المركز الوطني لحقوق الإنسان

The National Centre for Human Rights

The First Periodic Report

on the Conditions of

Correctional and Rehabilitation Centers

in the Hashemite Kingdom of Jordan

For the period from

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Issued by the National Monitoring Team for the Prevention of Torture "Karama", which operates under the mandate of the National Centre for Human Rights pursuant to Article (10) of its Law

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The National Monitoring Team for the Prevention of Torture "Karama"

This team was established as one of the outputs of the "Karama" project, a programme aimed at improving the conditions of persons deprived of their liberty in Jordan, the work of which commenced in 2008. Within the vision of the National Centre for Human Rights, a specialised team was formed to carry out periodic, announced and unannounced visits to places of detention with a view to preventing torture, and to serve as the nucleus of the national preventive mechanism should Jordan ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 2002. The "Karama" team is a preventive oversight body for combating acts of torture and other cruel, inhuman or degrading treatment or punishment and for curbing them. It is likewise an independent team answerable to the National Centre for Human Rights alone, which exercises general supervision over its work. It is composed of persons acting in their personal capacity on a voluntary basis, who receive no instructions or remuneration from any quarter.

The legal mandate of the team

The "Karama" team operates under the umbrella of the National Centre for Human Rights on the basis of the legal mandate enjoyed by the Centre under Article (10) of its Law No. (51) of 2006, which conferred upon it the power to visit correction and rehabilitation centres, places of temporary detention and juvenile care homes, and to visit any public place in which human rights violations are occurring or have occurred, with a view to monitoring such violations, curbing them and seeking to bring them to an end.

The structure and composition of the team

The team comprises (35) members distributed across a number of specialisations (human rights activists, psychiatrists and forensic physicians, social workers and psychologists, journalists, and specialists in prison administration). Gender balance has been observed in its composition. Its members enjoy full functional and personal independence within the meaning set out in Article (18) of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The members of the team have received specialised training courses at the hands of international and national experts in numerous fields, in particular monitoring and documentation mechanisms, techniques for conducting interviews with detainees, means of detecting violations of torture and other forms of ill-treatment, and the international mechanisms for supervising and overseeing the implementation of the United Nations Convention against Torture — including visits to places of detention, fact-finding in respect of torture and ill-treatment, and the role of physicians in preventing and detecting the commission of the crimes of torture. The members of the team have also been trained in report writing.

The work of this team is supervised by an elected administrative board, in addition to the Advisory Body, which is chaired by the Commissioner General and includes among its

members the Head of the Criminal Justice Unit at the National Centre for Human Rights and one of the elected members of the team. The Advisory Committee is responsible for setting the general policy of the team, studying the reports and submitting the recommendations to the authorities concerned.

The team's visits and the preparation of reports

The "Karama" team monitored the conditions of persons deprived of their liberty in all civil correction and rehabilitation centres, numbering (15) centres, by means of monthly (regular) monitoring visits.

The visits

The visits carried out by the team during the years 2011 – 30/6/2014 amounted to (59) visits, comprising (50) visits to correction and rehabilitation centres:

- (6) visits to security centres and the places of temporary detention located therein.
- One visit to Tabarbour Juvenile Centre.
- One visit to the National Centre for Mental Health.
- One visit to Za'atari Camp.

The team will carry out follow-up visits to correction and rehabilitation centres and places of temporary detention (security centres and the places of detention attached to certain security directorates).

The preparation of reports

The team prepared (59) specialised reports on the outcomes of those visits, relying in this regard on the international standards applicable to the preparation of reports, in particular the Standard Minimum Rules for the Treatment of Prisoners (the detention environment, food… hygiene).

Assessment of the existing situation in correction and rehabilitation centres

First: The environment of correction and rehabilitation centres

Buildings, service facilities and their equipment, and the level of services provided

There are in Jordan (15) correction and rehabilitation centres distributed across the various governorates of the Hashemite Kingdom of Jordan. Having visited all of these centres, the team recorded the following observations:

1. Correction and rehabilitation centres in Jordan are generally regarded as modern and as designed in accordance with international foundations and standards, such as Muwaqqar "1" and Muwaqqar "2" Correction and Rehabilitation Centres, Irmeimeen, Zarqa, Tafileh and Marka. However, there are centres that lack the requirements of a sound environment despite the maintenance works carried out, such as Balqa and Juwaida/Men Correction and Rehabilitation Centres.
2. The locations of a number of the correction and rehabilitation centres are close to residential communities, while others are remote, which creates difficulty in carrying out visits for the families and visitors of inmates, such as Tafileh Correction and Rehabilitation Centre, Muwaqqar "1", Aqaba and Muwaqqar "2". There are also complaints from the residents of the areas adjacent to the correction and rehabilitation centres — by way of example, the complaint submitted concerning the location of Irmeimeen Correction and Rehabilitation Centre.
3. Most correction and rehabilitation centres in Jordan suffer from the phenomenon of overcrowding on account of judicial and administrative detention decisions, in addition to the protracted length of litigation proceedings.
4. A number of problems exist at Juwaida Correction and Rehabilitation Centre, which suffers from damp and overcrowding, and whose buildings do not meet the health conditions necessary for the accommodation of inmates — a state of affairs that calls for its closure.
5. There are no places designated for the placement of inmates' clothing; they also hang their laundry on lines placed above the beds on which they sleep.
6. The cells in all correction and rehabilitation centres suffer from a high level of humidity, poor lighting and the absence of adequate ventilation.
7. Most correction and rehabilitation centres suffer from the lack of hot water and the lack of potable water.
8. Some correction and rehabilitation centres suffer from the absence of a sound infrastructure generally, and particularly in the sanitary facilities, such as Juwaida/Men, Swaqa and Balqa Correction and Rehabilitation Centres.

Second: The conditions of inmates

Through the conduct of field visits, and on the basis of the allegations of inmates, the monitoring team was able to record the following observations:

1. Failure to provide fair trial guarantees for some inmates

   Many inmates complained of the slowness of litigation procedures before the courts, particularly in cases before the State Security Court and the Grand Criminal Court.

2. Depriving the inmate of his right to privacy while making telephone calls

   Inmates in correction and rehabilitation centres do not enjoy full freedom when making telephone calls, owing to the presence of a security officer with them throughout any call. They also suffer from the shortness of the period allowed to them for telephone contact.

3. Failure to apply the principle of the classification of inmates accurately

   The team observed that the principle of classification among inmates is not applied accurately in conformity with international human rights standards at some centres by reason of overcrowding. This is attributable to the fact that the numbers of judicial and administrative detainees exceed those of convicted persons at some correction and rehabilitation centres, which makes it difficult for the administrations of those centres to classify inmates accurately.

4. Lack of cooperation on the part of the embassies of certain States with the competent Jordanian authorities in resolving the problems of their nationals detained in correction and rehabilitation centres

   A large number of holders of foreign nationalities complained of the failure of their embassies to follow up their situations, particularly those of East Asian nationalities.

5. Failure of the authorities concerned to provide legal assistance to inmates

   Some inmates complained of the absence of legal representation for them during trial, owing to their inability to meet the financial burdens entailed in appointing a private lawyer, notwithstanding the existence of civil society organisations that may undertake this work. The difficulty, however, sometimes lies in the absence of direct coordination between those organisations and the inmates.

Third: Education and training courses

Inmates in correction and rehabilitation centres are able to enrol in the General Secondary Education programme, and the team records the cooperation of the administrations of the centres in this field through the support they provide to those wishing to sit the General Secondary Education examination, in addition to the operation of educational classes at a number of correction and rehabilitation centres. As regards training courses, the team observed that some correction and rehabilitation centres lack any provision for holding training courses,

recreational programmes and cultural activities to occupy the free time of inmates. Some correction and rehabilitation centres, however, have adopted the approach of holding training courses, such as: (Muwaqqar "1", Umm Al-Lulu, Swaqa, Aqaba and Balqa).

Fourth: The treatment of inmates

The treatment of inmates is generally regarded as good in all correction and rehabilitation centres. The team, however, recorded a number of complaints from inmates alleging that some officers and staff of the correction and rehabilitation centres treat them badly. These complaints were referred to the units concerned at the National Centre for Human Rights for follow-up. The allegations recorded during the period covered by the report amounted to (5) allegations of ill-treatment falling, in terms of their effect, within the scope of criminal characterisation, such as insult, defamation or contempt. Such practices are nonetheless individual in nature and do not represent a policy, a phenomenon or a customary practice within the correction and rehabilitation centres.

Fifth: Health services

The monitoring team observed the absence of regular medical records at most correction and rehabilitation centres, and that the health services and care services provided are not of the required standard, as follows:

(a) Delay at times in the provision of health care services, and the unavailability of all medicines. Some inmates require special treatment for their medical conditions, which is not available at the correction and rehabilitation centres.

(b) Lack of cooperation on the part of some administrations of correction and rehabilitation centres in providing the necessary treatment for certain sick inmates, owing to the tightened procedures which some directors of those centres claim to be required by law.

(c) The suffering of inmates as a result of the mechanism for referral to hospitals, on account of the shortage in the number of beds.

(d) The need of the Women's Correction and Rehabilitation Centre for a female physician, in view of the privacy of female inmates.

(e) The need of most correction and rehabilitation centres for physicians permanently resident at the centres. The team observed the absence of physicians specialised in orthopaedics, dermatology or psychiatry at these centres to follow up medical cases on a daily basis; this is rather done once or twice a week, notwithstanding the presence of nurses at some centres around the clock.

Sixth: Cleaning materials

Most correction and rehabilitation centres suffer from a shortage in the cleaning tools and materials provided to inmates, which obliges them to purchase what they lack at their own

expense. Some directors of correction and rehabilitation centres stated that cleaning materials are not provided at certain centres for fear that these materials may be used in acts of suicide, since they are chemical substances that pose a danger to the lives of inmates.

Seventh: Water

Most correction and rehabilitation centres suffer from the unfitness of the water for drinking, such that inmates are compelled to purchase potable water at their own expense. Moreover, the quantity of hot water provided by the correction and rehabilitation centres for bathing is insufficient at most of them, as it is provided only once or twice a week.

Eighth: The library

All correction and rehabilitation centres have libraries containing a variety of books, and inmates are able to visit the library to read and to play chess. A number of inmates complained of the limited number of books, their lack of variety, and the poor intellectual and cognitive quality of their content.

Ninth: Food

Correction and rehabilitation centres provide food to all inmates; there are, however, certain observations made by inmates concerning food, as follows:

9. The quantity of food provided at the breakfast and dinner meals is insufficient.
10. Dinner is served together with the lunch meal at some overcrowded centres.
11. The meat provided in the lunch meals is at times undercooked.

By contrast, the team recorded variety in the food provided to inmates, and that the health circumstances of inmates are taken into account when food is served, particularly to those suffering from hypertension and diabetes.

The most significant problems suffered by inmates

- Inmates complained of the irregularity of the television broadcast, which is controlled by the monitoring centre in respect of all correction and rehabilitation centres.
- Some inmates complained of not being permitted to use shaving machines, which causes some of them to suffer skin sensitivity in the facial area as a result of the use of blades.
- The failure of the embassies of foreign States to follow up the care of their nationals among the inmates, as their cases and private affairs are not followed up.
- Inmates complained of the small size of the yards designated for sunning at some correction and rehabilitation centres, including Balqa and Aqaba Centres, and of the small number of hours permitted for sunning; many inmates stated that sunning hours do not exceed two hours per day, which adversely affects the health of inmates.
- The poor quality of the beds provided to inmates, being metal and old, and the poor condition of the mattresses at some centres (Balqa, Swaqa, Juwaida/Men and Aqaba). The inmate is given a single blanket, which according to most inmates is insufficient for the winter season, and they are not permitted to bring in blankets from outside the centre.
- Inmates complained of the short duration of visits for some of them, stating that their relatives at times come from distant places and are unable to spend sufficient time in their company.
- Inmates complained of the long duration of administrative detention and of being detained at centres remote from the place of residence of their relatives, which entails high financial burdens upon them.
- Inmates at some centres complained of the high prices of goods at the supermarket located therein.
- Allegations by some inmates that they were subjected to ill-treatment or torture by the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department during the preliminary investigation conducted with them.
- Inmates complained of the absence of lockers in the dormitories in which to place their personal necessities, which obliges them to keep such items under or beside the bed.
- Inmates complained of the insufficient availability of fans at some centres to counter high temperatures and humidity inside the dormitories, particularly at Tafileh, Ma’an and Aqaba Centres.

The living conditions of inmates

On the basis of the statements of inmates, the team recorded the following observations concerning the living conditions of inmates:

- Many inmates alleged that the administrations of some correction and rehabilitation centres act arbitrarily in applying the penalty of solitary confinement under Article (6/3) of the Correction and Rehabilitation Centres Law No. (9) of 2004, while depriving them of their right to defend themselves.
- The suffering of inmates when leaving for and returning from the courts, on account of degrading search procedures; inmates stated that they are compelled to remove their clothing, which leaves negative psychological effects upon them.
- The suffering of inmates as a result of the remoteness of their places of detention from the places of residence of their families, since the administrations of the correction and rehabilitation centres do not take into account the place of residence of the inmate's family when placing them in the centres.
- Failure to provide suitable conditions for inmates who are pursuing their studies inside the correction and rehabilitation centres, as the administrations of some centres do not treat the matter of their education and the continuation of their studies with the requisite seriousness.

The administrations in charge of correction and rehabilitation centres

The administrations of the various correction and rehabilitation centres possess adequate capacity to deal properly with inmates, and these administrations have the ability to resolve a number of complaints directly. This frequently takes place during the visit of the monitoring team. The team also observed the cooperation of some administrations in providing the required information, facilitating the procedures of the visit, and following up the observations submitted by the team.

Observations relating to certain matters of importance

➢ **The conditions of dormitories and solitary confinement rooms**

– The conditions of the dormitories at correction and rehabilitation centres are generally regarded as acceptable; some of them, however, are in need of maintenance, and in practical terms the sanitary facilities within a single dormitory are insufficient for the number of inmates, particularly at overcrowded centres such as Juwaida/Men, Balqa and Swaqa Correction and Rehabilitation Centres.

– Solitary confinement rooms do not enjoy the sound environment required in accordance with international human rights standards in terms of space, ventilation and lighting, particularly at Balqa, Juwaida/Men and Swaqa Correction and Rehabilitation Centres.

➢ **The problem of the detention of migrant workers**

Migrant labour constitutes a large part of the workforce in the Kingdom, and in particular Egyptian and Asian labour. The team recorded cases of female workers detained on account of the accumulation of fines (fines for overstaying residence) and the absence of any legal assistance provided to them by the embassies of their countries. This problem generally causes overcrowding at Juwaida/Women and Umm Al-Lulu Correction and Rehabilitation Centres.

The most significant positive and negative developments during the period covered by the report

➢ **Positive developments:**

The team recorded numerous positive developments that occurred during the period covered by the report, the most significant of which are:

- The holding of (21) literacy courses, from which (447) inmates benefited, at several correction and rehabilitation centres such as Swaqa, Juwaida (Women), Balqa, Ma'an, Muwaqqar "1", Irmeimeen, Zarqa and Irbid.
- The implementation by the Public Security Directorate of a set of awareness-raising and educational programmes for the ranks of the Public Security serving at correction and rehabilitation centres, concerning the definition of torture, the means of combating it, and how to avoid ill-treatment and inhuman treatment of inmates.
- The appointment by the Director of Public Security of public prosecutors at all correction and rehabilitation centres to follow up the complaints of inmates and to investigate them.
- The placement of complaint boxes designated for inmates at most correction and rehabilitation centres, supervised by the Transparency and Human Rights Office.
- The preparation of specific bases and a working mechanism for the transfer of inmates from one centre to another.
- The preparation of special instructions concerning visits by families and friends to correction and rehabilitation centres.
- The opening of a number of gardens designated for visits inside correction and rehabilitation centres, and the preparation of special instructions concerning family visits.
- The establishment of medical clinics comprising general specialities, together with pharmacies, at most centres.
- The opening of clinics designated for dental treatment at most correction and rehabilitation centres.
- The provision of ambulances to all correction and rehabilitation centres for the transport of sick inmates.
- The organisation of medical visits to correction and rehabilitation centres by the public and private sectors in cooperation with the Ministry of Health.

– The adoption of correctional programmes directed at inmates, such as the Tahwin (Mitigation) Programme[1], Tahyi'a (Preparation)[2] and the Ihtimam (Attention) Initiative[3].

➢ **Negative developments:**

– The failure to close Juwaida/Men Correction and Rehabilitation Centre, notwithstanding the poor general conditions therein resulting from the age of the building and the deterioration of its infrastructure, and despite the recommendation of the National Centre for the closure of this centre made repeatedly in its previous annual reports.

– The limited nature of the health care services provided to inmates, the absence of specialist physicians at the centres, and the unavailability of certain medicines at the pharmacies, particularly for diabetic and hypertensive patients.

– The limited nature of the social care services provided to inmates and their families through the provision of national aid, and their ineffectiveness owing to the shortage of staff at some centres and the limited number of social studies carried out by specialists; in addition to the absence of a psychiatric clinic at each centre to strengthen the psychological dimension of inmates in terms of the treatment of their behaviour.

– The unsuitability of the halls for lawyers' visits at some centres, despite the repeated recommendation of the National Centre in its previous annual reports for the provision of alternative halls.

– The weakness and limited nature of the legal assistance services provided to inmates.

– The insufficiency of blankets and the shortage of mattresses and their age at some centres, in addition to the absence of adequate heating.

– The presence of a number of detainees of foreign nationalities held for the purpose of deportation outside the country, most of them of Asian nationalities. It is noted that (6,224) foreign detainees were deported during 2013.

– Overcrowding at some centres with administrative detainees, whose number reached (12,766) male and female inmates during 2013.

– Overcrowding at some centres with judicial detainees, whose number reached (23,593) male and female inmates during 2013.

[1]The beneficiaries of the programme are convicted inmates and persons judicially detained in respect of minor misdemeanours punishable by no more than one year, who have not previously entered correction and rehabilitation centres.

[2]The beneficiaries of the programme are inmates sentenced to terms exceeding eighteen months whose sentences are nearing expiry. The programme aims to prepare such persons to overcome the difficult situation upon release and to adapt to the external environment.

[3]The Healthy Wing Initiative, which aims to afford inmates the opportunity to choose a healthy way of life free from violence and disorder, in a humane environment consistent with the laws and regulations.

– The limited nature of the visits of public prosecutors to correction and rehabilitation centres, which amounted to (48) visits during 2013.

Recommendations

- Activating the role of public prosecutors and judges inside correction and rehabilitation centres; carrying out field visits on a periodic and continuous basis; and ensuring that the persons entrusted with inspecting correction and rehabilitation centres and following up the conditions of inmates are of a high degree of professional competence and ethical commitment to the principles of integrity and impartiality.
- Adopting a special system of registers and records that includes accurate documentation of the legal, social, health and economic conditions of inmates.
- Expediting the introduction of the required amendments to all penal legislation so as to guarantee the adoption of alternatives to custodial penalties.
- Improving the buildings of some dilapidated correction and rehabilitation centres and developing their infrastructure.
- Assigning to each correction and rehabilitation centre a medical staff composed of a physician and a nurse available around the clock; providing a nutrition supervisor to oversee the meals provided to inmates suffering from certain health problems; and providing at least one dentist at each correction and rehabilitation centre.
- Establishing more than one supermarket at correction and rehabilitation centres in order to prevent overcrowding among inmates.
- Seriousness in dealing with the complaints of inmates concerning allegations of exposure to torture and ill-treatment prior to their placement in the centres, and the establishment of an effective mechanism to that end.
- Installing a timer at the telephones so that the inmate and the security officer may know the time spent by the inmate on the call, which will considerably reduce the protests of inmates concerning the pressure exerted upon them by security personnel during the call.
- Full compliance with the standards governing the classification of inmates at correction and rehabilitation centres.
- Reconsidering the prices of certain goods at the supermarkets inside correction and rehabilitation centres.
- Increasing the time permitted to inmates for sunning.
- Reducing recourse to administrative detention; establishing operative controls governing judicial detention; and resorting to alternative penalties that serve the community and that aim at the rehabilitation of the first-time offender and at preventing recidivism.
- Conducting a study on a mechanism for the supervision of correction and rehabilitation centres by the Ministry of Justice, in cooperation with the various authorities concerned, having regard to the purpose of these centres, namely correction and rehabilitation.

- Curbing administrative detention and activating the role of public prosecutors by carrying out regular monthly visits, following up the records of detainees and detention memoranda, reducing recourse to detention and to bail and fines, and having the director of the centre concerned visit the dormitories on a weekly basis in order to ascertain the urgent requests of inmates.
- The provision by the State of legal aid services to inmates at all correction and rehabilitation centres.
- Curbing recourse to the holding of cases at security centres.
- Working to hold rehabilitative and training courses for inmates and to educate them on a scientifically grounded cultural basis with a view to integrating them into the local community after their release; providing social activities and vocational work at the centres; and raising the awareness of Public Security personnel of the concept of human rights and of the relevant international instruments concerning freedoms.
- Enabling the National Monitoring Team "Karama" to carry out unannounced visits to all detention centres, so that the team may monitor all observations clearly and may fulfil the humanitarian duty and the desired objective, namely the preservation of human dignity and the protection of human freedom from any assaults and violations.
- Expediting the work of transferring supervision over correction and rehabilitation centres to a civil authority other than the Ministry of Interior; and if this is not possible in the immediate future, then at the very least entrusting the correction and rehabilitation plan, even in part, to a civil body.

Names of the members of the National Monitoring Team against Torture "Karama"

Name	Specialisation
Iman Al-Khatib	Social and psychological specialist
Ahmad Matalqa	Lawyer
Amal Al-Awawdeh	University professor
Asad Bali	Lawyer
Iman Abu Qa'oud	Journalist
Inas Sweiss	Journalist
Buthaina Khashan	Lawyer
Hussein Al-Omari	Lawyer
Khawla Al-Momani	Lawyer
Khalaf Al-Sarhan	Human rights activist
Sa'ed Al-Shamayleh	Lawyer
Sukaina Al-Zyoud	University professor
Shehadeh Al-Armouti	Lawyer
Saddam Abu Azzam	Lawyer
Salah Al-Ma'aytah	Lawyer
Taha Al-Abbadi	Lawyer
Ghada Al-Hulaisi	Lawyer
Fatima Halabiyeh	Lawyer
Linda Ma'ayah	Journalist
Mohammad Rajab Salameh	Doctor of educational psychology
Mohammad Shamma	Journalist
Mohammad Kaseb Khattar	Lawyer
Mohammad Al-Tarawneh	Lawyer
Mu'ath Al-Momani	Lawyer

Name	Specialisation
Munther Musa Lutfi	Forensic physician
Nayel Al-Adwan	Psychiatrist
Najah Ananbeh	Lawyer
Nidal Muqabaleh	Lawyer
Hanzad Al-Tal	Lawyer