



European  
University  
Institute

Robert Schuman Centre for Advanced Studies

Migration Report update  
Jordan: the socio-political dimension  
of migration 2009-2010

*Françoise De Bel-Air*

---

---

**CARIM Analytic and Synthetic Notes 2011/40**

---

---

**Series - Mediterranean and Sub-Saharan Migration:  
Recent Developments  
*Socio-Political Module***



**CARIM**  
**Consortium for Applied Research on International Migration**

**Analytic and Synthetic Notes – Mediterranean and Sub-Saharan Migration:  
Recent Developments  
Socio-Political Module  
CARIM-AS 2011/40**

**Migration Report update  
Jordan: the socio-political dimension of migration 2009-2010**

**Françoise De Bel-Air**  
Docteur en démographie et sciences sociales

The entire set of papers on Mediterranean and Sub-Saharan Migration: Recent Developments are available at <http://www.carim.org/ql/MigrationDevelopments>.

© 2010, European University Institute  
Robert Schuman Centre for Advanced Studies

This text may be downloaded only for personal research purposes. Any additional reproduction for other purposes, whether in hard copies or electronically, requires the consent of the Robert Schuman Centre for Advanced Studies.

Requests should be addressed to [carim@eui.eu](mailto:carim@eui.eu)

If cited or quoted, reference should be made as follows:

[Full name of the author(s)], [title], CARIM AS [series number], Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, [year of publication].

THE VIEWS EXPRESSED IN THIS PUBLICATION CANNOT IN ANY CIRCUMSTANCES BE REGARDED AS THE OFFICIAL POSITION OF THE EUROPEAN UNION

European University Institute  
Badia Fiesolana  
I – 50014 San Domenico di Fiesole (FI)  
Italy

<http://www.eui.eu/RSCAS/Publications/>  
<http://www.carim.org/Publications/>  
<http://cadmus.eui.eu>

## **CARIM**

The Consortium for Applied Research on International Migration (CARIM) was created at the European University Institute (EUI, Florence), in February 2004 and co-financed by the European Commission, DG AidCo, currently under the Thematic programme for the cooperation with third countries in the areas of migration and asylum.

Within this framework, CARIM aims, in an academic perspective, to observe, analyse, and forecast migration in Southern & Eastern Mediterranean and Sub-Saharan Countries (hereafter Region).

CARIM is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies (RSCAS) of the European University Institute (EUI, Florence), and a network of scientific correspondents based in the 17 countries observed by CARIM: Algeria, Chad, Egypt, Israel, Jordan, Lebanon, Libya, Mali, Mauritania, Morocco, Niger, Palestine, Senegal, Sudan, Syria, Tunisia, and Turkey.

All are studied as origin, transit and immigration countries. External experts from the European Union and countries of the Region also contribute to CARIM activities.

CARIM carries out the following activities:

- Mediterranean and Sub-Saharan migration database;
- Research and publications;
- Meetings of academics and between experts and policy makers;
- Migration Summer School;
- Outreach.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

Results of the above activities are made available for public consultation through the website of the project: [www.carim.org](http://www.carim.org)

*For more information:*

Euro-Mediterranean Consortium for Applied Research on International Migration

Robert Schuman Centre for Advanced Studies (EUI)

Convento

Via delle Fontanelle 19

50014 San Domenico di Fiesole

Italy

Tel: +39 055 46 85 878

Fax: + 39 055 46 85 755

Email: [carim@eui.eu](mailto:carim@eui.eu)

**Robert Schuman Centre for Advanced Studies**

<http://www.eui.eu/RSCAS/>

From mid-2008 to the end of 2010, several groundbreaking policy-making decisions, measures and debates took place in Jordan, in the field of immigration, immigrant management and in terms of relations with Jordanian expatriates abroad.

### **Stalled peace process and the Palestinian refugees' issue**

The issues of the resettlement of Palestinian refugees and national unity, not to mention the idea of Jordan as an alternative homeland for Palestinians are on the rise again, in the context of the moribund final status negotiations and the strengthening of nationalist and right-wing ideologies in the West and in the Middle East. Many foreign statements on the matter anger Jordanians: among these are the recent declarations by Dutch right-wing politician Geert Wilders that 'Changing [Jordan's] name to Palestine will end the conflict in the Middle East and provide the Palestinians with an alternate homeland',<sup>1</sup> and the repeated calls of Aryeh Eldad, a member of the Israeli parliament for the National Union party, who demands the transfer of Palestinians to Jordan and the establishment of a Palestinian state in the Kingdom as a partial solution to the Israeli-Palestinian conflict<sup>2</sup>. In response, Jordan has been hammering away at its official position: support for the establishment of an independent and viable Palestinian state on Palestinian soil (i.e. the West Bank and the Gaza Strip with their 1967 borders); as well, of course, as abidance by the UN General Assembly Resolution 194 on the right of return for Palestinian refugees.

However, tensions are also gaining ground in Jordan and the refugee factor is clearly a growing concern for everyone in the country, as was seen in several events in the last two years. Human rights activists claimed that from 2004 to 2009, Jordanian authorities had stripped nationality from more than 2,700 Jordanians citizens who were originally from the West Bank and who were not living on the East Bank at the time of the 1988 *fak iribat*<sup>3</sup>. In doing this the government denied them basic citizenship rights such as access to education and health care. Such measures are implemented randomly rather than systematically as they happened during routine administrative procedures such as while renewing a passport or registering an event at the Civil Status Department. They also were not applied uniformly to every member of a family, even if the family had an identical history<sup>4</sup>. The largest group potentially at risk from such a policy were the 250,000-300,000 First Gulf War *returnees* to Jordan<sup>5</sup>, as well as an unknown number of Jordanians of Palestinian origin living on both banks of the river, especially among the yellow card holders<sup>6</sup>. Jordanian officials reacted to protests by claiming that it was their duty to apply the nationality law.

Also, the reform of the electoral law for the November parliamentary elections announced in May disappointed all sectors of the population. The new law adds seats for under-represented cities such as Amman, Irbid and Zarqa, which are home to large Palestinian populations. However, most pro-democracy activists' hoped for fairer representation for all sectors of the population, through more equal electoral districts, a cancellation of the one-man-one-vote system in order to strengthen political parties and the end of the appointment of the Prime Minister by royal decree. Yet many

---

<sup>1</sup> <http://www.ynetnews.com/articles/0,7340,L-3907722,00.html>

<sup>2</sup> Among other actions; on 26 May 2009 Eldad proposed a bill to the Knesset calling for 'creating two states on the two banks of the Jordan River, one for the Israelis and one for the Palestinians', which was debated in the Knesset's Foreign Affairs and Defence Committee. On 5 December 2010, Eldad organised a conference in Tel Aviv on the theme 'Jordan is Palestine'.  
<http://www.ynetnews.com/articles/0,7340,L-3722058,00.html>; <http://www.israelnationalnews.com/News/News.aspx/141007>

<sup>3</sup> Severing the administrative and legal ties which had been binding Jordan and the West Bank since 1950.

<sup>4</sup> Human Rights Watch (HRW). *Stateless Again. Palestinian-Origin Jordanians Deprived of their Nationality*, February 2010.

<sup>5</sup> Jordanians of Palestinian origin, who were expelled from Kuwait in 1991. Some of them may have left the Kingdom but would still be concerned by the removal of their nationality.

<sup>6</sup> Permanent residents in the East Bank, who have national numbers and are entitled to live in Jordan or the West Bank.

East Bank Transjordanian nationalists protested that the law had gone too far in increasing Palestinian representation.

Indeed, Transjordanian nationalists came out vocally against what they see as a progressive settlement of Palestinian refugees on the East Bank with Jordan becoming their alternative homeland. On 1 May 2010, a group of retired army officers (the National Committee for Retired Servicemen – NCRS) issued an open letter to King Abdullah. In addition to demanding real political reforms, a curbing of corruption, greater power to be given to the Parliament and taking, as well, a stance against the King’s neo-liberal economic policies, the letter criticizes the appointments of Jordanian-Palestinians to key posts, demands the constitutionalisation of the 1988 *fak irtibat*, and claims that all Palestinians in the Kingdom should be deprived of their full Jordanian citizenship. They also demand that the Army be ready to fight the ‘Zionist threat’, as they assert that Israel is on the verge of performing the ‘transfer’ of Palestinians to Jordan. Most of those claims are typical of the Transjordanian nationalist rhetoric. Yet, the grievances are particularly focussed on the issue of Palestinian-Jordanians and their increasing demographic weight in the Kingdom: the nationalists claim that 2.5 million Palestinians are in Jordan, of whom 2 millions are naturalised refugees and the displaced. In addition, they affirm the presence of 850,000 holders of yellow cards<sup>7</sup> and 1.25 million green card holders (permanent residents of the West Bank and Jerusalem who have a temporary passport but without a national number and who thus do not enjoy citizenship rights) and blue cards (permanent residents of Jordan from the Gaza Strip, holders of two-years passports). The retired officers who authored the petition see it as a “transfer” of Palestinians across the Jordan River and assert that pressures are exerted to naturalise them and establish quotas for political representation<sup>8</sup>.

In the same vein, nationalist publications released figures and raised cases of possible further transfers, such as that of some 275,000 Jordanian citizens said to be residing in the West Bank<sup>9</sup>, or that of Jerusalemites holding Jordanian citizenship and yellow cards, bound to be denied the right to stay in the city by Israeli authorities<sup>10</sup>.

In response to NCRS petition, former Jordanian Prime Minister and Chief of the General Intelligence Department (*Mukhabarat*) Ahmad Obeidat issued a counter-petition on April, 10<sup>th</sup> based on an opinion-piece published earlier on Al-Jazeera.net. Like the Officers, he advocates a tougher Jordanian stance against Israel and its attacks on the peace process and on Jordan. Yet, taking distance from the Officer’s petition on the issue of Jordanian-Palestinians, he calls for national unity to be safeguarded and emphasizes the intertwining of both peoples’ future in Jordan. The document highlights chapter seven of the National Charter signed in 1991, which underscores the ‘strong historical and geographical ties between Jordan and Palestine... in the face of the racist imperialist Zionist danger, which threatens the existence of our Arab nation, its civilisation and holy sites, and targets Jordan as it targeted Palestine’. Moreover, and it is particularly interesting that no comment was made anywhere about this statement, point 4 of the letter mentions ‘the future union between the two countries, Jordan and Palestine’... as a ‘first step to a comprehensive Arab unity’.

The petition was signed by 362 Jordanians including former ministers and officials, politicians, journalists and lawyers.

---

<sup>7</sup> See footnote 6.

<sup>8</sup> *Kul Al-Urdun*, May 9<sup>th</sup>, 2010, [www.allofjo.net/web/?c=153&a=14007](http://www.allofjo.net/web/?c=153&a=14007)

<sup>9</sup> *Ammon News*, September 14<sup>th</sup>, 2010.

<sup>10</sup> *Ammon News*, September 17<sup>th</sup>, 2010.

More recently violence erupted following a soccer game in Amman on 10 December 2010, after Al-Wahdat club, traditionally a 'Palestinian' team beat the more 'Jordanian' Al-Faisaly club. At least 250 people were injured after riot police attacked supporters as they chanted political and racist slogans<sup>11</sup>.

## Iraqi refugees

The bombing of three hotels in Amman on 9 November 2005 (11/9), carried out by Al-Qaeda in Iraq, led the Kingdom to implement security measures for Iraqis, including restrictions on entries as of early 2006 and visa requirements before entering the country as of May 2008, while, all the time, supporting the return of Iraqis from Jordan back to Iraq (De Bel-Air, 2009). However, in the context of the international financial crisis and with depletion of the aid resources available from international agencies, the official Jordanian position towards Iraqis has evolved towards implicitly promoting Iraqi settlement in the Kingdom, in order to retain some aid funds, capital and investments, while seeking to attract new investors.

Indeed, many Iraqi business owners have moved to Beirut, Dubai, Muscat and even Europe since 2006, in search of more attractive business environment and conditions, concerned particularly about Jordanian visa procedures and the \$150,000 bank deposit necessary to obtaining residency in Jordan as an 'investor' (for those entering the country without a guarantee by a local employer, among other constraints).

Following petitions to the Prime Minister and appeals from Iraqi counterparts to Jordanian authorities, measures were announced in January 2009, directed towards Iraqi businessmen and investors. They include: opening a special office at the Karamah border crossing with Iraq to facilitate the easy entry and transit of Iraqi diplomats, Iraqi official delegations and holders of an investor card issued by the Jordan Investment Board (JIB); eligibility of Iraqis who have been legally residing in the Kingdom for 10 years or more for a five-year residency permit; one-time security approval for residency renewal; automatic issuing of annual residencies to unmarried children of Iraqi investors under the age of 18 with their parents' permits; the possibility of purchasing real estate or vehicles without former security clearance; and the reduction of the \$150,000 bank deposit guarantee to \$50,000<sup>12</sup>.

The necessity for a visa to enter Jordan from Iraq remains. Though now the processing of applications is handled by the Jordan Express Tourist Transportation Company (JETT), at a fee lower than that granted to the international courier TNT, previously in charge of the task.

However, in spite of these measures, newcomers – including Iraqis fleeing post-election troubles, among them Christians<sup>13</sup> escaping the late-2010 attacks – mainly transit through Jordan on their way to third countries.

This suggests that the stock of Iraqi refugees is now composed of some established business people, making use of the numerous free zones set up in Jordan<sup>14</sup>, but also migrants stranded in the country for lack of legal residency, seeking to return to Iraq or waiting to be granted asylum elsewhere, a share of whom 'will never be eligible for resettlement for a variety of reasons, ranging from age, health and language skills to connections to Iraq's former Baathist government' (Seeley,

---

<sup>11</sup> Football games have a history of bringing the country's ethnic tensions to the boil. Another match between the same two clubs was cancelled on 17 July 2009, 'following anti-Palestinian hooliganism and slogans denigrating the Palestinian origins of both the Queen and the Crown Prince'.

<sup>12</sup> Hazaimah, H. "New instructions ease restrictions for Iraqi guests", *Jordan Times*, February 20<sup>th</sup>, 2009.

<sup>13</sup> Habib, R. "Iraqi Christians seek safe haven in Jordan from attacks", *Agence France-Presse in Jordan Times*, November 23<sup>rd</sup>, 2010.

<sup>14</sup> Al Khalidi, S. "Iraq business elite flourish in Jordan safe haven", *Reuters*, December 17<sup>th</sup>, 2010.

2010: 42). Iraqis in Jordan are considered temporary ‘guests’ and not ‘refugees’, those who are neither investor nor relying upon savings being, thus, denied legal protection and the right to work. If residing illegally, they can also be detained and deported. Among poor Iraqis, women especially often bear a disproportionate burden of family responsibilities, as many have injured, missing or dead husbands in addition to being more vulnerable to deportation if illegal residents. Women are most often in charge of securing money, be that aid and supplementary incomes granted by NGOs or street peddling, entertainment or sex work in night clubs.

The Iraq Coordination Unit (ICU) at the Planning Ministry ‘manage[s] the international grants to mitigate the impact of hosting Iraqis in line with the government policy and national priorities, in addition to follow-up and coordination with United Nations organizations, international organizations and donors, to maximize the benefit and avoid overlapping of support especially for health and education’. Training and capacity-building projects with international funding are also organised for Iraqi officials in the country<sup>15</sup>. The Ministry of Social Development follows up on projects targeted at Iraqis<sup>16</sup>, ensuring they also benefit needy Jordanians: ‘most agencies set quotas stipulating that 25–50 percent of the beneficiaries should be Jordanians, though in reality the number was often much higher’<sup>17</sup>.

It can be thus said that ‘the Iraqi displacement crisis was no longer just a security issue for Jordan, but also a source of external patronage’, as the funds available for displaced Iraqis in Jordan outstripped other refugee crises around the world, even if the figure of 500,000 post-2003 Iraqi refugees in Jordan, originally given out for the Kingdom, is now viewed as too high by international donors and NGOs<sup>18</sup>. The Iraqi presence in Jordan is, therefore, likely to last, until they can be reincorporated into a functioning Iraq. Until then, added to the massive, yet decreasing aid funds, the attraction of Iraqi investments and capital to Jordan is seen as being essential given the recession experienced by the country since the onset of the financial crisis<sup>19</sup>.

## Foreign labourers and domestic workers

### Follow-up on the strategy for labour administration and compliance in Jordan

From mid-2008 to 2010, the MoL and other domestic and international agencies (including the U.S. Agency for International Development (USAID), the International Labour Organization (ILO), the World Bank and its affiliate the International Finance Corporation (IFC), and other important international donors, including the European Union (EU) and Canada took a series of actions in support of the strategic framework for labour compliance, in line with the international standards that the Kingdom adheres to as a member of Arab and international labour organisations.

---

<sup>15</sup> <http://www.mop.gov.jo>

<sup>16</sup> The decision was taken mid-2008 to accept Iraqis in public hospitals on an equal footing with uninsured Jordanians (who can benefit from subsidized health care treatment) and to allow Iraqi children to register in Jordanian public schools regardless of their legal status. This has prompted the building of new schools, clinics, and the renovation of existing infrastructures, etc.

<sup>17</sup> Seeley, N. “The Politics of Aid to Displaced Iraqis in Jordan”, *Middle East Report*, n°256, Fall 2010, pp. 37-42.

<sup>18</sup> ‘From 2007–2009, Jordan received close to \$400 million officially directed toward Iraqis’, much of which went either to the government or into ventures [between international agencies and Jordan’s government], under the rubric of ‘supporting Jordan’s institutions’ in the water, health and education sectors. Moreover, for example, UNHCR disbursed about four times as much *per capita* in Jordan as for Sudanese refugees in Chad. Jordan also received more aid *per capita* than any other Middle Eastern country embroiled in the Iraqi displacement crisis—nearly twice as much as Syria, 1.4 times as much as Lebanon and 3.6 times as much as Iraq itself (Seeley, 2010: 40-41).

<sup>19</sup> Al-Shobaki, H. “What lays behind the moving closer to Iraq”, *Ammon News*, January 27<sup>th</sup>, 2009. <http://www.ammonnews.net/article.aspx?articleNO=33407>

These measures have been carried out along three lines, or ‘pillars’. The third pillar deals with ‘increasing opportunities for unemployed Jordanians’; and ultimately aims at replacing foreign labourers with local ones, a fact often repeated in official discourses.

The first two pillars, by contrast, directly affect the fate of labour immigrants, as foreign nationals, as well as workers. It is worth noting, moreover, that legally-employed foreign nationals made up 19% of the total official labour force in 2009; in other sectors of the economy, such as light manufacturing and apparel industries in QIZs (Qualified Industrial Zone) for example, 77% of workers were non-Jordanians<sup>20</sup>. Issues and policies concerning domestic workers are also included under the MoL’s policy umbrella<sup>21</sup>.

### **Improving working conditions**

*Labour inspection enforcement:* The MoL has local Labour Offices throughout the country. Almost all of these have a labour inspection function. Labour inspectors in these offices undertake enterprise inspections on an almost daily basis and use the tools available to them to ensure that working conditions are in line with legal requirements. The four main QIZs in Jordan each have their own labour office with a labour inspection function.

*Stricter rules to join the Golden List:* In 2006, the MoL, in consultation with the private sector, created the Golden List. This monitoring mechanism for garment factories aims to ensure that employers are complying with the law and distinguishes those that also adhere to certain best practices on labour rights and working conditions. Employers that meet the criteria are added to this list.

The MoL revised the Golden List criteria in May 2008. Some of the new eligibility criteria stipulate stricter rules, limiting overtime hours and the maximum amount that can be deducted from workers’ salaries for accommodation. New procedures also address issues related to child and forced labour as well as physical and sexual abuse in the workplace.

*The Intensive Inspection Surveillance List (IISL):* the procedure was initially established in March 2007 for the QIZs. It now includes though enterprises with serious and repeated labour violations. The MoL subjects factories on the IISL to more frequent inspections to ensure enterprises are improving their compliance. After the IISL spurred positive results in the QIZs, the MoL decided to apply a formalized version of the IISL throughout Jordan.

As of February 2009, the MoL adopted new criteria for the IISL, emphasizing the number and frequency of penalties issued against an enterprise and the turnover rate of guest workers. If an enterprise repeatedly violates the labour law or guest-worker criteria, it can be placed on the Blacklist or on the Watchlist. An enterprise on the Blacklist is forbidden to bring in guest workers. An enterprise on the Watchlist, on the other hand, can only bring in guest workers with Inspectorate approval.

*Regularisation of QIZ guest workers:* With the aim of improving guest workers’ regularisation process, in March 2008, the Cabinet declared an ‘amnesty period’ during which QIZ guest workers without valid legal documentation would not be subject to fines, provided that they regularize their status or return to their home country. In March and April 2008, employers and workers in the QIZs received information on relevant procedures. As a result of the Government’s efforts, 5,676 guest workers successfully received new work and resident permits by the deadline and 1,307 guest workers

<sup>20</sup> 335,000 foreign legal labourers, out of 1,8 million total labour force (Ministry of Labour statistics). However, a sizeable number of workers also work illegally: unofficial and uncheckable estimates usually range from 100,000 to 500,000.

<sup>21</sup> The material for the following chapter describing policies towards labour migrants is taken from MoL’s official documents, mainly *Labour Administration and Compliance in Jordan: A Multi-Stakeholder Collaboration, First Progress Report*, Amman: MoL, Oct. 2009, on which our description of measures taken until end of 2009 presented thereafter is based. It thus reflects the Ministry’s position and its visible imperatives.

voluntarily returned home. In the process, the Government waived fines totalling 7.1 million JD (equal to US \$10 million).

### **Enhancing institutional capacity**

*Labour inspection reform:* During the past few years, the MoL had undertaken comprehensive reform of the Labour Inspectorate. First made operational in 2007, the National Inspector Training Centre (NITC) was officially established as a MoL Regional Office in January 2008. For example, the NITC provides inspector training on collective bargaining, document inspection, occupational health and safety training, English language skills, migration policies and labour law. Moreover, in 2008-2009, 65 additional inspectors were recruited and trained. The MoL and the IFC also developed and dispatched mid-2009 an inspection manual containing detailed guidance for inspectors in terms of inspection procedures and other relevant information. This manual, translated into Arabic, includes the first ever written standard operating procedures to be followed while performing inspections. The MoL and the IFC also created a brochure about inspection for employers, in Arabic and English.

*Implementation of the Better Work Jordan Project (BWJ):* In July 2008, the Government of Jordan, in cooperation with the ILO and the IFC, launched the Better Work Jordan Project to further raise labour conditions in the Jordanian apparel sector to world class standards. Thus far 17 factories have committed to participating in BWJ, representing approximately 20,000 workers or 40 percent of the current labor force in the apparel sector. BWJ expected to have 30 factories participating by the end of 2009, covering two-thirds of the labour force in the apparel sector.

*Measures against forced labour and trafficking:* A new anti-trafficking law came into force on 31 March 2009<sup>22</sup>. This law is the result of a process involving all relevant Government entities as well as the National Centre for Human Rights (NCHR), and the ILO. Also, in 2008, apart from closing seven foreign labourers' recruitment agencies, the MoL investigated and addressed 535 complaints on its labour hotline, some of which included indicators of possible forced labour. The MoL has also coordinated the efforts of all agencies responsible for issues of forced labour and labour related trafficking through different inter-Ministerial Committees. These are now being replaced by other mechanisms, such as the National Committee on Trafficking (NCT)<sup>23</sup>. MoL and the Public Security Directorate (PSD) have been working together since the beginning of 2009 on trafficking investigations. ILO also supervises experience-sharing with European countries involved in anti-trafficking operations. MoL, meanwhile, cooperates with ILO on the Project to Combat Forced Labour and Trafficking, operational since March 2007 until August 2010. It works to strengthen Jordanian law enforcement capacity to identify, investigate and prosecute offences related to forced labour and human trafficking. In 2008, the Project provided training for judges, prosecutors, lawyers, police, government officials, inspectors, as well as for guest workers to raise awareness on existing forced labour practices and trafficking in persons to educate them about their rights and protection under the law.

The MoL has also established a Worker Humanitarian and Legal Assistance Fund, which provides aid to guest workers in the QIZs when necessary in terms of funding for food, lodging, airplane tickets, administrative visa fines, and lawyer fees.

*Reform of the Labour Law:* In June 2008, the Jordanian Parliament adopted a number of amendments to the 1996 Labour Law (law n° 48 of the year 2008), which included: an amendment extending the legal protection of the Labour Code to Jordanian and foreign workers in the agriculture and domestic sectors; an amendment increasing the fines for certain labour law violations to a

---

<sup>22</sup> Law n° 9 for the year 2009, published in the *Official Gazette* on March, 1st, 2009.

<sup>23</sup> Its members include representatives from the Ministries of Interior, Justice, Labour, Foreign Affairs, Social Development, Health, as well as representatives from the Public Security Directorate, the Company Controller's Directorate, the National Center for Human Rights (NCHR) and the National Council for Family Affairs (NCFA).

minimum of 300 JD and a maximum of 500 JD *per* infraction; new articles prohibiting forced labour, harassment, and all other forms of abuse, including verbal, physical, and sexual abuse; while, at the same time, the minimum wage was increased from 110 JD to 150 JD per month.

*Migrant domestic workers:* The extension of Labor Law protection to domestic workers has been endorsed with by-law n° 90 for the year 2009, which specifies the above-mentioned further regulations needed regarding working conditions and recruitment, as well as new stricter requirements governing private employment agencies that recruit domestic workers. Seven firms were shut down in 2008 by the MoL for violations.

The new regulations concerning domestic workers provide the necessary protections and specify, *inter alia*, that domestic workers: must have a contract in a language that they understand; that they must have regular working hours that cannot exceed 10 hours per day and that they must have a minimum eight-hour rest period between daily work periods. What is more, employers are obliged to pay salaries directly to the workers' bank accounts and to buy health insurance for their workers; workers are entitled to one day off per week and 14 days paid sick leave and they are paid annual leave; they are not allowed (to be put) to work for more than one household and they cannot receive work orders from non-household members; they must be able to communicate freely with family and friends; they must be provided with medical care, suitable work clothing, food, and accommodation; and they are entitled to a return ticket upon completion of the contract.

In order to pursue international cooperation on the matter, the Government of Jordan has completed a bilateral agreement with Indonesia and is negotiating similar migrant worker agreements with Sri Lanka and the Philippines.

Yet, if Jordan's progressive labour laws are to be lauded, much still remains to be done. For example, the right to join societies and trade unions is still prohibited in Jordan for migrant workers. Also, the country is yet to ratify the International Convention for the Protection of the Rights of all Migrant Workers and their Families and the ILO Convention 87 on the freedom of association and protection of the right to organise (1948), the latter concerning every worker, local or alien. In economic sectors which employ local and foreign workers side by side (industry, construction), labour conditions are progressively addressed, but discrimination between local and foreign workers remains on certain points. In QIZs, for example, foreign labourers are excluded from the provisions on the minimum wage. In January 2009, the Labour Ministry, the General Trade Union of Workers in Textile Industries (GTUWTI) and the Jordan Garment, Accessories and Textiles Exporters Association (JGATE) signed a memorandum of understanding (MoU) under which garment employers agreed to raise the wages of around 12,000 Jordanians working in QIZ factories to JD150 monthly. None of the QIZs factories signed the agreement, claiming that 'around 35,000 foreign workers [would thus] ask for similar pay raises', and that such a development would be 'disastrous for the sector'<sup>24</sup>.

The question of law gaps and also law enforcement are particularly acute in the case of domestic workers. The Kingdom is, indeed, now the only Arab country to include domestic workers under its Labour laws. However, accounts show that the situation of these labourers has not changed much. Neither did the new law prohibit, for example, employers from confining workers to their household and confiscating passports, nor did it cancel the controversial institution of *kafala* (sponsorship) which stops workers changing employers. More importantly, there is little enforcement of Jordan's labour laws, in terms of domestic workers protection against bad working and living conditions, mistreatments, low salaries and the retaining thereof by employers, etc.

There are several independent and civil-society organisations involved in human-rights protection: the National Center for Human Rights; the National Commission for Women Affairs; the Tamkeen Center for Legal Aid and Human Rights; Worker Women Friends Organization; the Justice Center;

---

<sup>24</sup> Hazaimah, H. "Union, factory owners awaiting Jordanian QIZ worker pay raise", *Jordan Times*, February 2<sup>nd</sup>, 2009.

Legal Aid Center; Labor-Watch/ the Phoenix Research Center. Tamkeen Centre, particularly, inquires about abuses of migrants workers and recently released a report on legal gaps and abuses to migrants' rights in Jordan. The report focuses on domestic workers, with accounts of cases and complaints addressed and actions taken during 2009 by the Center's team of lawyers<sup>25</sup>.

Such accounts show that at least some Jordanians are concerned about the plight of domestic workers<sup>26</sup>. Also, some domestic workers have started claiming their rights, something that is very difficult for a person confined indoors. Therefore, not only does the law have to be enforced. The new institutional tools for control are actually promising in the matter of domestic workers' protection, provided that they are extended from companies to households. Training of police and justice personnel should be enhanced; labour inspections should operate also in residences; Intensive Inspection Surveillance and Golden Lists could similarly be extended to households.

## Emigration

According to the latest available figures, between 600,000 and 670,000 Jordanians are resident abroad, mainly in the Gulf countries.

### Jordanian residents and workers in oil-producing countries: some estimates 2008-2009)<sup>27</sup>

	DoS (estimates) (residents)	Ministry of Labour (2008) (workers)
<b>UAE</b>	250 000	54,834
<b>Qatar</b>	27,000- 36,000	30,748
<b>Kuwait</b>	42,000	18,888
<b>Oman</b>	n.d.	3,396
<b>Saudi Arabia</b>	250,000-300,000	50,928
<b>Libya</b>	n.d.	3,060
<b>TOTAL</b>	<b>500,000 – 600,000</b>	<b>164,854</b>

Only early in 2009 did the Department of Statistics (DoS) and the Ministry of Labour air these estimates of the expatriate numbers, and yet, for the Gulf alone, where emigration is considered temporary, unlike in the West. Attempts at getting more accurate data on the size and characteristics of Jordanian expatriate communities in these countries are under way, for instance, through a form distributed by Jordanian embassies in the Gulf to expatriate Jordanians and their families<sup>28</sup>. However, no systematic census operation covers Jordanians abroad (De Bel-Air, 2010).

<sup>25</sup> Tamkeen Center for Legal Aid and Human Rights is a neutral, non-profit local organization, founded in Amman on 10 October 2007. It aims at improving the practice of human rights and fundamental freedoms by all society sectors, especially marginalized groups; such as children, women, workers, people with disabilities, and many others, according to the national legislations and the international conventions. With the support of the Open Society Organization, it started from 1 April 2009, providing free legal aid for migrant workers. For the 2009 report: Tamkeen Center for Legal Aid and Human Rights. *Double Alienation. Report on the migrant workers situation in Jordan- 2009*, Amman: 2009.

<sup>26</sup> Elqusus, N. "Labor Migrants", *Al-Dustur Newspaper*, December 5th, 2009; Al-Habashneh, F. "Foreign housemaids suffer harassment and abuse", *Al-Dustur Newspaper*, February 13th, 2010.

<sup>27</sup> Sources: personal communications and press quotations for DoS estimates: JT. "Expatriate remittances drop", *Jordan Times*, 12/06/2009; Petra News Agency. "Shbeikat discusses with Qatari envoy means to recruit Jordanian workers", *Jordan Times*, 19/03/2009. For the Ministry of Labour's data, see MoL. *Annual Report 2008*, Amman: MoL, 2009, p. 56.

<sup>28</sup> <http://www.jordanembassy.ae/expwo.html>

It is not clear how many expatriate Jordanians were driven back into the Kingdom by the 2008 financial crisis<sup>29</sup> and the job cuts in many economic sectors in Gulf countries<sup>30</sup>. Even if accounts agree that the number of Jordanians who left their jobs in the Gulf region had been increasing due to global recession, the economic situation in Jordan is tied to that of the Gulf region and Jordanians abroad had to agree on work contracts with lower salaries than those they had previously enjoyed, rather than heading back to their country. Therefore, mid-2009, the Ministry of Labour was reporting no massive repatriations of Jordanians, and this included returns on the completion of labor contracts<sup>31</sup>.

## Remittances

Remittances do not exactly reflect the movement of migrants. Net workers' remittances declined by 2.4 percent in 2009 against a growth of 6.8 percent in 2008, to stand at JD 1,899.6 million, reflecting the job cuts many Jordanian expatriates working in the Gulf suffered. Yet, according to the Central Bank of Jordan's preliminary figures for 2010, total workers' remittances amounted to JD 226.1 million during August 2010; an increase of 12.4 percent compared to the same month in 2009. In addition, total workers' remittances receipts increased by 1.9 percent during the first eight months of 2010, as compared with the same period in 2009, to stand at JD 1,723.8 million. According to the Central Bank of Jordan's data, total workers remittances stood at 23,4% of Jordan's GDP for 2009.

## Contacts with the diaspora

There were also changes between Jordan and its diaspora. Remittances from expatriate workers have been a mainstay of the Jordanian economy, accounting, as we have seen, for up to 25% of gross national product in some periods. However, in line with Jordan's 'open door policy' in terms of citizens' emigration, no particular schemes for channelling and stimulating such financial flows had been put in place. However, some such measures seem now to be underway with the support of foreign donors<sup>32</sup>.

Also, 'national-cultural' or *professional associations* linking Jordanians abroad with the Kingdom have been revived or appealed to: for example, the various Jordanian Associations abroad, the Jordanian Engineers Association, not to mention the Jordanian Business Council in Dubai and the Northern Emirates<sup>33</sup>.

---

<sup>29</sup> Data on entries and exit by nationality from Public Security Department give the following migration balance for Jordanians: 2006: -84500; 2007: -36600; 2008: -9800; 2009: -28400; 2010 (January to August): -28400.

<sup>30</sup> Real estate went up by 18% during the first six months of 2010, as compared to the same period in 2009. But this does not seem to be an indicator of massive returns. Part of the hike apparently comes from foreign nationals' purchases and incentives put out by the government to encourage Jordanians to acquire properties "Jordan property sales see 18 percent rise", *Reuters*, July 6<sup>th</sup>, 2010.

<sup>31</sup> "Ministry of Labour counts the Jordanian returnees from abroad and studies possibilities for employment", *Al-Arab Al-Yaum*, August 24<sup>th</sup>, 2009.

<sup>32</sup> Mid 2009, the International Executive Service Corps, a Washington, DC-based not-for-profit organisation with a focus on private sector growth, was seeking experienced Diaspora Investment Component Lead candidates for an upcoming multi-year USAID funded program in Jordan, focussing on providing support to the implementation of and capacity building for the development of Public Private Partnerships and alliances. Responsibilities included: conducting a mapping of the environment for Diaspora investment and remittances in Jordan; developing alliances with Diaspora to invest in Jordan; creating networking opportunities for potential partners including banks, non-banking institutions, and information communication technology (ICT) service providers; and examining the potential for loan guarantees to encourage banks and non-bank financial institutions to develop remittance-based loan products.  
<https://www.devex.com/en/companies/2476?lang=ja&sortfield=locations.name&sortorder=desc&tab=jobs>

<sup>33</sup> Jordanian Association in Abu Dhabi: <http://josad.com/> Jordanian Engineers Association: [http://www.jea.org.jo/home/StaticPages/ArabicPages/AssComm/Coordination\\_Comm/main.html](http://www.jea.org.jo/home/StaticPages/ArabicPages/AssComm/Coordination_Comm/main.html) ; Jordan Business Council: <http://www.jbcdubai.com>

Additionally, some measures were taken to *incorporate expatriates into social protection schemes*. Expatriates, indeed, have often been vocal about their being denied the same civil rights as non-expats, in terms of voting, which is impossible from abroad<sup>34</sup>, social protection, incentives for investment and quotas for university places. Expatriate investors' conferences were also seen by expatriate businesspeople as an occasion for the government to tap their resources and investment potential (De Bel-Air, 2010).

However, in an attempt to reach out to Jordanian expatriates working outside the kingdom and to facilitate their voluntary contribution procedure to social security, the SSC opened a new window in the UAE during 2009 with its 'Social Security Ambassador', which is a mobile branch for social security. In cooperation with the Arab Bank, the corporation opened windows for social security in the bank's branches all over the UAE, in which bank employees have been trained on the voluntary contribution procedures and its conditions and the forms used, through which Jordanian expatriates can apply. The UAE was the second destination for Social Security Ambassador after the first was launched in Kuwait in 2008<sup>35</sup>. Furthermore, on 6 September 2010, the Social Security Corporation and Jordan Arab Investment Bank in Qatar signed a MoU to sponsor Social Security Ambassador Campaign in the Emirate. Jordanian expatriates working there will thus be able to apply for voluntary contributions for social security schemes in Jordan through the Jordan Arab Investment Bank in Qatar.

Yet, topping the policy agenda in the Kingdom as regards emigration is the struggle against unemployment, through the intertwined processes of *Jordanisation of manpower*, and *matching unemployed Jordanians with job opportunities abroad*.

In its Strategic Plan 2009-2011, the Ministry of Labour mentioned the implementation of Project 3-1 entitled 'activation of the role of labour consultants abroad'. This programme is geared towards Jordanian expatriates and aims at defending the rights of Jordanian workers abroad, providing them with job opportunities while also organising training and placement abroad for unemployed Jordanians (MoL, 2009: 24-26). On a wider scale, the Ministry of Labour has been hosting, since August 2004, a National Employment Centre in order to address the issue of unemployment among Jordanians, which has become the top policy-issue in recent years. The service has developed a free-of-charge 'service delivery path' for its job matching and career counselling services, which in effect relies heavily on 'labour cooperation' between Jordan and the Gulf countries<sup>36</sup>, as it advertises job opportunities in Jordan as well as abroad<sup>37</sup>. Also, the Al-Manar project at the National Center for Human Resources Development (NCHRD) developed a bilingual web-based employment system (ELE), matching job seekers and job advertisements for free. Announcements are displayed by labour advertisement companies and most of them offer opportunities in the Gulf and other Arab countries<sup>38</sup>. It is worth noting that all these projects are externally-funded. Lastly, the Jordanian embassy in the UAE, in cooperation with the Jordanian Business Council<sup>39</sup> and the Arab International Company for Financial

---

<sup>34</sup> Luck, T. "Expatriates dismayed at lack of absentee voting system", *Jordan Times*, July 23<sup>rd</sup>, 2010.

<sup>35</sup> Social Security Corporation (SSC). *Annual Report 2009*, Amman, p. 23.

<sup>36</sup> 'It provides job seekers career counselling, job search, resume writing, and interview skills at no cost. And it helps employers with market research, job fairs, corporate career days, candidate screening and interviewing, marketing and recruiting, and lends its facilities for applicant testing.' ("Jordan's New Employment Center Matches Job Seekers with Employers", <http://www.nathaninc.com/index.asp?bid=751286>)

<sup>37</sup> <http://www.nec.jo/nees/>

<sup>38</sup> <http://www.almanar.jo/ele/web/>

<sup>39</sup> Jordanian entrepreneurs set up in Dubai in 2000 this entity worked with the Jordanian consulate there in order to bring together Jordanian and Emirati corporations, businessmen and professionals to strengthen economic, commercial and social relationships. One of their aims is also to 'assist in providing training opportunities for all Jordanian graduates to obtain specialized skills'. JBC's website' homepage has a direct link called 'Hire a Jordanian' (<http://www.jbcdubai.com>).

Services launched, in April 2010, a project for setting up a database of qualified Jordanians' CVs, for employment inside and outside Jordan<sup>40</sup>.

It is worth noting that low- and middle-skilled women increasingly partake in such schemes, for example, women from the Qualified Industrial Zones (QIZs) areas. The setting up of QIZs in the wake of the peace process between Jordan and Israel aimed, in part, at attracting and channelling Foreign Direct Investments towards rural, poverty-stricken areas of the country, in order to provide job opportunities for local, unskilled workers and, especially, for women. Since then, work has become more attractive for the new female labourers, rural villagers and camp dwellers, as their income is much needed due to decreasing standards of living in these areas; it also gives them a social role and exposure. Consequently, some of these low- to middle-skilled women workers started venturing out, looking for work outside the country (De Bel-Air, 2011).

---

<sup>40</sup> <http://www.jordanembassy.ae/news47.html>

## Bibliographic references

- DE BEL-AIR, F. "Gender Politics and Migration Policies in Jordan", *CARIM Programme on Gender and Migration in Southern and Eastern Mediterranean and Sub-Sahara African Countries*, Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM), Robert Schuman Centre for Advanced Studies, San Domenico Di Fiesole (Florence, Italy): European University Institute, 2011.  
[http://cadmus.eui.eu/bitstream/handle/1814/15588/CARIM\\_ASN\\_2011\\_03.pdf?sequence=1](http://cadmus.eui.eu/bitstream/handle/1814/15588/CARIM_ASN_2011_03.pdf?sequence=1)
- DE BEL-AIR, F. "Highly-skilled migration from Jordan: a response to socio-political challenges", *CARIM Programme on Highly-Skilled Migration into, through and from the Southern and Eastern Mediterranean and Sub-Saharan Africa.*, CARIM-AS 2010/12, Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM), Robert Schuman Centre for Advanced Studies, San Domenico Di Fiesole (Florence, Italy): European University Institute, 2010.  
<http://hdl.handle.net/1814/13447>
- DE BEL-AIR, F. "Iraqis in Jordan since 2003: What Socio-Political Stakes?", in : *Iraqi Refugees in the Host Countries of the Middle East*, CARIM-RR 2009/10, Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM), Robert Schuman Centre for Advanced Studies, San Domenico Di Fiesole (Florence, Italy): European University Institute, 2009.  
<http://hdl.handle.net/1814/11255>.
- MINISTRY OF LABOUR. *Labour Administration and Compliance in Jordan: A Multi-Stakeholder Collaboration, First Progress Report*, Amman: MoL, Oct. 2009.
- MINISTRY OF LABOUR. *Annual Report 2008*, Amman: MoL, 2009
- SEELEY, N. "The Politics of Aid to Displaced Iraqis in Jordan", *Middle East Report*, n°256, Fall 2010, pp. 37-42.
- TAMKEEN CENTER FOR LEGAL AID AND HUMAN RIGHTS. *Double Alienation. Report on the migrant workers situation in Jordan- 2009*, Amman: 2009.