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For legal aid and human rights

Social protection for Refugees during COVID-19

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Introduction

Social protection is a cornerstone to achieving social justice once it is provided to all citizens and residents on the territory of the state. Social protection ensures that everyone enjoys equal opportunities and protects them from various risks. Therefore, Article 22 of the Universal Declaration of Human Rights states that all members of society have the right to social security, since access to economic, social, and cultural rights are indispensable for people's dignity and solidarity among communities.

Social protection provides access to nutrition, education, health, and decent wages, that meets minimum wage standards at least. It also provides for basic income to those who are of working age but unable to work, whether because they are unemployed, ill, disable, as well as in cases of maternity and old age.

Generally, social protection aims to raise the quality of economic, social, and cultural life of members of the society by ensuring their access to work, education, health, and housing. Indeed, social protection is the key to preserving these rights. Therefore, it is at the heart of various international strategies to eradicate poverty in the world by 2030, which is key goal in the United Nations Sustainable Development Goals Agenda.

In this context, the COVID-19 pandemic exacerbated the social and economic crises in Jordan and revealed the fragility of the social protection framework. Even the programs launched by the government in cooperation with the Social Security Corporation were not effective, due to their temporary nature and insufficient funding. Moreover, most of these programs excluded refugees, as will be detailed below.

This paper aims to assess Jordan's response to the COVID-19 pandemic, and its impact on the labour market, especially refugees, employed in various sectors. The paper utilised various studies and papers that were developed on social protection, before analysing the government's response to the pandemic, including the relevant Defense orders.

Social protection

Social protection is defined as "the set of policies and programmes designed to reduce and prevent poverty and vulnerability throughout the life cycle. Social protection includes benefits for children and families, maternity, unemployment, employment injury, sickness, old age, disability, survivors, as well as health protection. Social protection systems address all these policy areas by a mix of contributory schemes (social insurance) and non-contributory tax-financed benefits, including social assistance."[1]

Social protection systems are generally structured around three main objectives:

a. facilitating recovery from the crises that have led people to become poor,

b. contributing to the ability of chronically poor people to emerge from poverty, and to challenge oppressive socio-economic relationships,

c. supporting the less active poor (such as the elderly, persons with disabilities and children) so that poverty will not be inherited by the next generation.

To achieve social protection, the ILO developed the Social Protection Floors Recommendation, 2012 (No. 202), by the International Labour Conference. The recommendation is considered an important albeit nonbinding tool on the promotion of social protection within comprehensive social security systems for all in need. It also calls on member States to extend social protection and progressively ensure higher levels of social security to as many people as possible.

According to the recommendation, social protection floors should comprise at least the following basic social security guarantees:

a. access to a nationally defined set of goods and services, constituting essential health care, including maternity care, that meets the criteria of availability, accessibility, acceptability, and quality,

b. basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services

1 Report by the independent expert on the question of human rights and extreme poverty, Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms, 64th Session of the UN https://documents-dds-ny.un.org/doc/UNDOC/GEN/N09/452/76/PDF/N0945276.pdf?OpenElement

c. basic income security, at least at a nationally defined minimum level, for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability

d. basic income security, at least at a nationally defined minimum level, for older persons.[2]

The concept of minimum standards of social protection is based on the principles of social justice affirmed by the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, both of which enshrine the right to social security, and access to adequate standard of living, health, education, food, and housing.[3]

Article 22 of the **Universal Declaration of Human Rights (UDHR), 1948** stipulated that "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality."

Meanwhile, article 25 stated that:

1. "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection."[4]

The right was later enshrined in the **International Covenant on Economic, Social and Cultural Rights (ICESCR),** as it established that everyone has the right to "social security, including social insurance" (Art. 9), to an "adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions." Each State party to the Covenant is required to "take steps to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including in particular the adoption of legislative measures." [5]

2 ILO Social Protection Floors Recommendation, 2012 (No. 202) : https://2u.pw/jTzwNCr

3 ILO, "The Right to Social Welfare", available at: https://2u.pw/4Ejz4Z7

4 Universal Declaration of Human Rights : https://2u.pw/of6G9jL

5 UN International Covenant on Economic, Social and Cultural Rights : https://2u.pw/MVrXa55

Indeed, the covenant requires States parties to ensure enjoyment of the rights established in the Covenant without discrimination of any kind as to, among other things, national or social origin (Art. 2(2)). Thus, people ought to have access to various schemes of social protection that include:

a. Contributory or insurance-based schemes such as social insurance, which is expressly mentioned in article 9. These generally involve compulsory contributions from beneficiaries, employers and, sometimes, the State, in conjunction with the payment of benefits and administrative expenses from a common fund,

b. Non-contributory schemes such as universal schemes (which provide the relevant benefit in principle to everyone who experiences a particular risk or contingency) or targeted social assistance schemes (where benefits are received by those in a situation of need). In almost all States parties, non-contributory schemes will be required since it is unlikely that every person can be adequately covered through an insurance-based system.

Other forms of social security may also be put in place, including:

a. Private sector schemes.

b. Individual, Collective, or participatory schemes.

The **Committee on Economic, Social and Cultural Rights,** which oversees the implementation of the ICESCR, has progressively developed the components of the right to social security through various recommendations and comments. The committee's general comment No. 19 of 2008, stated that "non-nationals and other disadvantaged groups, such as minorities, refugees, asylum seekers, internally displaced persons, and returnees, should also be given special attention by States as they face additional hurdles in exercising their right to social security" (CESCR 2008, para. 31).[6]

The right to social security is also enshrined in several other UN Covenants, which affirmed the importance of the right to specific groups, including the Convention on the Elimination of All Forms of Discrimination against Women (1979)[7], the Convention on the Rights of the Child (1989)[8], the International Convention on the Elimination of All Forms of Discrimination against Women (1989)[9], on Racial Discrimination (1965)[10], the International Convention on the Protection of the Rights of All Migrant Workers

6 UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 19: The right to social security (Art. 9 of the Covenant), 4 February 2008, E/C.12/GC/19, available at: https://www.refworld.org/docid/47b17b5b39c.html

7 Articles 11 (1,C), (2,B) & 14 (2)

8 Articles 26, 27 (1), (2) and (3)

9 Article 5 (c)

10 Articles 27 & 54

and Members of Their Families (1990),[11] and the Convention on the Rights of Persons with Disabilities (2006).

Throughout its history, the ILO adopted 208 conventions related to social security, including Convention 102 which sets the minimum standards for the right. Currently, there are 8 key main ILO conventions and 9 recommendations on social protection:

- Income Security Recommendation, 1944 (No. 67)
- Medical Care Recommendation, 1944 (No. 69)
- Social Security (Minimum Standards) Convention, 1952- ratified by Jordan
- Equality of Treatment (Social Security) Convention, 1962 - ratified by Jordan
- Employment Injury Benefits Convention, 1964 (No. 121) and its recommendation
- Invalidity, Old-Age and Survivors' Benefits Convention, 1967
- Medical Care and Sickness Benefits Convention, 1969
- Maintenance of Social Security Rights Convention, 1982 (No. 157)
- Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) and recommendation 176
- Maternity Protection Convention, 2000 (No. 183) and recommendation 191
- Social Protection Floors Recommendation, 2012

It should be noted that Jordan has not ratified four key instruments on social protection, namely: the Employment Injury Benefits Convention, 1964 (No. 121); the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No.128); the Medical Care and Sickness Benefits Convention, 1969 (No.130); and the Maternity Protection Convention, 2000 (No. 183). It also has not ratified Convention No.87 on the right to organise, which is intrinsically linked to social protection floors.

11 Article 28

Legal Framework and Social Protection Legislation in Jordan

There are numerous entities responsible for the implementation of social protection programs in Jordan. These responsibilities are divided between seven ministries and two independent committees, in addition to civil society organisation, international, and non-governmental organisation.[12] The tools provided by these entities consist mainly of the following programs:

- Contributions-based programs (social security).
- Non-contribution-based programs (social safety nets or social assistance).
- Social sector policies (services, infrastructure, education, and health).
- Labour-related policies.

Contributions-based programs are represented by the social security provided by the Social Security Corporation, the Civil Retirement Fund, and Military Retirement Fund. Meanwhile, non-contributory programs target specific population groups. For example, there are programs that target the elderly, persons with disabilities (categorical targeting), persons residing in specific areas (geographical targeting), and/or poor persons (direct or indirect targeting of poverty). These programs are provided by two main entities: the National Aid Fund and the Zakat Fund, and **they only target Jordanians.**

Social Security Law No. 1 of 2014[13]

Social security is defined as "a social protection system, aimed at socially and economically protecting people through the law, which defines both its benefits and sources of finances. The various programs covered under social security shall be mainly financed through contributions borne by both the insured employers and the employers."

Article (4) of the law stipulated that categories that could be covered under the umbrella of the SSC, which includes anyone at or above sixteen years of age, without any discrimination amongst those included based on nationality, and regardless of the duration, form of contract, or nature of wage. This is provided that the wage based on which contributions are calculated for is not less than the minimum wage pursuant to the valid Labor Law. Currently, these categories include:

1. All laborers subject to the provisions of the valid-in-force labor law.

12 The Landscape of Social Protection in Jordan: https://2u.pw/X1jgnVJ

13 For more information, please see : https://2u.pw/1hWfeob

2. Workers who are not subject to the retirement pension under the provisions of civil or military retirement laws.

3. Jordanian persons employed by regional and international missions, foreign and Arab political or military missions operating inside the Kingdom, attachés, and their affiliated educational and cultural centers.

4. Self-employed individuals, employers, and joint partners working in their own firms subject to a resolution to be issued by the Council of Ministers upon recommendation by the Board covering said categories by the provisions of this Law not later than January 1, 2015. This is provided that the bylaws issued pursuant to this Law determine their coverage-related provisions, including working hours, leaves, break hours, inspection, and wages subject to the provisions of this Law.

The article affirmed that workers whose employment relationship with their employers is regular are subject to the Law. According to the law, the relationship shall be deemed regular in the following cases:

a. A day laborer working sixteen days or more in any given month.

b. An hour, piece, shipment laborer or the like who works sixteen days or more in any given month, regardless of the number of working hours, pieces, or shipments per day.

c. A laborer who is paid monthly, regardless of the number of working days per month, except for the first month of work to which the principle of sixteen or more working days per month shall apply.

In terms of insurances covered by the law, article (3) numerated them as:

1. Work injury insurance

2. Old-age, Disability and Death insurances

3. Maternity insurance

4. Unemployment insurance

5. Health insurance

As for the categories not covered by the law, they include:

1. Individuals paying their retirement contributions pursuant to the civil or military retirement laws.

2. Non-Jordanians employed by regional, international, foreign and Arab political or military missions operating inside the Kingdom, as well as attachés and their affiliated educational and cultural centers.

3. Laborers whose employment relationship with their employers is irregular.

In terms of the categories not included under the law, they include:

1. Individuals paying their retirement contributions pursuant to the civil or military retirement laws.

2. Non-Jordanians employed by regional and international missions, foreign and Arab political or military missions operating inside the Kingdom and attachés and their affiliated educational and cultural centers.

3. Laborers whose employment relationship with their employers is irregular. An employment relationship shall be deemed regular in the following cases:

   A- A day laborer working sixteen days or more in any given month.

   B- An hour, piece, shipment laborer or the like who works sixteen days or more in any given month; regardless of the number of working hours, pieces or shipments per day.

   C- A laborer who is paid on a monthly basis; regardless of the number of working days per month, with the exception of the first month of work to which the principle of sixteen or more working days per month shall apply

The COVID-19 pandemic

The Jordan National Defence Law (NDL) No. 13 of 1992 came into force as of 17 March 2020 following a royal decree issued upon the recommendation of the Council of Ministers. **The NDL entrusts the Prime Minister with the capacity to take all necessary measures to ensure public safety and to defend the Kingdom in cases of emergency due to war, disturbances, armed internal strife, public disasters, or the spread of a pest or epidemic.**[14]

Defense Order No. (1) of 2020:[15]

On 19 March the Prime Minister issued Defense Order No. 1 of 2020, which suspends some of the provisions of the Social Security Law and replaces them with the order. The order gave authority to the Social Security Corporation (SSC) to allow enterprises to suspend old age contribution, provided for in paragraph (2) of paragraph (a) of Article (3) of the Social Security Law. The suspension was for 3 months starting 1 March 2020, and maintained coverage for maternity, unemployment, death, and occupational health. However, if the establishment wished to continue to include its workers under the old-age insurance but was unable to pay the contributions due for that period, then they can pay the social security contributions in instalments until end of 2023 without any interest or penalties.

The order also allowed workers who were suspended from the old age fund to voluntarily enroll, provided that they pay the SSC 5.16% of their wages that are subject to deduction. Moreover, the order suspended the provisions of paragraph (a) of Article (94) of the Social Security Law No. (1) of 2014 and its amendments and postponed the payments that are stipulated upon in Chapter V of the Regulation on Coverage under the SSC Insurance Programs No. (14) of 2015 and its amendments.

14 Issued in the Official Gazette No. 3815 of 25/03/1992 on page 586

15 Issued in Official Gazette No. 5626 dated 19/03/2020 on page 1918

Defense Order No. (6) of 2020:[16]

The announced lockdown that affected the kingdom starting from 18/03/2020 provoked a wave of chaos and confusion regarding the wages of workers in the private sector, especially in terms of its payment. Therefore, the Prime Minister issued Defense Order No. (6) on 08/04/2020, which regulated the relationship between them and their employers regarding their wages starting from April 1st as follows:

1. Employees working on premises are entitled to their full salaries, however, the employer may agree with the employee to a maximum of 30% salary reduction, provided that such reductions are also applied to the salaries of senior management.

2. Employees working remotely are divided into two categories:

   A-Employers working full time remotely are entitled to their full salaries, as well as any overtime for working extra hours whether on a daily or weekly basis. This is calculated as overtime on a normal workday at 125%, as opposed to an official holiday.

   B-Employees working part-time remotely are entitled to the higher of either a payment for actual hours worked, provided that the hourly rate is not less than the minimum hourly rate and a minimum of 50% of the employee's salary, provided it is not less than the minimum wage.

The order prohibited employers from forcing an employee to resign and may not terminate an employee's services or dismiss an employee, except in the following cases as stipulated in paragraphs (c) or (d) of article 21 and paragraphs (b, c, d, e) of article 28 in the Labour Law. **It is noted that the defense order contained the term "worker", which is understood to include all workers regardless of their nationality, except in the article related to daily workers.**

However, the defense order gave the Jordanian workers the exclusive right to file a complaint with the Ministry of Labour if the employer arbitrarily terminated their services contrary to the provisions of Article (28) of the Labour Law. If the Ministry of Labour confirmed that the worker was indeed arbitrarily dismissed, the employer must allow the worker to return to work by 16 April 2020 at the latest. Any undertaking, agreement, or document in which the employee agreed to forego any such rights or undermine the Defense Order No. 6 stipulating labour rights in Jordan employee's rights as of 18 March 2020 is considered null and void, and the employer must take the necessary measures to reverse any actions taken pursuant to such documents by 16 April 2020 at the latest.

16 Issued in the Official Gazette No. 5631 of 09/04/2020 on page 1981

As for the non-Jordanian worker, the provisions of the Labour Law No. 8 of 1996 on arbitrary dismissal were applied to them without interference from the Ministry of Labour. In action, it meant that migrant and refugee workers were denied resorting to the Ministry of Labour if they were arbitrarily dismissed or have their services terminated, which is a further discrimination based on the workers' nationalities.[17]

Defense Order No. (9) of 2020:[18]

The government issued Defense Order No.9, which included the following programs

- Solidarity Program (1):

The program targeted Jordanians, Gaza refugees, and children of Jordanian women, as it stated that its beneficiaries are workers from these categories who are employed in establishments which their employees are covered by the provisions of the Social Security Law. These establishments shall be identified in executive instructions issued by the Social Security Corporation (SSC) and whose employees (all or some) stopped work during April and May 2020.

Based on the program, employees of these establishments can apply to benefit from the work suspension (temporary unemployment) insurance, if the worker has twelve months of SSC subscriptions and was suspended from work at the establishment.

Consequently, the SSC would undertake to allocate (50%) of the deductible salary of the insured employee, provided that this allocation is not lower than JODs 165 per month and not more than JDs 500; and that the establishment shall pay to the SSC beforehand an amount equal to 20% of the deductible salary of the insured employee, provided that the amount does not to exceed JODs 250 maximum. If the amount allocated to the employee pursuant to this Program is lower than what is stated in paragraph (e) of the fourth article of Defense Order number (6), the establishment shall pay the remaining amount.

17 [5] if either parties wanted to terminate the contract, they must notify the other side in writing while the contract remains valid and before one month. The contractual relationship would continue throughout the notice period. If the notice was submitted by the employer, they can allow the workers not to work in the notice period, and the worker should be paid for the notice period. If the notice was submitted by the worker, s/he would not be paid of they left work within the notice period and the employer shall be compensated as well.

18 Issued in the Official Gazette No. 5634 of 16/04/2020 on page 1996

- Solidarity Program (2)

The program targeted Jordanians, Gaza refugees, and children of Jordanian women who are employed in establishments which are not covered in Social Security Law provisions. These establishments shall be identified in executive instructions issued by the Social Security Corporation (SSC) and whose employees (all or some) stopped working.

Based on the programs, establishments wishing to benefit from this Program shall submit, no later than 31 May 2020, a request to include all its employees in the work suspension insurance, where the establishment will incur 140 JODs that shall be paid once per each employee to be included. Once they are included, these workers will be included in the insurance until the 31st of December of 2020, and then included in all other insurances as of 1st January of 2020.

The establishment may then apply for its included workers to benefit from the work suspension insurance for April and May of 2020, where **these workers would receive 150 JODs per month per employee. SSC shall pay 100 JODs out of this amount, and the establishment shall pay 50 JODs to SSC prior to disbursement.**

The establishment may also pay in instalments the amounts for the inclusion of its workers under the fund on condition that they are fully settled by end of 2022 maximum, interest-free. SSC was also eligible to identify necessary guarantees and procedures for amounts collection. Finally, the establishments shall pay the amount difference between the disbursed amount per this program and the amount of 50% identified in paragraph € of article 4 of Defence Order number (6) of 2020.

- Musaned (Supporting) Program (1)

The program included **all workers regardless of their nationalities,** who are covered under the unemployment insurance, whether their service was terminated or whose work was suspended at the establishment per article 5 of Defense Order number (6) of 2020**, provided that they have 36 subscriptions minimum.**

These workers are required to submit a request to benefit from the work suspension insurance, where they receive an amount equivalent to (50%) of their deductible salary on condition that it is not less than 150 JODs and not more than 350 JODs per month for a period of three months only.

- Musaned Program (2)

This program included **all workers regardless of their nationality,** since it targeted all workers who are covered under the SSC and currently reside in the kingdom, so long as they meet the conditions determined by the SSC, which were later issued.

According to the program, anyone wishing to benefit from the program can apply to receive an amount from their accumulated subscriptions in the unemployment fund, whereby they would receive a specific amount in accordance with the instructions determined by the SSC for this purpose and up to a maximum of (450) JODs, which would be distributed over three months.

- Musaned Program (3)

The program targeted Jordanians who are subscribed under the optional program of the SSC, whose wages are not over 500 JODs, and who have no less than 12 contributions to the SSC.

Thus, these beneficiaries can benefit an advance from their account with the SSC, whereby they would be given a maximum amount of 450 JODs, as long as that amount does not exceed 5% from their contributions.

As illustrated above, The Tadamun programs only targeted Jordanians, Gazans and children of Jordanian women residing in the Kingdom, while excluding migrants and refugees who were deprived from benefiting from these social protection programs, even though some of them are subscribers in the SSC and continued to pay their monthly subscriptions. Thus, the exclusion is a clear **indicator of discrimination about social protection**.

The omission of refugees from such programs is worrying on a number of fronts. The first of which is that there are many refugees who work in the formal sector and are in fact registered under the umbrella of Social Security, and yet cannot benefit from all the programs. Moreover, and in an economy that has been struggling, the overwhelming majority of refugees are employed informally in very precarious conditions. The massive economic downturn caused by the pandemic, together with measures to prevent the spread of the virus, such as closures of small businesses, social distancing, restrictions on travel, and the curfew, has aggravated an already complicated situation. Thus, their exclusion from the program that was supposed to assist Daily Workers constitute a major blow to their already debilitating livelihoods. [19]

19 Tamkeen, Under the Curfew

Impact of COVID-19 on Refugee Workers

According to the UNHCR, Jordan remains the second largest refugee host per capita worldwide as it continues to host 761,850 registered refugees. These refugees originally come from 52 different countries and include 675,433 Syrians, 65,899 Iraqis, 12,903 Yemenis, 5,583 Sudanese, 655 Somalis and 1,377refugees from other nationalities.[20] The pandemic hit working refugees differently, based on various variables, including their sector of work. It should be noted that most these refugees were already struggling pre-pandemic, since they work informally in difficult working conditions and receive low wages. Generally, refugees are employed in restaurants, bakeries, beauty salons, construction, manufacturing, agriculture, loading and offloading.

Therefore, the government's preventive and protective measures for COVID-19 negatively affected these workers, especially since they were not covered in social protection programs. Tamkeen highlighted this impact in a report it published during the curfew. According to the report, Tamkeen received 707 cases from refugees; whereby 84% of them were by Syrian refugees, 8% by Palestinian refugees, 4% Yemeni, 3% Iraqi and 1% by Egyptian asylum seekers because of their political activities.[21]

Out of these cases, 125 were regarding workers not being registered under the SSC, by 109 male workers and 16 females. These cases were reported by 116 Syrian workers, 7 Sudanese and 2 Yemenis.

The table below shows the distribution of these complaints according to the governorates:

Governorates	Number of cases
Amman	39
Irbid	43
jarash	5
Zarqa	3
jarash	2
Mafraq	30
Al-Salt	3

20 UNHCR, Registered Persons of Concern Refugees and Assylum Seekers in Jordan as of June, 2022 https://data.unhcr.org/en/documents/details/93998

21 Tamkeen, Under the Curfew 9

In terms of sectors, the complaints were distributed as follows:

Sector	Number of complaints
Restaurants	32
Factories	16
Construction	14
Cleaners	9
Loading and Offloading	5
Sales	5
Agriculture	4
Bakeries & Sweets	5
Drivers	3
Carpentry	2
Sewing	1
Beauty Salons	1
Mechanic	1
Other	20

The above figures confirm that violations related to social security exist in different economic sectors. However, two sectors ought to be highlighted due to the increased rate of refugee workers in them, namely agricultural and construction.

In the agriculture sector, Tamkeen noted that the working conditions did not abide by occupational safety and health measures, since large number of workers were transported in small and medium-sized vehicles, that did not meet social distancing standards. Employers also did not provide workers with proper occupational safety and health tools including face masks or sterilisers. These conditions were further exacerbated since workers in the sector were not included under the umbrella of the SSC at the time.

The situation was not better in the construction workers, since workers, regardless of their nationality or status, were impacted by the curfew, and stoppage of work. Many of these workers were not paid for lengthy periods, and were not included under the SSC umbrella, including Syrian refugees who hold flexible work permits.

The omission of refugees from such programs is worrying on several fronts. The first of which is that there are many refugees who work in the formal sector and are in fact registered under the umbrella of Social Security, and yet cannot benefit from all the programs.

Moreover, and in an economy that has been struggling, most refugees are employed informally in very precarious conditions. The massive economic downturn caused by the pandemic, together with measures to prevent the spread of the virus, such as closures of small businesses, social distancing, restrictions on travel, and the curfew, has aggravated an already complicated situation. Thus, their exclusion from the program that was supposed to assist Daily Workers constitute a major blow to their already debilitating livelihoods.

As for the programs that included refugees, many refugees could not benefit from them for several reasons. In terms of non-Syrian refugees, they were automatically excluded since they work in the informal economy because they do not have the right to work. Syrians, on the other hand, were included in the "Musaned" program, but only for those who have contributions with the SSC. However, official figures show that most Syrians issued flexible work permits, which meant they were not registered under the SSC and thus could not benefit from the programs. [22]

Figures issued by the Social Security Corporation confirm this, since they show that approximately out of the 91,000 workers who benefited from the Musaned program (1), Jordanians constituted a total of 89,726 Jordanian workers, while the number of non-Jordanians was 1,551 workers. [23]

The percentages were also similar for the number of beneficiaries of Musaned 3 program, where the number of Jordanian beneficiaries was 161,837, and the number of non-Jordanians was 4,414 workers.

As for the Musaned 2 program, which allowed workers to receive 450 JODs from their balance over three months, there was a convergence in the number of Jordanian and non-Jordanian beneficiaries. Therefore, the report indicated that 137, 122 Jordanian workers and 82,215 non-Jordanian workers benefited from this program.

22 At the beginning of 2022, the regulations under which flexible permits are issued were amended to require the inclusion of refugee workers under the umbrella of social security.

23 Social Security Institution, the Institution's Response to the Crisis COVID-19 First Half of 2021, Third Edition, published September 2021

Conclusion and recommendations

Social protection is important to ensure that individuals can overcome poverty or reduce its impact. Regardless of the COVID-19 pandemic and its consequences, the implementation of inclusive social protection programs is essential for the realization of human rights for all, especially the most vulnerable and marginalized segments of our society, including migrants and refugees.

Therefore, Tamkeen recommend:

1. Work towards achieving universal coverage of social protection programs, and prioritize the most vulnerable groups in Jordan, including refugees and migrants.
2. Review the current Social Protection Framework, and Crises Response mechanisms.
3. Document the lessons learned from the crisis and the repercussions of the issued Defense Decisions, foremost those which included the SSC programs and their impact on the various labor groups to draw future plans that would avoid the pitfalls of the current ones.

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