the country of his nationality and is unable or unwilling to protect that country because of that fear or whoever has no nationality while outside the country of his previous residence and is unable or unwilling because of that fear to return to that country

Because Jordanian legislation is devoid of any definition of a refugee, this is the first time that the concept of a non-Palestinian refugee can be defined in Jordan, and this definition of a refugee can be relied upon to determine the rights and duties of a refugee in Jordan (Al-Hallaseh, n.d).

The Memorandum of Understanding signed with Jordan for the year 1998 included arranging some obligations on the Jordanian government towards the UNHCR and towards the refugees present in Jordan. The UNHCR also made obligations towards the Jordanian government and towards the refugees. In addition to the obligations and rights incurred by the refugees in whose favor the memorandum came (Esfahani, n.d).

The rights included in the Memorandum of Understanding between the Jordanian government and the UNHCR for the year 1998 and its amendments are:

First - The Principle of Non-Refoulement

Article (2) Paragraph (A) of the Memorandum of Understanding indicated that the principle of non-expulsion or return of a refugee requesting refuging in the Kingdom in any manner to the borders or territories where his life or freedom would be threatened because of his race, religion, nationality, belonging to a particular social group or Because of his political views, this provision is similar to the text of Article 31 of the 1951 Refugee Convention, which is a fundamental principle of refuging law and a source of international protection. Also, most modern jurisprudence considers this principle one of the customary rules of public international law. Thus, the state is obligated to respect it even if it is not a party to the 1951 Convention (Al-Arabiya, 1982).

Second - Illegal Entry

The Memorandum of Understanding dealt with in Article (3) of it the illegal entry of an asylum seeker, who is a foreigner who has applied for asylum with the UNHCR and a final decision on his application has not yet been taken. The Jordanian government has allowed the Office of the High Commissioner to interview the refuging applicants who are detained by the competent authorities because of their illegal entry into Jordan, provided that the Office of the High Commissioner determines its position on them by accepting or rejecting them within a period not

exceeding seven days, except for exceptional cases that require other procedures and for a period Do not exceed a month.

It is worth noting that the 1951 Refugee Convention referred in Article 31 of it to the principle of non-imposition of penalties due to the illegal entry or presence of a refugee in the territory of the contracting state.

Third - Practicing Religious Rites

It refers to enable the refugee to practice religious rites. Article (6) of the memorandum stipulates that the two parties have agreed, and wherever possible, to treat refugees a treatment no less than that accorded to its citizens in terms of practicing religious rites and religious education for their children. There should be no discrimination between refugees in terms of race, religion or domicile, and in a manner that does not conflict with the provisions of the Jordanian constitution, provided that these rituals do not violate the laws and regulations in force and public morals..

This article equated the refugee with the Jordanian citizen with regard to the practice of religious rites and religious education for children, and this was confirmed by the 1951 Refugee Convention in Article (4) of it, the right of the refugee to practice religious rites and religious education (Al-Halsa, n.d).

Fourth - Right to Litigation

Article (7) of the memorandum indicated that a refugee has the right to litigate before all the existing courts, and in order to enjoy this treatment, the right to litigation and legal aid is all that is possible according to the same treatment that a citizen enjoys.

Looking at the text of this article, we find that this right did not distinguish between a refugee and a Jordanian citizen by litigation before the courts, but rather equated them. This is also what was confirmed by the 1951 Refugee Convention in Article 16 thereof.

Fifth- The Right to Work

Providing the right to work for a refugee in the Kingdom This is stipulated in Article (8) of the Memorandum of Understanding, which states that in order for the refugee to provide a decent life for his family, the two parties have agreed to grant the refugee legally residing in the Hashemite Kingdom of Jordan the right to work for his account, if the laws The applicable regulations allow this.

The text of Article (8) of the previous memorandum states that the possibility of a refugee's work is coupled with the national legislation permitting this, and that the refugee's presence is legal within the Kingdom (Visa Regulations No. 3, 1997).

This right was confirmed by the text of Article (18) of the 1951 Refugee Convention.

Sixth- The Right to Practice Professions

The memorandum added in Article (9) for a refugee who holds a certificate recognized by the competent Jordanian authorities, the possibility of practicing free professions if the laws and regulations allow this.

Seventh - Exemption from Fines for Overstaying Residence and Departure Tax

Article (10) of the memorandum provided that in order to find permanent solutions to the problems of refuging and in order to facilitate voluntary return or resettlement in a third country, the two parties agreed to exempt refugees from fines for overstaying as well as departure tax.

Eighth- Providing Housing, Food and Treatment

For the purposes of providing international protection and a decent life for refugees in need, UNHCR has committed itself to providing financial assistance to refugees, as it is responsible under Article (11) of the Memorandum of Understanding to provide living costs of housing, food and treatment for refugees in Jordan in accordance with the principles in force in UNHCR.

It is noted in this text that the Commission has an obligation that includes providing the costs of living, including housing, food and treatment. While we find that the 1951 Convention has indicated that the right of shelter rests with the host country, provided that the refugee presents himself to the competent authorities in the host country as soon as possible. Also, the legally resident refugee is granted the right to obtain relief and general assistance, and this is what the Convention stipulates in Article 23 of it. As for the provision of food costs, we do not find any reference to this text in the 1951 Convention.

Ninth - Establishing a Joint Emergency and Cooperation Mechanism

Article (12) of the memorandum stipulates that in response to emergency situations, when refugee flows occur on a large scale, the two parties shall cooperate in a rapid response to emergency situations. This agreement includes the establishment of a joint emergency mechanism and cooperation between the various Jordanian government agencies and the High Commissioner for Refugees to provide food, water, sanitation, shelter and medical care, and to enhance the physical security of refugees and asylum seekers.

This text is confined to cases in which Jordan is exposed to large waves of asylum, which constitute an emergency situation that requires rapid cooperation to provide the refugees with the necessary needs at the time. This is not stipulated in the articles of the 1951 Convention relating to the Status of Refugees. Rather, it was stated in the preamble of the Convention that the countries ratifying it would be provided with international cooperation in case they were exposed to waves of asylum.

The Memorandum of Understanding focused in its texts on the rights of the refugee more than his obligations, as he is the weakest party in the refugee equation, and because he does not enjoy national protection. Therefore, we find that talking about the obligations of refugees came only in the text of Article (4) of the memorandum, which arranged for the seekers of refuging and the recognized refugees to have duties towards Jordan, especially with regard to their commitment to the laws, regulations and measures taken to maintain public order, and not to undertake any activities that disturb security or cause embarrassment In the relations between Jordan and other countries, and to make any statements to the media, and in case they disagree with that. The UNHCR office works to secure their entry to a third country.

This text was similar to the text of Articles (2) of the 1951 Convention relating to the status of refugees under the clause of general obligations, as well as the text of Article 32 of the same agreement under the clause of expulsion.

The Memorandum of Understanding signed between Jordan and the High Commissioner for Refugees in 1998 overlooked other rights, such as the rights recognized for refugees in the 1951 Refugee Convention, which are:

First- Ownership of Movable and Immovable Property

Article (13) of the 1951 Refugee Convention provided for this right, while the Memorandum of Understanding did not provide for such a right. Jordan is not devoid of such rights, as they are granted to foreigners residing on its lands in general (Al-Zubaidi, n.d), whereby Article (3) of the Law of Lease and Sale of Immovable Property to Non-Jordanians and Legal Persons of 2006 permitted that a non-Jordanian natural person may own immovable property for the purpose of His or his family's housing within the boundaries of the organization based on the approval of the competent authorities (Law No. 47, 2006).

Second - Personal Status such as Rights Related to Marriage and Registration of Births and Deaths

Which was stipulated in Article (12) of the 1951 Refugee Convention, the Memorandum of Understanding did not come with a similar text, bearing in mind that personal status rights in Jordan are carried out in accordance with the Jordanian Personal Status Law, given that refugees in Jordan are subject to Jordanian laws, and the Personal Status Law stipulates On the necessity of documenting these conditions officially, such as confirming marriage contracts, births and deaths.

Ordan has taken a humanitarian action by establishing Sharia courts inside the refuging camps, with the aim of regulating public life within the camp community and controlling the general and natural behaviors needed by every population group that includes large numbers of people to ensure the progress and continuity of the way of life within the framework of an integrated life system that meets the necessary needs for the flow of life system safely and securely.

Third - Technical and Industrial Property

Article 14 of the 1951 Refugee Convention sets a rule for the protection of refugees in inventions and other forms of intellectual property, and this right is not available in the Memorandum of Understanding.

Fourth - The Right to Join Associations

Article (15) of the 1951 Convention established the right of refugees to belong to non-political associations, while the Memorandum of Understanding did not refer to such a right. However, in Jordan, the Associations Law of 2008 and its amendments set conditions in the text of Article (8), including that the founding member of any association be Jordanian. Article (11) of the same law requires the approval of the Council of Ministers in the event that a non-Jordanian person is among the founding members of the association (Associations Law, 2008).

Fifth- The Right to Education

The 1951 agreement in Article 22 stipulated the right to school education, but the Memorandum of Understanding did not provide for such a right. Note that Jordan provides school education for refugee students, and we will discuss this matter in detail later (Al-Zubaidi, n.d).

Sixth- Freedom of Movement within the Country

This is what was stipulated in Article (26) of the 1951 Convention, where the Memorandum of Understanding did not provide a similar text, noting that the refugee's location in Jordan is not restricted to a specific place and they are spread throughout all Jordanian cities.

Seventh- Identity Card

Article (27) of the 1951 Convention required the issuance of IDs to refugees who do not have valid travel IDs, and the Memorandum of Understanding did not contain such a provision. Note that Jordan, in cooperation with the Office of the United Nations High Commissioner for Refugees, has issued IDs to the refugees on its lands that depend on an eye print. It is considered an official document for all refugees to follow up on their transactions, and this identity contains the place of residence, the method of entry, and the place of issuance.

Eighth- Travel Documents

Article (28) of the 1951 Convention states that countries must issue travel documents to

refugees, but this is not mentioned in the Memorandum of Understanding and out of Jordan's keenness to support the asylum process and alleviate the suffering of refugees. As a result of the exacerbation of the phenomenon of refuging and the recent increase in the number of refugees, the Jordanian government renewed the signature of the Memorandum of Understanding with the High Commissioner for Refugees, which was edited on 3/31/2014, after some amendments were made to its provisions with the aim of determining a mechanism for dealing with matters related to refugees and the persons covered under the auspices of the Commission.

As some of the texts contained in the Memorandum of Understanding for the year 1998, related to Articles (3) and (5) thereof, have been modified, and the Memorandum of Understanding for the year 2014 came after it was agreed between Jordan and UNHCR to increase the decision-making period by the UNHCR for persons seeking refuging and refugees who are They were interviewed by the Commission so that it became (21) days instead of (7) days. In exceptional cases that call for other procedures, the period becomes (90) days instead of a month (United Nations High Commissioner for Refugees, 1998).

A new clause has been added to Article (5) of the memorandum, which includes that the Commission will issue registration certificates for a period of twelve months to persons of interest to the Commission, and they are renewable with the consent of both parties (United Nations High Commissioner for Refugees, 1998).

Despite the positive developments brought about by the Memorandum of Understanding, through which it contributed to the definition of the concept of refuging and the importance of addressing this phenomenon, and the activity of the Commission, which alerted the Jordanian official to the need to pay attention to refuging issues in an effort to fill the legislative void and deal with this problem in a manner that is commensurate with international standards in light of Jordan's limited capabilities (Al-Halsa, n.d).

Note that the Memorandum of Understanding signed between the Jordanian government and the High Commissioner for Refugees does not rise to the level of legislation and can be canceled at any time (Al-Halsa, n.d).

The Second Topic

The Mechanism for Granting Refugee Rights in Jordan

As a country of refuge for many refugees of different nationalities, Jordan faces difficult challenges in various sectors, as a result of the scale of the refugee crisis, as it hosts the second largest proportion of refugees in the world compared to the number of citizens, which has increased the burden on official institutions, according to the High Commissioner for Refugees.

Jordan has provided refugees with access to public services such as health and education services, and the construction of camps in which the refugees are sheltered on its lands, and Jordan continues to show good hospitality despite the great pressure on institutions and infrastructure (Beltawi, 2018).

The official institutions and international organizations in Jordan concerned with the refugee issue are working to overcome difficulties and facilitate everything necessary for the refugee to enjoy a dignified life, and until he is granted the basic rights established for him under the legal texts, the most important of which after securing protection for him is the right to education, the right to health, the right to work and other things. The rights he needs to keep pace with life.

Jordan's position is at the forefront regarding the treatment of refugees by maintaining international standards in granting rights to refugees, whether through its official institutions or through international organizations concerned with the issue of refugees present on its territory.

It goes without saying that the application in granting the refugee his rights faces many challenges and some difficulties that may prevent the refugee from obtaining his right to the fullest, and to clarify the role of official institutions and international organizations concerned with refuging in how to provide these rights we will divide this topic into two demands:

The First Requirement: The role of the concerned government agencies in granting the refugee his rights.

The Second Requirement: The extent to which refugees obtain their rights in Jordan

The First Requirement

The role of the concerned government agencies in granting the refugee rights.

We previously mentioned that granting rights to refugees on Jordanian territory is done according to the Memorandum of Understanding signed between Jordan and the High Commissioner for Refugees, through which a set of rights for refugees was agreed upon.

Of course, these rights that are provided to the refugee are distributed among several official ministries, each according to its competence. There are also international organizations specialized in refugee affairs, and each of these rights granted to refugees is presented through legal and administrative procedures different from each other.

The Jordanian government has taken many measures and procedures and issued a set of decisions to achieve sustainability and the needs of the refugees residing on Jordanian lands, and the concerned ministries have been directed to work on implementing these procedures and setting a specific mechanism for their implementation (Beltawi, n.d).

Among the most important official bodies working in Jordan concerned with providing rights to refugees are the Ministry of Education, the Ministry of Health, the Ministry of Labor and the competent security authorities, as they are one of the work partners in certain aspects. The importance of these bodies comes due to their direct contact with the rights of the refugee.

In order to clarify the reality of the refugee's access to his rights and the extent to which they are applied in Jordan, and what is the role of the official authorities in dealing with refugees on the ground, and to indicate the extent of the refugee's commitment to his duties, we explain this as follows:

Right of Entry and Residence of Refugees

There is no doubt that the nature of Jordan's geographical location next to the countries in which conflicts took place led to the influx of large numbers of refugees from those countries to the Jordanian borders. In turn, the Jordanian government facilitated their entry without the need for them to have identification documents at times.

If we return to the legal status of the refugee in Jordan, we find that what applies to the refugee upon entering and remaining in the Jordanian territory are the texts contained in the Residence and Foreign Affairs Law No (24) of 1973 related to refugees and how to deal with them, including the texts related to the granting of visas as well as granting Residency on Jordanian territory (Residence and Foreign Affairs Law No. 24, 1973).

As a result of the influx of large numbers of refugees of Syrian nationality, who are considered nationals of Arab countries, who are exempted from the Residence and Foreign Affairs Law and are not required to obtain residence permits within Jordanian territory. Consequently, they do not incur any financial fines while they are on Jordanian lands, and due to their large numbers, the borders were opened for them and their entry into Jordanian lands was facilitated, and Jordan recognized any person who enters through the Jordanian-Syrian border as a refugee and has his rights, unless he crosses illegally or is a source of danger on the state (Al-Kilani, 2014).

The security services provided assistance to the refugees during and after their entry into the Jordanian territory in order to preserve their security and lives and to preserve public order, and to facilitate their crossing across the borders and to work to evacuate them from rugged and dangerous places and transported them to the shelters and then to the camps designated for them. The security services play an important role in guarding the camps by placing fixed security points at the entrances to the camps that check the documents of people entering and leaving, as well as searching vehicles and luggage, given the need for these camps to be safe places for the refugee community.

Right of Education

The continuation of the influx of many refugees into the Jordanian territory in high numbers has put great pressures, especially on the official government schools at all educational levels, which were originally not fully prepared to receive these large numbers of refugees.

And since there are no laws, regulations or instructions in the legislation of the Ministry of Education that include the registration of students (refugees in particular) in public and private schools. However, there are instructions and bases that include the admission and transfer of Jordanian and non-Jordanian students, which are applied to the refugee category, since these bases did not refer to students who acquired refugee status, but rather referred to non-Jordanians as being foreigners, with the exception of the recently issued bases regarding the Syrian case, which will be clarified later.

As a result, the education sector received great attention from the Jordanian government in order to absorb this number of refugees, believing that with education a person becomes capable of creativity and makes him more effective as well as increases his capabilities in the reconstruction of the land and the development of society. The Jordanian government has worked to implement education and training programs for refugees, so that educational and training services are provided and skills are developed, which will improve the creation of suitable jobs in the future (Beltawi, n.d).

It has become possible for refugee students in Jordan to obtain education through at least one of the following options (Ministry of Education schools, government schools in the camps, or one- or two-shift schools outside the camps) and non-formal or informal education programs.

In order to find out what are the bases that are applied to refugee students and are in force in the Ministry of Education, the instructions for admission and registration of first-grade students for the year 2017 indicated in Article (5), paragraph (c) in the second item of it, how to register first-grade students without Jordanians and the documents required for registration.

These instructions were for the first educational stage regarding the registration of students for the first basic grade. As for the registration of students for all stages of primary and secondary education, the Ministry of Education issued in this regard the rules for accepting Jordanian and non-Jordanian students and their transfer for the academic year 2019/2020, amended for the previous foundations. Article (10) of these foundations indicated under the clause of accepting non-Jordanian students in public and private schools and specified the conditions required for that (Residence and Foreign Affairs Law No. (24), 1973)

According to the legislation in force in the Ministry of Interior, including the Residency and Foreign Affairs Law No. 24 of 1973 in force, it applies to restricted nationalities (which need prior approval to enter Jordanian territory). Accordingly, they need to obtain a residence permit, and according to the text of Article (18) of it, it stipulated that every foreigner who resides or wishes to stay in the country must have a residence permit in accordance with the provisions of this law and that he must leave the territory of Jordan at the end of the residence permit period unless he has already Renew it. And in Article (26) of it, it stipulated that one of the reasons for granting residency be available, noting that among these reasons it was not mentioned that the foreigner should be a refugee, while among the reasons it was stated that he should be a student accepted in Jordanian institutes (Residence and Foreign Affairs Law No. (24), 1973).

In the situation in Jordan as a result of the large influx of Syrian refugees, the Jordanian government allowed Syrian students to enroll in public schools and also exempted them from school fees. The Ministry of Education included in its instructions regarding the basis for admission and transfer of Jordanians and non-Jordanians, a special clause for Syrian students that includes the admission of Syrian refugee students to public or private schools, provided that the service card of the Syrian community is presented.

The registration of Syrian students in the UNHCR and their obtaining of the card for the Syrian community is a prerequisite for the Syrian student to benefit from free education and to be treated as a Jordanian student. The number of Syrian students in Jordan exceeds 126,000, according to the statistics of the Ministry of Education, including students in the camps. 46).

To accommodate these large numbers of Syrian students, an additional 99 double-shift schools were opened to ease pressures on classroom size. About (3870) male and female teachers have been appointed to the additional education system in schools located in the camps and other schools outside the camps with evening shifts to teach Syrian students, in addition to the creation of approximately 3000 classrooms in all schools in the Kingdom.

With regard to university education, there are no bases for refugee students, but they are dealt with according to the general policy for accepting foreign students in Jordanian universities, as they are allowed to study according to the conditions of these bases and at their own expense.

The Jordanian government attached special importance to the education of refugee students and treated them as Jordanian students in the basic stages of education, as it granted them the right to education and allocated some schools in two shifts to accommodate them. Therefore, Jordan recorded a position by absorbing large numbers of refugee students with responsibility and humanity without borders and at the expense of Jordanian students in particular. In schools where there is an overcrowding of refugee students.

Right of Health Care

The health insurance system in Jordan includes many Jordanian citizens, including government employees and military retirees, and this system does not include foreigners on Jordanian territory, as it is a closed system for them and they have to rely on private insurance to cover their needs for health care expenses. This insurance is very expensive, knowing that it does not cover expensive surgeries and treatments, and health exemptions (royal gifts) are often issued to bear the expenses of this health care for Jordanian citizens who need expensive medical care, and these benefits are often not available to foreigners.

The Jordanian government works to provide support to the health care system in Jordan. It provides government hospitals and clinics and sets a price for medical services, as they are paid for, benefiting everyone who does not have health insurance, and similarly, whether a Jordanian citizen or a foreigner.

And the Jordanian government usually, at the beginning of crises for the influx of refugees, allows them to receive treatment free of charge. As well as enabling them to use government health facilities without any restrictions or conditions, which leads to an increase in pressure significantly on government health care services of all kinds, and this is what happened at the present time with regard to refugees of Syrian nationality (UNDP, 2013).

In the beginning, all health services were provided free of charge. Then the Jordanian government treated refugees of Syrian nationality who obtained a special service card as the uninsured Jordanian citizen, with what he pays for receiving health services after stopping the free treatment service and charging them 80% of the tariff for foreigners. Instead of charging them 100%, noting that some of these services are still provided free of charge, such as services related to maternal and child health, as well as thalassemia patients, and vaccinations (Beltawi, n.d).

The government health sector works on implementing various health programs, whether they are curative, preventive, or other rehabilitation programs and programs concerned with mental health for refugees. In addition to contributing to the dissemination of health awareness by organizing targeted campaigns, and organizing training courses for employees of various disciplines on how to deal with common diseases among refugees, and how to provide health services in all its forms and provide protection from communicable and infectious diseases. And also to provide mental health care services and empower them. From obtaining counseling, psychological support, medicines and supplies to prevent these diseases (Beltawi, n.d).

The Ministry of Health also provides vaccination services to students for free through school health, in addition to following up on the services provided for motherhood and childhood, which include care and treatment of pregnant mothers, childbirth operations, as well as child care and their needs, especially that the birth rates among refugees are higher compared to birth rates among citizens.

The Jordanian government has made more efforts to support and support refugees healthily and preventively, and has achieved an advanced role in dealing with refugees by granting them the right to health care despite the scarcity of financial resources and the lack of support provided to Jordan in light of the increasing number of refugees. Jordan administers vaccinations to Syrian refugees in Zaatari and Azraq camps, where the United Nations High Commissioner for Refugees in Jordan announced that a third of the refugees eligible for the (COVID-19) vaccine had been vaccinated. They received at least their first dose. It also confirmed that refugees living outside the camps in urban areas and cities in Jordan receive the Corona vaccine independently by contacting their vaccination centers when they get an appointment for vaccination.

Right to Work

The right to work for a refugee in Jordan is one of the rights agreed upon in the Memory of Understanding signed between the Jordanian government and the High Commissioner for Refugees. Article (8) of the Memorandum of Understanding states that in order for the refugee to provide a decent life for his family, the two parties have agreed to grant the refugee legally present in the Hashemite Kingdom of Jordan the right to work for his account, if the applicable laws and regulations allow this. To provide this right, the refugee must have entered the Jordanian territory legally, and the nature of his work must be consistent with the legislation in force in Jordan.

As there is a group of professions closed to foreign workers and therefore they are not allowed to be occupied except by Jordanian workers. The Jordanian Ministry of Labor has specified these professions by a decision for the purposes of controlling and regulating the Jordanian labor market and also not allowing foreign workers to occupy them, for example (administrative and accounting professions and clerical professions, including typing, secretarial work, exchange work, telephones) and others.

What governs the work of foreigners in Jordan are the instructions of the conditions and procedures for the employment and recruitment of non-Jordanian workers for the year 2012, according to which the owner of the establishment or company wishing to employ a non-Jordanian worker is required to fill out the employment form indicating the worker's name according to his passport, his date of birth, His nationality, the profession in which he will work, a copy of the worker's valid passport, and a valid medical examination certificate for the worker to be employed, and it must be issued by one of the health centers approved by the Ministry of Health.

What is noted on the text of this article is that it applies to the non-Jordanian foreign worker, whatever his nationality, provided that he possesses a valid passport. This means that this foreigner has entered the country legally, whereas if the matter is related to the foreigner who entered the country illegally as a refugee and was not in possession of a valid passport, he cannot apply for a work permit.

With regard to the practical situation of the work of refugees, they are allowed to work in Jordan, provided that the method of entry was done legally and on condition that they hold a valid passport. And that the profession he is applying for is one of the professions allowed to work for a non-Jordanian. As a result of the shortage in some specializations in the Jordanian labor market, they were allowed the possibility of obtaining job opportunities there, provided that a Jordanian alternative was not available. And many of them were employed in the field of information technology, engineering, business, and others (Al-Bazia, 2012).

With regard to the Jordanian government's dealings with Syrian refugees, a number of steps have been taken in order to increase job opportunities for Syrian refugees and also facilitate their entry into the Jordanian labor market. Employers have been exempted from work permit fees, as well as fees for issuing health certificates and social security proofs. These are the documents required by the procedures for obtaining a work permit.

Issuing comprehensive instructions for the conditions of employment of non-Jordanian workers of Syrian nationality for the year 2018, that Syrian refugees inside the camp were allowed to obtain work permits that enable them to work outside the camps and throughout Jordan in professions available to non-Jordanians. Exit and return for a maximum period of one month. It

also allows them to move from one employer to another with the obligation to prove a clearance from the previous employer, and also move between all sectors at the end of the work permit period. With regard to the agricultural sector, the possibility of obtaining a flexible work permit through associations The agricultural cooperative, as well as the construction sector, can obtain a flexible work permit through the General Federation of Trade Unions, if the work is not linked to a specific employer.

The Ministry of Labor opened a labor office inside the Zaatari camp in order to provide an employment service and to facilitate the issuance of a work permit for refugees residing in the camp. They were excluded from the decision issued by the Ministry of Labor, which includes stopping the renewal of work permits for expatriate workers in the industrial sector.

Although Jordan has provided many facilities for the right to work for refugees, texts relating to the work of the refugee, regardless of his nationality, must be included to allow him to obtain the right to work and be fully exempted from permit fees throughout the period of his work.

The Second Requirement

The Extent to which Refugees have Access to their Rights in Jordan

In order to know the extent to which refugees have obtained their rights in Jordan, it was necessary to conduct a field study on the ground targeting the refugees in their locations inside the Zaatari camp for Syrian refugees and outside the camp, in order to link the theoretical aspect of this study with reality. The researchers conducted a field study in which they tried to select (734) random samples to determine their adequacy for this study, through a questionnaire distributed to a number of refugees to show the extent to which they obtained their rights in terms of their application and what percentage of the rights were provided to them as refugees.

This questionnaire included a set of questions, including what is related to the refugee in terms of determining his nationality and the reasons for choosing Jordan as a place of asylum. And also the extent to which he is aware of his basic rights, such as the right to health care, the right to education, the right to work and the right to litigation, also the right to provide him with housing, the right to obtain identification papers, and to know the extent to which refugees obtain these rights through their answers to these questions.

The set of questions developed by the researchers was trying to reach the level of awareness of refugees in Jordan about their rights and duties, as well as their commitment to all the duties imposed on them. The focus of the research was on the level of awareness among males and females, as well as their age groups, in order to reach the extent to which this group of refugees is aware of their rights.

This questionnaire targeted the refugees residing in Jordan in the Zaatari camp, as it is the largest camp in Jordan. This camp includes the largest number of Syrian refugees, in addition to a part of the refugees residing outside the camps during the time period from 14/4/2021 to 15/4/2021 by (Google Forms) due to the health conditions resulting from the Corona disease.

We Ended this Questionnaire by Analyzing the Data and Presenting the Results as Follows

The results of the analysis of the data collected from the questionnaire used for the study "Refugee Rights in Jordan in the Light of Memorandum of Understanding" are presented. This is done by testing the hypotheses of the study, through which the study questions are answered. It begins with a presentation of descriptive statistics for the sample community in terms of demographic information and participants' responses, followed by a presentation of the results of tests of validity and reliability of the study tool, and finally the results of the research hypothesis analysis. The researchers used the statistical package for the social sciences SPSS v.26 and the AMOS 24 program to implement the statistical tests, and the researchers determined the significance level at α equals 0.05.

Description of the Research Sample

Table 1 summarizes the most important demographic information for the study sample members. The table shows that 734 Syrian nationals participated in this questionnaire, their ages ranged from eight to 46 years. Females represent the largest proportion of the sample, as they represented 58% of the total sample, while males represented 42%. The vast majority of participants (90.3%) were university degree holders. Also, 89.9% of the participants were not working. The largest percentages of the participants (64.6%) live outside the refuging camps, while 35.4% live inside the refugee camps.

Demographic Variables	F	%	
Gender			
Female	426	%58.00	
Male	308	%42.00	
Nationality			
Syrian	734	%100.00	
Qualifications			
Under secondary stage	37	%5.00	
Graduated from secondary stage	30	%4.10	
University graduate	663	%90.30	
Post studies	4	%0.50	
Living Place			
live outside the refugee camps	474	%64.60	
live in the refugee camps	260	%35.40	
Work			
Works in the public sector	3	%0.40	
Works in the private sector	40	%5.40	
Works in of international organizations	31	%4.20	
Doesn't work	660	%89.90	
Age			
Mean=21.79			
S.D= 4.526			
Lowest age=8			
Highest age=46			

Test the Validity of the Study Instrument (Questionnaire)

The study contains 21 questions (paragraphs) that were used to measure three areas: (1) the extent to which refugees are aware of their rights and duties, (2) Refugee Rights in the field of

education and health, and (3) Refugee Rights in the field of work; where each area is measured by seven paragraphs. The researchers used the Confirmatory Factor Analysis to verify the structural validity of the study scale, to verify the assumptions of the factorial structure, to verify the validity and validity of the questionnaire, and to ensure its conformity with the study data using AMOS vs. 24 software.

To test the validity of the study scale, two models of confirmatory factor analysis are tested. Figure 1 shows the first model of the confirmatory factor analysis scheme for the questionnaire, where the scale items are displayed related to its three domains, while Figure 2 shows the second model of the scheme, where the general domain of the scale is added, which is "refugee rights". Both models are validated by applying validity and reliability tests: Convergent Validity, Composite Reliability, Construct Reliability, and Discriminant Validity. The asymptotic validity of the scale

By applying the confirmatory factor analysis, it was found that all areas of the questionnaire are characterized by the saturation of all its paragraphs on them at a statistical significance level of less than 0.05. However, the saturation value for some items did not exceed the minimum (0.50) as recommended by Fornell & Larker (1981). Table 2 shows the saturation values for all items of the scale on their domains, in addition to the arithmetic mean and standard deviation values. From these results, it is clear that there is convergent validity for the items and domains of the scale.

Domains and Statements	Saturation	Mean	S.D
The first field: the extent to which refugees are aware of their rights and duties	*0.809	3.03	0.524
Do You have knowledge of the laws that give you your rights in Jordan?	*0.388	3.22	0.99
Laws are fair to refugees in Jordan	*0.739	2.94	1.014
Do you got all the supporting documents?	*0.241	4.11	0.725
The rights provided to you are sufficient	*0.810	2.72	1.038
Do You know your duties as a refugee inside Jordan?	*0.232	3.87	0.878
Do You have all the requirements for a decent life inside the refugee camps	*0.538	2.68	0.93
Do you Prefer to live outside the refuging camps (RC)?	**0.087	1.68	0.875
Domain Two: Refugee Rights in Education and Health	*0.928	3.33	0.631
Did You get your right to education?	*0.384	3.96	1.024
As a refugee, Do you enjoy free basic and university education?	*0.478	3.34	1.306
Distance learning means are available to you from internet packages and smart devices during the Corona pandemic	*0.430	2.52	1.258
Do you enjoy your right to health care?	*0.672	3.04	1.152

Refugees residing in camps are being made aware of the coronavirus	*0.413	3.57	0.828
Refugees are being vaccinated against the Corona virus	*0.327	3.58	0.904
There are hospitals that provide care and treatment for refugees infected with the Corona virus	*0.507	3.27	0.903
Domain Three: Refugee Rights at Work	*0.877	2.14	0.55
Do you have the right to work as a refugee?	*0.619	2.49	1.164
The salary you receive is suitable for the cost of living for you and your family members	*0.680	2.1	0.95
have you been waived from work permit fees during the Corona pandemic	*0.467	2.68	0.935
Your income at work has been affected due to the disruption of some private sectors due to the Corona pandemic (RC)	*0.240	2.02	1.006
Non-payment or reduction of due wages due to the Corona pandemic by the facility in which you work (RC)	*0.228	2.63	1.016
The Corona pandemic affected the level of income (Km)	*0.355	1.54	0.761
It has become difficult to find a job due to the Corona pandemic (RC)	*0.355	1.5	0.714
*. Statistically significant at a significance level less than 0.01 **. Statistically significant at a level of significance less than 0.05 Note: RC=reverse code			

Meter Reliability

Table 3 shows the reliability and stability coefficients for the scale domains and the scale as a whole for the final model, which shows that the values of Cronbach's alpha correlation coefficient for the three domains and the scale as a whole exceeded the minimum approved standard 0.60, as well as the composite reliability values. Looking at the values of the extracted mean variance, we find that it did not exceed the standard 0.50 for any of the three domains; But since the composite reliability values exceed the minimum 0.60, the values of the extracted mean of variance can be adopted, according to Fornell & Larker (1981). Thus, it can be said that these results indicate that the three areas are highly capable of representing the extent of refugee awareness of their rights and duties, refugee rights in the field of education and health, and refugee rights in the field of work, and thus these areas are characterized by honesty and stability.

Scale Domains	Number of statements	Cronbach's alpha α	Compound reliability CR	AVE
The extent to which refugees are aware of their rights and duties	7	0.645	0.637	0.252

Refugee Rights in Education and Health	7	0.689	0.654	0.221
Refugee Rights at Work	7	0.674	0.609	0.204
Total	21	0.815	0.905	0.762
• α =Cronbach's alpha, CR=Composite Reliability, AVE=Average Variance Explained				

Discriminatory Validity

The discriminative validity of the scale domains is measured by comparing the square root of each extracted average variance in the diameter of the table, as shown in Table 4, with the squared correlation coefficients for each field, where the squared correlation coefficients for each field must be less than the square root of each extracted mean variance. The values presented in Table 4 show that the values of the squared correlation coefficients are higher than the square root of each extracted mean of variance. Thus, it cannot be said that there is a discriminatory honesty. Discriminatory honesty can be tested in another way, which is the inter-domain correlation test, so that the value of the correlation coefficient between any two domains should not exceed 0.85. By checking Table 5, we find that the correlation coefficients between the scale domains did not exceed 0.85, which indicates that there are no redundant fields or a problem of multiple linear interference (Oang, 2014).

Domains	The extent to which refugees are aware of their rights and duties	Refugee Rights in Education and Health	Refugee Rights at Work
The extent to which refugees are aware of their rights and duties	0.502		
Refugee Rights in Education and Health	0.564	0.47	
Refugee Rights at Work	0.503	0.663	0.451

Fields	The extent to which refugees are aware of their rights and duties	Refugee Rights in Education and Health	Refugee Rights at Work
The extent to which refugees are aware of their rights and duties	1		
Refugee Rights in Education and Health	*0.751	1	
Refugee Rights at Work	*0.709	*0.814	1
*. Statistically significant at a significance level less than 0.01			

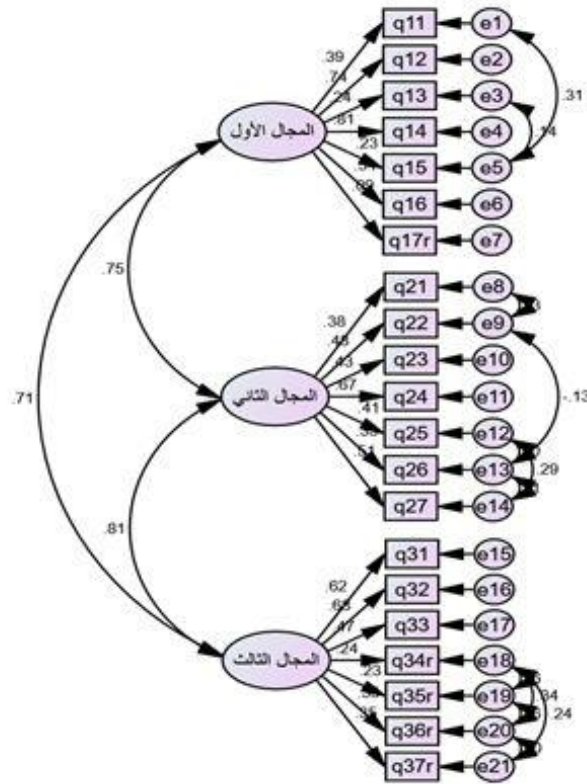


FIGURE 1
CONFIRMATORY FACTOR ANALYSIS CHART FOR THE REFUGEE RIGHTS QUESTIONNAIRE IN JORDAN IN THE LIGHT OF MEMORANDUM OF UNDERSTANDING (FIRST FORM)

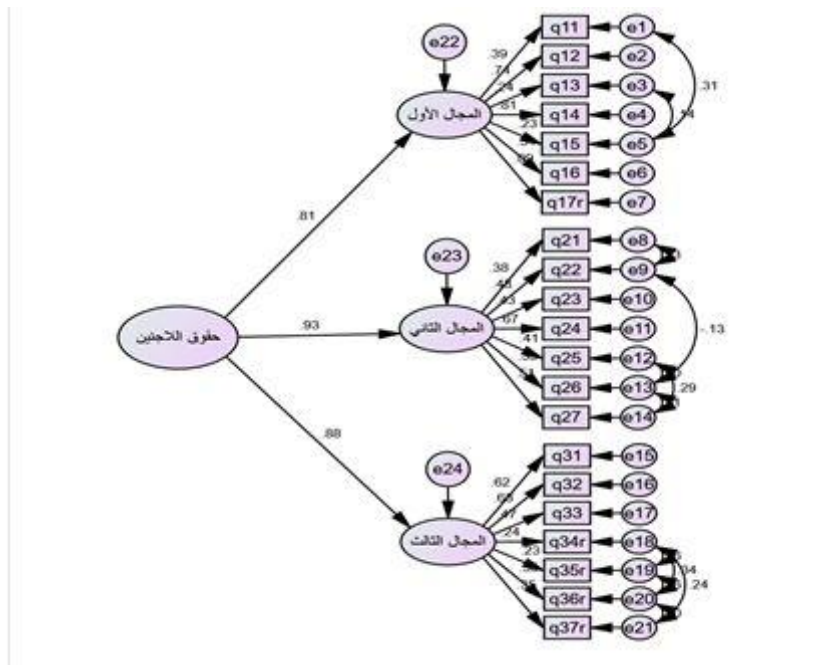


FIGURE 2
CONFIRMATORY FACTOR ANALYSIS CHART FOR THE REFUGEE RIGHTS SURVEY IN JORDAN IN THE LIGHT OF MEMORANDUM OF UNDERSTANDING (SECOND FORM)

The Structural Validity of the Model

By checking the indicators of the scale model's conformity with the data, it was found that they did not meet the main criteria, and this requires improving the model. In order to improve the scale in order to obtain better results and based on the Modification Indices, the researcher linked the standard errors in the paragraphs to the severity of the relationships between them, and this led to a match between the scale model and the data, and thus the final model of the scale was obtained as shown in the figure 1 and Figure 2. Looking at Table 6, we find that the two models have good matching indicators.

Indicator	Acceptable Standard	Values	
		First form	Second form
(χ)	The lower the value, the better	432.885	432.885
(df)	Community-verified icon	174	174
(p)	Higher than 0.05 (Not compulsory)	0.001 >	0.001 >
(χ^2)/DF	Not more than 5	2.488	2.488
(RMSEA)	Not more 0.08	0.045	0.045
(RMR)	Not more 0.10	0.04	0.04
(SRMR)	Not more 0.10	0.046	0.046
(TLI)	Not more 0.90	0.906	0.906
(CFI)	Not more 0.90	0.922	0.922

Answer the Study Questions (Hypothesis Tests)

As mentioned before in the introduction to this research, this study aims to determine what are the bases on which the Hashemite Kingdom of Jordan is based in providing the rights related to refugees and also on the adequacy of the rights stipulated in the Memorandum of Understanding with those rights contained in the 1951 Refugee Convention. The protocol attached thereto for the year 1967. To reach the objectives of the study, the researcher answered the study questions by testing the hypotheses related to each question.

- The first question: To what extent are the Syrian refugees in Jordan aware of their rights and duties according to the Memorandum of Understanding, especially the basic rights related to education, health and work?

To answer this question, the hypothesis that states: "Syrian refugees in Jordan have sufficient awareness of their rights and duties in accordance with the Memorandum of Understanding, in particular the basic rights related to education, health and work," was tested by applying a t-test to a single sample (one-sided) using the value "3." To compare it to the average "the extent to which refugees are aware of their rights and duties." Table 7 shows the test results for the field and its paragraphs, and by comparing the calculated t value and the tabulated t value, which is 1.96, it turns out that all the calculated t value is less than the tabulated t value for the field as a whole, which indicates that there is no statistical significance, which means that in general, Syrian refugees do not have Jordan is sufficiently aware of their rights and duties according to the Memorandum of Understanding. When looking at the results of the t-test for the paragraphs of this field, we find that the calculated t value was statistically significant for paragraphs (1), (3), and (5),

which indicates the high awareness of Syrians in Jordan about the laws that grant them their rights in Jordan, and their duties as a refugee. Within Jordan, they obtained all the supporting documents, where the calculated t value was greater than the tabulated t value. As for the rest of the paragraphs, the calculated t value was less than the tabulated t value, which indicates that the hypothesis is incorrect. Thus, it can be concluded that the Syrian refugees do not agree sufficiently that: the laws are fair to the refugees in Jordan, the rights provided are sufficient, they have all the requirements for a decent life inside the refugee camps, they do not prefer to live outside the refugee camps. Looking at Figure 3, the percentage of refugees' agreement with each paragraph can be seen.

Table 7			
RESULTS OF THE T-TEST FOR A SINGLE SAMPLE (FROM ONE SIDE) TO MEASURE THE EXTENT TO WHICH REFUGEES IS AWARE OF THEIR RIGHTS AND DUTIES			
Statements	T test		
	Mean	Means difference	T
The extent to which refugees are aware of their rights and duties	3.03	0.032	1.63
Do you have knowledge of the laws that give you your rights in Jordan	3.22	0.221	*6.041
Laws are fair to refugees in Jordan	2.94	0.057-	1.529-
Do you get all the supporting documents	4.11	1.112	*41.568
The rights provided to you are sufficient	2.72	0.283-	7.4-
Do you know your duties as a refugee inside Jordan	3.87	0.865	*26.681
Do you have all the requirements for a decent life inside the refugee camps	2.68	0.319-	9.291-
You don't prefer to live outside the refugee camps	1.68	1.317-	40.798-
M. (1) Strongly Disagree, (2) Agree, (3) Neutral, (4) Agree, (5) Strongly Agree *. Statistically significant (computed t-value>tabulated t-value)			

• **The Second Question:** Do the rights and obligations of the Syrian refugee in Jordan differ between texts and implementation?

To answer this question, the researcher tested the following two hypotheses: (1) the Syrian refugee in Jordan believes that he obtains his adequate rights in the field of education and health, (2) the Syrian refugee in Jordan believes that he obtains his adequate rights in the field of work. A one-sided (one-sided) t-test was applied to test the two hypotheses, using the value "3" to compare it with the average for "Refugee Rights in Education and Health" and the average for "Refugee Rights in the field of work". Table 8 shows the test results for the two domains and their paragraphs. By comparing the calculated t value and the tabulated t value, which has a value of 1.96, the following appears:

First: With regard to the hypothesis that states: "The Syrian refugee in Jordan believes that he obtains his adequate rights in the field of education and health," the results of the T test show that there is a statistical indication of the validity of this hypothesis, as the calculated T value (14.04) exceeded the tabulated T value (1.96). Thus, it can be said that the Syrian refugee in Jordan believes that he gets his adequate rights in the field of education and health, to some extent. By checking the results of the t-test for the paragraphs of this field, we find that there is a statistical significance of the validity of hypotheses No (1), (2), (5), (6), and (7), where the calculated t values

were higher than the tabulated t value While there was no statistical evidence for the validity of the hypothesis with regard to paragraphs (3) and (4), which indicates that the Syrian refugee does not believe that the means of distance learning are available to him, such as Internet packages and smart devices during the Corona pandemic, and that he does not enjoy his right to health care.

Second: Regarding the hypothesis that states: “The Syrian refugee in Jordan believes that he obtains his adequate rights in the field of work,” and by checking the results presented in Table 8, we find that there is no statistical significance for the validity of this hypothesis, as the calculated T value was (-42.397). Less than the value of the tabular t (1.96), this indicates that the Syrian refugee in Jordan did not obtain his adequate rights in the field of work. Among the results of the paragraphs of this field, we find that there are no statistical indications for any of the paragraphs, which indicates that the Syrian refugee did not obtain any of the mentioned rights, such as: the right to work, wages, and exemption from work fees permit; The results also showed the impact of income at work due to the disruption of some private sectors due to the Corona pandemic, the non-payment of wages due or their reduction due to the Corona pandemic by the facility in which he works, and the level of income affected due to the Corona pandemic, as well as the difficulty of obtaining work due to the Corona pandemic.

Table 8			
SINGLE SAMPLE T-TEST RESULTS (ONE-SIDED)			
Statements	T test		
	Mean	Means difference	t
Refugee Rights in Education and Health	3.33	0.327	14.04
Do You get your right to education	3.96	0.963	25.494
As a refugee, Do you enjoy free basic and university education?	3.34	0.339	7.036
Distance learning means are available to you from internet packages and smart devices during the Corona pandemic	2.52	0.481-	10.361-
Do you enjoy your right to health care?	3.04	0.041	0.961
Refugees residing in camps are being made aware of the coronavirus	3.57	0.569	18.644
Refugees are being vaccinated against the Corona virus	3.58	0.582	17.441
There are hospitals that provide care and treatment for refugees infected with the Corona virus	3.27	0.274	8.214
Refugee Rights at Work	2.14	0.861-	42.397-
You have the right to work as a refugee	2.49	0.511-	11.98-
The salary you receive is suitable for the cost of living for you and your family members	2.1	0.895-	25.538-
You have been waived from work permit fees during the Corona pandemic	2.68	0.317-	9.196-
Your income at work has been affected (not affected) due to the disruption of some private sectors due to the Corona pandemic	2.02	0.981-	26.419-
Non-payment of due wages or reduction due to the Corona pandemic by the facility in which you work	2.63	0.365-	9.739-
The Corona pandemic affected (did not affect) the level of income	1.54	1.455-	51.83-
It has become (not) difficult to find a job due to the Corona pandemic	1.5	1.504-	57.087-
M. (1) Strongly Disagree, (2) Agree, (3) Neutral, (4) Agree, (5) Strongly Agree *. Statistically significant (computed t-value>tabulated t-value)			

CONCLUSION

This study has dealt with the issue of Syrian Refugee Rights in Jordan as a result of the presence of large numbers of Syrians on Jordanian territory as a result of conflicts and conflicts in their home country.

The Hashemite Kingdom of Jordan has granted the right of refuging to many refugees who have come to it, even though it is not a party to the 1951 Convention relating to the Status of Refugees, and has granted them rights under the Memorandum of Understanding signed with the High Commissioner for Refugees, in addition to other rights not provided for in the Memorandum of Understanding. This research leads to a number of results and recommendations:

First - The Results

- 1) Jordan is one of the countries receiving refugees in a region where armed conflicts abound. Jordan has received refugees despite its limited economic capabilities and lack of resources, but it has played a humanitarian role and made great efforts to secure these refugees coming to it, specifically Syrian refugees who constitute a high percentage of the population. The number of refugees present on its territory.
- 2) Although Jordan did not accede to the United Nations Convention relating to the Status of Refugees of 1951 and its protocol, it did allow the refugees to enter and their legal status was secured through the conclusion of a Memorandum of Understanding between the Jordanian government and the United Nations High Commissioner for Refugees.
- 3) By researching the extent of refugee awareness of their rights, it became clear that Syrian refugees in Jordan do not have sufficient awareness of the laws that grant their rights in Jordan, the most prominent of which is their obtaining identification documents.
- 4) Jordan has secured Syrian refugee rights in the field of education and health, as it has absorbed large numbers of Syrian refugees in Jordanian schools and universities; The same applies in the field of health care and protecting them from epidemics and infectious diseases, especially in light of the Corona pandemic.
- 5) The Corona pandemic has had negative effects on Syrian refugees in the field of work, as many of them lost their jobs, which negatively affected the living reality of these refugees.

Second – Recommendations

Through this research, we came up with a number of recommendations, the most important of which are the following:

- 1) We recommend the importance of Jordan's accession to the 1951 United Nations Refugee Convention and the 1967 Protocol, so that Jordan can face the large numbers of refugees flowing into it with international support.
- 2) The necessity of establishing a national asylum law in Jordan because of its importance in laying the legal foundations through which to deal with refugees coming to Jordan and setting the issue of determining refugee status to Jordan instead of leaving that role to the United Nations High Commissioner for Refugees, which was granted this role based on Memorandum of Understanding signed between Jordan and UNHCR.
- 3) Raising the level of awareness among Syrian refugees to know their rights and the laws that grant them those rights, so that they can realize the rights guaranteed to them.
- 4) We recommend the importance of motivating Syrian refugees to become self-reliant by providing financial grants to small projects supported by the UNHCR and donors to

improve their economic situation and overcome the damage caused to them and their families due to the Corona pandemic.

- 5) Working to involve the international community, particularly donors, to support Jordan in absorbing Syrian refugees in a manner commensurate with their large numbers on its territory, especially since Jordan has limited economic capabilities that negatively reflect on its ability to bear the continued influx of refugees into it.

FOOTNOTES

- (1) The Second Gulf War, a war waged by the coalition forces of 34 countries led by the United States of America against Iraq, which resulted in the influx of large numbers of refugees into Jordan, their number reached about 500,000 people after 2003, <https://m.marefa.org> date of visit 2/3/2021.
- (2) Ayman Adeeb Al-Halsa, The Legal Center of Non-Palestinian Refugees in Jordan, research published in Mutah University Journal for Research and Studies, Human and Social Sciences Series, Volume (21), Issue No. (2), Jordan, 2006, p. 232
- (3) Mufida Ghassan Esfahani, The Syrian Refuging in Jordan, Master Thesis, Al-Zaytoonah University of Jordan, Amman, 2017, p. 105.
- (4) It does not include Palestinian refugees on the territory of the Hashemite Kingdom of Jordan, because UNRWA (UNRWA) is responsible for their conditions in the Kingdom.
- (5) Mufida Ghassan Isfahani, previous reference, p. 105.
- (6) The Official Gazette, No. 4277, p. 1463, dated May 3, 1998.
- (7) Ahmed Nidal Muhammad Al-Zubaidi, The extent of the state's ability to adhere to the legal protection of refugees, Master's thesis, Jadara University, Jordan 2016, pg. 49.
- (8) Heba Saeed, Master's thesis entitled Concentration of Forced Migration and Refugees The Refugee Protection System in Jordan: Syrians as a Case Study, Birzeit University, Palestine, 2015, p. 35.
- (9) Ayman Adeeb Al-Halsa, previous reference, p. 230
- (10) Heba Said, previous reference, p. 37
- (11) Ali Youssef Al Shukri, International Organizations, Safaa Publishing and Distribution House, 2012, p. 33.
- (12) Statutes of the Office of the United Nations Islamic Commissioner for Refugees, UNHCR.
- (13) The Jordanian Constitution of 1952, Article (33/2).
- (14) Ayman Adeeb Al-Halsa, previous reference, p. 231.
- (15) Ayman Adeeb Al-Hallaseh, previous reference, p. 23.
- (16) Mufida Ghassan Esfahani, previous reference, p. 107
- (17) Proof of God's command, the political right of refuging, a study in the theory of refuge in international law, Dar Al-Nahda Al-Arabiya, Cairo, 1982, p. 223
- (18) Ayman Adeeb Al-Halsa, previous reference, p. 237.
- (19) What is meant by the legal presence of a refugee is that he has entered the country of asylum legally, in accordance with the local legislation related to the entry of foreigners, but the purpose of this entry was for temporary residence for the purposes of education, tourism or treatment, Visa Regulations No. 3 of 1997.
- (20) Ahmed Nidal Al-Zubaidi, previous reference, p. 59.
- (21) Law No. 47 of 2006 of Renting and Selling Immovable Property to Non-Jordanians and Concerned Persons, published on page 3768, Official Gazette No. 4785 dated 10/1/2006.
- (22) <https://geiroon.net/archives/68273>, date of visit 3/5/2021.
- (23) <https://www.addustour.com/articles/47613>, date of visit 5/3/2021.
- (24) Associations Law of 2008 and its amendments.
- (25) Ahmed Nidal Al-Zubaidi, previous reference, pg. 60.
- (26) <https://www.almadenahnews.com/article/334394>, date of visit 6/3/2021.
- (27) <https://maqar.com/2014/01/08/> date of visit 3/7/2021.
- (28) <https://www.addustour.com/articles/189462>, date of visit 3/7/2021.

- (29) Memorandum of Understanding between the Hashemite Kingdom of Jordan and the United Nations High Commissioner for Refugees, signed in 1998 and amended in 2014, Article (3).
- (30) Memorandum of Understanding between the Hashemite Kingdom of Jordan and the United Nations High Commissioner for Refugees, signed in 1998 and amended in 2014, Article (5).
- (31) Ayman Adeeb Al-Halsa, previous reference, pg. 242.
- (32) Ayman Adeeb Al-Halsa, previous reference, pg. 242.
- (33) https://carnegieendowment.org/files/Francis_Jordan_Refugee_Crisis_AR.pdf Date of visit 15/4/2021.
- (34) Hassan Beltawi, History of the Jordanian Role in Receiving Refugees (1948-2015), Amman-Jordan, 2018, p. 285.
- (35) Hassan Beltawi, previous reference, p. 212.
- (36) Articles (4,5,6) of the Residence and Foreign Affairs Law No. 24 of 1973 and its amendments.
- (37) Saleh Al-Kilani, Duty and Burden on Jordan, Forced Migration Bulletin, Syrian Crisis, Displacement and Protection, Issue (47), September 2014, p. 30.
- (38) <http://www.petra.gov.jo/Include/InnerPage.jsp?ID=68461&lang=en&name=news> Date of visit 20/4/2021.
- (39) Hassan Beltawi, previous reference, p. 255.
- (40) Non-formal education (education programs aimed at helping students improve their level of performance in school in addition to providing educational opportunities for those who cannot access formal education) Non-formal education (an educational program approved by the Ministry of Education in Jordan provided to unenrolled boys == In schools and not eligible to enroll in formal education for various reasons), refugee education in Jordan, Queen Rania Foundation information document <https://www.qrfed-usa.org/ar/report/refugee-education-information-doc-in-Jordan> Date of visit 4/20/2021.
- (41) Instructions for admission and registration of first grade students for the year 2017 (under which the previous instructions issued for the year 1987 were canceled)
- (42) Basis of admission and transfer of Jordanian and non-Jordanian students for the academic year 2019/2020 (amended for the previous bases 2017/2018).
- (43) Residence and Foreign Affairs Law No. (24) of 1973 and its amendments.
- (44) Needs Assessment Review Study as a result of the influx of Syrian refugees, Ministry of Planning and International Cooperation and the United Nations, November 2013
- (45) The special service card (which includes re-registration of data for Syrians residing outside the camps in Jordan) to ensure that all Syrians and their families residing outside the camps continue to receive all kinds of services and assistance, such as health and educational assistance <http://www.moi.gov.jo/Pages/viewpage.aspx?pageID=470> Date of visit 22/4/2021.
- (46) <https://www.syria.tv/content/Education-Syrians-in-Jordan-Stability-and-Difficulties>, date of visit 22/4/2021.
- (47) <https://www.addustour.com/articles/1018590-Syrian-refugee-in-Jordan-exhausts-education-and-stopping-development-expansion-of-the-two-period-system-after-stumble-cancellation-determined-2018-2019> Date of visit 23/4/2021
- (48) Ministry of Higher Education and Scientific Research website <http://www.mohe.gov.jo/ar/Pages/StateUniversities.aspx> Date of visit 23/4/2021.
- (49) <https://www.hrw.org/legacy/arabic/reports/2006/jordan1106/jordan1106arweb.pdf> Date of visit 11/9/2019
- (50) <https://www.hrw.org/ar/report/2006/11/27/255382>, date of visit 24/4/2021.
- (51) The impact of the Syrian refugee crisis on the economic and social characteristics of families in the Jordanian host communities in the governorates of Mafraq and Irbid, an exploratory study, the second part, the analytical report, (UNDP), 2013, p. 22
- (52) Hassan Beltawi, previous reference, p. 25
- (53) Hassan Beltawi, previous reference, p. 257
- (54) <https://news.un.org>, date of visit 25/5/2021.
- <https://alghad.com>, date of visit 25/5/2021.
- (55) Jordanian Ministry of Labor website, list of professions closed to expatriate workers,

<http://www.mol.gov.jo/Pages/viewpage.aspx?pageID=206> Date of visit 26/5/2021.

(56) Instructions for Conditions and Procedures for the Employment and Recruitment of Non-Jordanian Workers for the Year 2012, Article (4).

(57) Khalil Mustafa Al-Bazia, The Impact of Iraqi Refugees on Jordan, (2003-2011) Unpublished Master's Thesis, Middle East University, Amman, 2012, pp. 54-pg. 55.

(58) A published article entitled A Public Policy Framework for Refugees in Lebanon and Jordan, <https://carnegie-mec.org/2018/04/18/ar-pub-76067>, date of visit 27/5/2021.

(59) <http://www.mol.gov.jo/Pages/viewpage.aspx?pageID=281> The website of the Jordanian Ministry of Labor, visit date 25/5/2021.

(60) <http://www.jo24.net/post.php?id=235502> Date of visit 28/5/2021.

(61) <http://www.mol.gov.jo/EchobusV3.0/SystemAssets/PDFs/imgrants%20workers/%20Syrian%200employment%20in%20industrial%20sector.pdf> Date of visit 28/5/2021.

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