



Legal and Human Rights Position of the National Centre for Human Rights on Draft Professional Work Regulation Law of 2026

*In the light of international human rights standards and the obligations of the Hashemite
Kingdom of Jordan*

First: The legal basis of the Centre's competence

This position is issued pursuant to the legal mandate conferred upon the National Centre for Human Rights by its founding Law No. (51) of 2006 and the amendments thereto, which empowers the Centre to monitor the extent to which national legislation conforms with the provisions of the Jordanian Constitution and with the international human rights standards to which the Kingdom has committed itself, and in particular those relating to economic and social rights.

Second: General framework of the draft Law

The draft Law on the Regulation of Professional Work of 2026 seeks to establish a regulatory framework for the practice of professional and technical occupations, through:

- subjecting professional occupations to a competence-based licensing regime;
- requiring the obtaining of a practice certificate upon passing professional examinations;
- regulating and licensing providers of vocational and technical training;
- establishing administrative structures (a Directorate for the Regulation of Professional Work, a steering committee, and a single window);
- linking the outputs of vocational training to the needs of the labour market.

The Centre considers that this orientation reflects a shift from partial regulation to comprehensive regulation of the professional labour market, which is, in principle, a positive development.

Third: The extent of the draft's conformity with international standards

1. The right to work and to vocational training

The objectives of the draft are consistent with the provisions of the International Covenant on Economic, Social and Cultural Rights, and in particular:

Article (6): which affirms the right to work and the necessity of taking measures that include vocational guidance and training.

The draft is likewise consistent with International Labour Organization Convention No. 142 concerning Human Resources Development, which obliges States to:

adopt national vocational training policies and link training to the needs of the labour market, so as to ensure that training is available to all groups.

2. Quality and accreditation standards

Subjecting training institutions to licensing is consistent with the quality requirements set out in International Labour Organization Recommendation No. 195 concerning Human Resources Development, which emphasises:

lifelong learning; the development of transparent accreditation systems; and the involvement of the private sector.

3. Occupational safety and health and decent work

The draft intersects with the concept of decent work as developed by the International Labour Organization, which is founded upon:

productive employment, social protection, and safe working conditions.

Fourth: Human rights assessment of the draft

1. Positive aspects

The Centre considers that the draft represents an important regulatory step, in that it:

raises the level of professional competence and prevents unqualified practice; strengthens the alignment of education and training with the labour market through the introduction of institutional oversight tools over vocational training; and enhances the quality of professional services in a manner reflected in the national economy.

These positive features, notwithstanding their importance, are not in themselves sufficient to guarantee compliance with human rights standards, which leads to the following observations.

2. Substantive observations

(a) Absence of procedural fairness guarantees

The draft, in its current form, establishes a licensing regime of wide-ranging effect without coupling it with clear guarantees for the rights of individuals, in particular the right to administrative grievance, the right of appeal, and the requirement that decisions be reasoned.

This constitutes a substantive deficiency, since any licensing regime that is not accompanied by procedural guarantees is transformed in practice into an instrument for restricting the right to work, contrary to what is laid down in the International Covenant on Economic, Social and Cultural Rights.

A point requiring frank acknowledgement:

While the State regulates the market, it may at the same time close it off to individuals if it does not guarantee a fair avenue of appeal. This is a serious gap, not a procedural detail.

(b) The risk of a disproportionate restriction on the right to work

Requiring a professional practice certificate, without providing transitional exceptions or flexible mechanisms for the recognition of experience, may lead to the exclusion of broad categories of persons who in fact practise these occupations, which may amount to a disproportionate restriction on the right to work.

(c) Lack of clarity in the licensing and assessment criteria

Notwithstanding the reference to quality standards, the draft fails to specify clear objective criteria for acceptance or refusal, or independent mechanisms of oversight over licensing decisions. This opens the door to wide administrative discretion and to the possibility of discrimination or favouritism.

The problem of the equivalence of prior experience

The draft does not expressly address the situation of persons who have practised these occupations for years without formal qualification.

This shortcoming may result in the loss of sources of income and in unjustified economic exclusion.

Fifth: Recommendations of the Centre

1. Strengthening procedural guarantees

The Centre proposes the insertion of express provisions guaranteeing:

the right of administrative grievance within a specified period; the right of judicial appeal before the Administrative Court; and the requirement that administrative decisions be reasoned.

(The proposed provisions submitted are appropriate in substance, but require only minor linguistic refinement so as to accord with Jordanian legislative drafting.)

2. Adoption of a system for the recognition of prior experience

The Centre recommends the enactment of a provision to the following effect:

"Prior practical experience may be recognised, in accordance with objective criteria, by means of professional assessment or examinations, without requiring completion of the full training pathway."

The Centre regards this as necessary in order to avoid a violation of the right to work.

3. Establishment of objective and transparent licensing criteria

Publication of the licensing and assessment criteria; subjecting them to independent oversight; and guaranteeing equality of opportunity.

4. Adoption of a fair transitional period

Enabling those currently working to regularise their status within an adequate period of time, together with the provision of training support to them.

5. Guarantee of non-discrimination

Express provision prohibiting discrimination in the granting of licences or certificates, and ensuring access for the most vulnerable groups.

Sixth: Conclusion

The Centre considers that the draft Law on the Regulation of Professional Work of 2026 constitutes an important reform step towards the regulation of the professional labour market in Jordan; the effectiveness of the draft from a human rights perspective, however, remains conditional upon the incorporation of procedural fairness guarantees, the prevention of disproportionate restrictions on the right to work, and the assurance of transparency within the licensing system.