



Sixth Annual Report on the State of Human Rights in the Hashemite Kingdom of Jordan 2009

“Issued pursuant to Article (12) of the National Centre for Human Rights Law”

“Jordanians shall be equal before the law, with no discrimination between them as regards their rights and duties, even if they differ in race, language or religion.”

“Article (6-1) of the Jordanian Constitution”

1 January 2009 – 31 December 2009

Amman 2010

Disclaimer

AI Translation Notice: This English version was produced using artificial intelligence (AI) technology and has not undergone subsequent human review, linguistic editing, or verification against the original Arabic text.

In case of any discrepancy, misstatement, omission or error appearing herein, the Arabic version shall prevail as the authoritative version.

Board of Trustees of the National Centre for Human Rights

Adnan Badran – Chairman of the Board of Trustees

Taher Hikmat – Vice-Chairman of the Board of Trustees

Ibrahim Izzeddin

Mohammad Al-Saqour

Rima Khalaf

Asma Khader

Adnan Al-Bakhit

Ahmad Tbeishat

Mohammad Olwan

Walid Abdul Hai

Amal Al-Sabbagh

Taher Al-Adwan

Nuha Al-Maaytah

Asem Rababa'a

Nawal Al-Faouri

Anas Al-Saket

Muhannad Al-Azzeh

Nael Al-Ajlouni

Munther Al-Shara'

Abdullah Freihat

Ghassan Al-Jundi

Commissioner General – Muhyieddeen Touq

Annual Report Committee

The Sixth Annual Report on the State of Human Rights in the Hashemite Kingdom of Jordan

Annual Report Committee

General Supervision: Commissioner General for Human Rights, Dr. Muhyieddeen Touq

Legal Review: Member of the Board of Trustees, Dr. Mohammad Olwan

Editorial Committee

Dr. Ali Al-Dabbas

Mr. Mohammad Yacoub

Preparation Team

Preparation Team	Preparation Team
Buthaina Freihat	Riyad Al-Subh
Saddam Abu Azzam	Taleb Al-Saqqaf
Taha Al-Maghariz	Atef Al-Majali
Ali Al-Dabbas	Issa Al-Marazeeq
Christine Fdoul	Mohammad Al-Kharabsheh
Mohammad Al-Helou	Mohammad Yacoub
Nisreen Zreikat	Nidal Maqableh
Haitham Al-Azrai	Samar Al-Tarawneh
Muna Abu Sall	Alaa Al-Otaibat
Bushra Abu Shahout	Faryal Al-Assaf

Table of Contents

Section	Page (Arabic original)
1- Foreword	1
2- Civil and Political Rights	5
The Right to Life and Physical Integrity	7
The Right to Liberty and Security of Person	14
The Right to the Administration of Justice	24
The Right to Hold Public Office	28
The Right to Nationality, Residence and Asylum	32
The Right to Vote and Stand for Election, and the Legislative Performance of Parliament	39
The Right to Freedom of Opinion, Expression, the Press and the Media	43
The Right to Establish and Join Political Parties	52
The Right to Establish and Join Trade Unions	56
The Right to Establish and Join Associations	61
3- Economic, Social and Cultural Rights	65
The Right to Development	67
The Right to an Adequate Standard of Living	71
The Right to Work	81
The Right to Education	86
The Right to Health	92
The Right to a Healthy Environment	97
Cultural Rights	105
4- Rights of the Groups Most Vulnerable to Violations	111
Women's Rights	113
Children's Rights	117
Rights of Persons with Disabilities	119
Rights of Older Persons	122
5- Complaints and Requests for Assistance Submitted to the Centre	125
6- Assessment of Jordan's Fulfilment of Its Obligations under International Human Rights Covenants and Instruments	135
7- Assessment of the Government's Response to the Recommendations Issued by the Centre	161
8- Annexes	169
Annex No. (1): Recommendations of the Jordanian Coalition for the Reform of the Legal Framework of the Electoral Process	171
Annex No. (2): Recommendations Issued by the National Conference "Towards Effective and Influential Associations"	174
Annex No. (3): List of the National Legislation Referred to in the Annual Report for 2009 that May Require Amendment in Conformity with International Human Rights Standards	177
Annex No. (4): International Human Rights Conventions	179

1. Foreword

The Sixth Annual Report on the State of Human Rights in the Hashemite Kingdom of Jordan for 2009 comes in light of significant developments witnessed on the national scene, foremost among them the dissolution of the Fifteenth House of Representatives and the commencement of preparations for holding parliamentary elections by the end of 2010; the charging of the new Government, headed by His Excellency Mr. Samir Al-Rifai, with amending the Election Law and developing the procedures relating to elections in order to guarantee free, fair and transparent elections; and preparations for commencing the application of decentralisation, including the drafting of the relevant law and the holding of local elections. This report also comes at a time when the issue of the withdrawal of proof-of-status documents from some Jordanians emerged, together with the societal polarisation that accompanied it, as well as a decline in Jordan's ranking with certain international institutions concerned with monitoring issues of freedom of opinion and expression.

The Centre indicates that there are factors reinforcing the belief that there is no official orientation at the executive level towards strengthening political rights and freedoms, as reflected in the following:

- a. The continued application of the Public Gatherings Law No. (7) of 2004 in its existing provisions, certain of which constitute a flagrant violation of the international standards set out in the international conventions to which Jordan is committed.
- b. The continued application of the Crime Prevention Law despite the Centre's repeated recommendations that this Law be repealed, and the continued expansion in the use of the powers of administrative detention on the basis of this Law, this year having witnessed a marked increase in the number of persons administratively detained compared with 2008.
- c. The failure to achieve any progress with regard to the Associations Law despite its amendment in 2009, since the Law, in its structure and mechanisms, remains deficient in strengthening and protecting the right of individuals to form and join associations, and imposes restrictions on associations' exercise of their activities.
- d. The continued application of the Law on the Protection of State Secrets and Documents No. (50) of 1971, which requires amendments that are consistent with the requirements of the Law on Guaranteeing the Right of Access to Information, particularly with regard to the classification of documents.

The National Centre for Human Rights considers that the laws on associations, public gatherings, elections, political parties, trade unions, and press and publications, among other legislation governing civil and political rights and public freedoms, constitute an integrated and interrelated whole, and must be reviewed collectively as the fundamental components for strengthening civil and political rights. The Centre further emphasises that the recurrence of assaults by students on their teachers at times and by teachers on students at other times, the beating of physicians at their workplaces, and the continued practice of torture in security departments and Correction and Rehabilitation Centres constitute a serious infringement of human rights, and require the

Government to take all necessary and immediate measures to halt them or, at the very least, to curb them.

With regard to economic, social and cultural rights, the Centre points to the seriousness of the spread of poverty, the proportion of the population living below the poverty line having reached (14%). The Centre views poverty as a form of exclusion, marginalisation and infringement of human dignity, and as a violation of an essential human right that gives rise to violations of numerous other rights, including the right to work and an adequate income, a decent life, and social security. The Centre also notes with grave concern the continued negative treatment of the rights of Jordanian and foreign workers, particularly agricultural workers, workers in the qualified industrial zones and female domestic workers, as workers continue to suffer from many problems, particularly those relating to wages, adequate housing, health insurance and social security, despite the Centre's repeated recommendations on the need to find radical solutions to these problems.

As regards the work of the National Centre for Human Rights, this report comes after the Centre accomplished three principal tasks: first, the implementation of the project for the reform of the legal framework of the electoral process, with the participation of more than (200) civil society organisations from the various governorates of the Kingdom; second, the adoption of the Centre's Strategic Plan for the years 2010 – 2012, with the aim of activating its role in protecting and promoting human rights in the Kingdom and preventing the violations committed against them; and third, the restructuring of the Centre, including the issuance and adoption of the Administrative Organisation Instructions, the Human Resources Management Instructions, the Instructions describing the functions of the various units, and the job descriptions.

This report also comes a few months after the Centre assumed the chairmanship of the Asia Pacific Forum of National Human Rights Institutions for the years 2009 – 2011, in recognition of the efforts it has exerted and continues to exert at the national and regional levels over the past few years and of the high credibility it enjoys; and likewise after the Centre became a member of the Bureau of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights for the next three years.

As with previous reports, this year's report covers the various civil, political, economic, social and cultural rights, including the rights of the groups most vulnerable to violations, setting out the violations committed against these rights and the positive developments that occurred during the past year, and each part concludes with a set of recommendations that the Centre calls upon the Government and the relevant bodies to adopt. However, this year's annual report is distinguished by three new additions that were not present in previous reports, namely: (1) the addition of the right to development to the other rights and a review of the developments relating to this right during 2009; (2) an expanded analysis of the efforts exerted by the Government in pursuit of fulfilling the voluntary commitments it submitted to the United Nations upon Jordan's election as a member of the Human Rights Council, or of the concluding observations issued by the treaty bodies following the discussion of the official reports submitted to the international bodies, as well as an analysis of the extent of the Government's response to the recommendations set out in the report of the Human Rights Council on the outcome of the Universal Periodic Review of the state of human rights in the Kingdom; and (3) a detailed analysis of the extent of the Government's

response to the recommendations submitted by the Centre in its successive reports from 2004 up to the Fifth Report of 2008 in the various fields of rights. The detailed analysis of the Government's position on the Centre's recommendations contained in its previous reports reveals the Government's lack of responsiveness to most of these recommendations, as the analysis showed that in previous years the Government fully implemented only (3.8%) of the Centre's total recommendations and partially implemented (11%), while the Government did not implement (85.2%) of the Centre's recommendations. This constitutes a real dilemma for the Centre's work, and shows the Government as acting in a manner that contradicts the totality of its official discourse calling for the promotion and protection of human rights.

The year 2009 was marked by the Centre's implementation of a large number of events and activities in the various areas of human rights. In the area of legislation, strategies and plans, the Centre, independently or in cooperation with governmental and non-governmental bodies, analysed, reviewed or prepared (13) laws, regulations or national strategies. In the area of protecting human rights and monitoring violations, the Centre carried out approximately (80) field visits to Correction and Rehabilitation Centres, including the detention centre of the General Intelligence Directorate, juvenile homes, orphan care homes, homes for older persons, medical centres, qualified industrial zones, labour facilities and others; a national team for combating torture and another team for promoting and protecting the rights of persons with disabilities were also established. The Centre received (573) complaints and (301) requests for assistance this year. In the area of awareness-raising and training, the Centre implemented (37) activities. In the area of projects, the Centre implemented (8) projects this year addressing a range of rights. In the area of cooperation and coordination at the national, regional and international levels, the Centre signed three memoranda of understanding at the national level and two at the regional level. The Centre also organised two meetings at the regional level, namely the Fifth Meeting of Arab National Human Rights Institutions, which discussed the subject of elections and human rights and during which the project to institutionalise the work of Arab national human rights institutions was launched, and the Fourteenth Conference of the Asia Pacific Forum of National Human Rights Institutions, which for the first time discussed the relationship between human rights and freedom of religion on the one hand, and human rights and corruption on the other. The Centre further contributed effectively to the preparation of, and participation in, the Fourth High-Level Meeting of the Arab-European Human Rights Dialogue, held in the Netherlands, which discussed the subject of migration and the rights of migrant workers. In the area of publications, the Centre issued five specialised reports on certain human rights situations and four specialised studies, and issued (15) statements and appeals on specific issues. In the area of building the capacities of its staff, the Centre's staff participated in more than (60) domestic and external activities.

The developments referred to above at all levels, together with the regional and international standing of excellence that the Centre has attained, and above all the credibility the Centre enjoys as a result of the diligent, objective work exerted by its staff and of the leadership and governance provided by the Board of Trustees, open up further horizons and opportunities before the Centre that enhance its effectiveness and its contribution to protecting and promoting rights in our beloved Jordan. At the same time, these developments create further challenges, not least of which is the importance of preserving what has been achieved and building upon it. It must be stated here that achieving further accomplishments can only be attained through the Government's conviction of the need to open a continuous dialogue and to build partnership between the

Government and the Centre in order to study the best ways of advancing the state of rights and public freedoms in the Kingdom and addressing the shortcomings, on the one hand, and to study the recommendations submitted by the Centre to the Government over the past five years in a careful and conscious manner, and to adopt them or take the necessary steps and measures so that they may be adopted within a realistic time frame.

Finally, I must extend my sincere thanks and gratitude to all those who worked on the preparation, review, verification and editing of this report, and to the members of the Board of Trustees who supervised specific aspects of the report, and this report is to be regarded as a special thanks to each one of them. Thanks are likewise extended to all the staff of the Centre for their efforts and dedication in pursuit of achieving the Centre's objectives, and to all its partners from governmental and non-governmental, national, regional and international institutions for their contributions and their support for the human rights process in our dear Jordan.

God is the Grantor of Success.

Chairman of the Board of Trustees

Dr. Adnan Badran

2. Civil and Political Rights

The Right to Life and Physical Integrity

1. The right to life and physical integrity is one of the fundamental rights guaranteed by the international instruments¹ and national legislation². Nevertheless, a number of factors continue to affect this right and impact it negatively, the most prominent of which is the death penalty, which remains prescribed in penal legislation despite the partial reduction of the legal provisions punishable by this penalty. In this context, the statistics available to the Centre indicate that (7) judgments imposing the death penalty were issued by the Major Felonies Court during 2009, compared with (6) judgments issued in 2008, of which (5) were issued by the Major Felonies Court and one judgment was issued by the State Security Court. (53) persons sentenced to death are still awaiting the execution of the death sentence, as its execution has been suspended since June 2006, a positive step towards protecting the right to life. The Centre also notes the positive development witnessed in 2009 relating to the submission of the amended Penal Code to Parliament, the amendments having included the replacement of the death penalty with the penalty of hard labour for life in crimes against State security (Articles 112 and 120) and crimes against the Constitution (Article 136)³.

2. Among the most serious violations of the right to life and physical integrity is subjection to torture and cruel, inhuman or degrading treatment. In 2009, the Centre received (51) complaints against the various security centres and departments, and (6) complaints concerning beating and torture in Correction and Rehabilitation Centres. According to the statistics available to the Centre, 2009 witnessed an increase in the number of complaints of torture and ill-treatment compared with 2008, the number of complaints having reached (41) complaints against the various security centres and departments and (6) complaints concerning beating and torture in Correction and Rehabilitation Centres, as shown in Table No. (1), noting that no person was tried during 2009 under Article 208, as amended, of the Penal Code. The Centre wishes to reaffirm that the amendment of Article (208) of the Penal Code remains insufficient to curb the practice of acts of torture or cruel, inhuman or degrading treatment or punishment, since it did not grant jurisdiction to investigate crimes of this kind to the regular judiciary, in addition to its failure to provide for the right of victims of torture to direct and appropriate compensation from the State. The Centre also notes the Government's failure to fully discharge its international obligations under the Convention against Torture; national legislation is incapable of ensuring the

¹ See Article (3) of the Universal Declaration of Human Rights, Article (6) of the International Covenant on Civil and Political Rights, Article (2) of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article (4) of the African Charter on Human and Peoples' Rights, Article (4) of the American Convention on Human Rights, and Article (5) of the Arab Charter on Human Rights.

² Such as the Jordanian Penal Code and the Military Penal Code.

³ Article 112 provides: "Any Jordanian who intrigues with the enemy or communicates with it in order to assist it in any manner whatsoever in securing the victory of its forces over the State shall be punished by death"; Article 120 provides: "Any person who, without the Government's approval, recruits soldiers in the Kingdom to fight in the interest of a foreign State shall be punished by temporary detention, and if the foreign State is an enemy, the penalty shall be death"; and Article 136 provides: "Any person who works to change the Constitution of the State by unlawful means shall be punished by death."

accountability of perpetrators of torture or to preventing their impunity,⁴ which calls for a review of the mechanisms for grievances and for the investigation of torture complaints, so as to ensure that these legal procedures are effective in confronting and combating torture, particularly since international obligations go beyond merely combating torture when it occurs, or providing protection to torture victims when it occurs, or providing protection to victims and witnesses, or even rehabilitating them (there are no specialised centres for the rehabilitation of torture victims or witness protection programmes in Jordan); rather, they require the adoption of preventive measures to prevent the occurrence of torture and to guarantee the right to physical integrity.

Table No. (1): Settlement of complaints relating to torture and ill-treatment received by the Centre during 2009 and 2008

	Settlement of the complaint	2009	2008	2007
Complaints against the various security centres and departments	Number of complaints filed at the complainant's request	5	7	5
	Number of complaints closed because the violation was not proven	8	13	7
	Number of complaints referred to the Police Court	6	5	8
	Number of complaints still under follow-up	32	16	25
Complaints of beating and torture in Correction and Rehabilitation Centres	Number of complaints filed at the complainant's request	1	9	8
	Number of complaints closed because the violation was not proven	2	1	6
	Number of complaints referred to the Police Court	0	1	11
	Number of complaints still under follow-up	3	4	13

3. Through its visits to Correction and Rehabilitation Centres and temporary detention centres during 2009,* the Centre observed the continuation of some individual complaints concerning the beating of some inmates and detainees by prison personnel and the continuation of their ill-treatment.⁵ The Centre also observed the impunity of many perpetrators of the crime of torture,

⁴ Efforts to combat torture in Jordan remain modest and hesitant, as the set of national measures taken to guarantee the right to physical integrity and freedom from torture remains inadequate in light of the shortcomings of certain national legislation, or its contribution in most cases to the impunity of perpetrators of the crime of torture, for example: the Crime Prevention Law, which permits the administrative authority to detain persons without allowing them to contact their families or lawyers and in isolation from judicial oversight; likewise, the State Security Court Law, which grants the investigating authorities the right to hold a suspect for a period of seven days before referring him to the competent judicial authority; and the Criminal Procedure Code, which makes pre-trial detention the general rule, and makes detention contingent upon a broad general criterion called “the interest of the investigation”, as well as the admission of a statement made by the accused in the absence of the Public Prosecutor as evidence for conviction if the Public Prosecution submits proof of the circumstances in which it was made and that the person made it voluntarily and of his own free will.

⁵ Through its visits to temporary detention centres, its meetings with detainees and members of their families, and through the complaints received by it during 2009, the Centre observed that there are violations committed by officials charged with enforcing the law in certain security departments, and that there are multiple forms of torture practised against complainants

as proving that some detainees were subjected to torture or cruel, inhuman or degrading treatment remains extremely difficult for numerous reasons, the most important of which are: the length of the detention period under administrative detention orders; the disappearance of the traces of physical violence over time; the difficulty of having witnesses or forensic medical reports;⁶ and the difficulty for victims of identifying the torturer from among the judicial police officers. Furthermore, the absence of effective judicial oversight of administrative detention facilities in police lock-ups contributes significantly to exposing detainees to ill-treatment and to physical and psychological coercion, in addition to depriving them of the right to lodge grievances with the competent authorities and to submit complaints during the period of preliminary investigation by the police, owing to the secrecy surrounding the investigation, as well as their fear of reprisals by police officers should they file a complaint against them, and the conviction of some of them that there is no point in submitting complaints to the security services, since these are the authorities competent to investigate and examine the complaints.

** The Centre was compelled to reiterate what was stated in this paragraph despite its inclusion in the 2008 report, since no noticeable progress has occurred.*

4. Narcotics constitute another factor affecting the right to life and physical integrity. Data issued by the Public Security Directorate confirm that the Anti-Narcotics and Counterfeiting Department dealt with (3641) cases during 2009, an increase of (26.4%) over the cases it dealt with in 2008. The following chart shows the number of cases seized by the Anti-Narcotics and Counterfeiting Department during 2009 compared with previous years. Notably in this field, (80%) of abused women, whose number is estimated at (1400) women annually, take sedative pills that ultimately lead them to the stage of addiction, in addition to a number of them resorting to suicide if their psychological conditions deteriorate, according to the statistics of the National Centre for Family Protection. Table No. (2) also shows the numbers of male and female students apprehended in (possession and use) cases in universities and colleges during 2009 compared with previous years.

Chart: Narcotics cases

	2009	2008	2007
Number of cases	3641	2752	2197
Trafficking	661	959	833
Possession and use	2980	3800	2874

Table No. (2): Numbers of male and female students apprehended in possession and use cases in Jordanian universities and colleges

Year		2007	2008	2009
Male students apprehended	Jordanian	124	229	236

or detainees on behalf of those departments, including insults and humiliation, beating with *falaqa* (beating on the soles of the feet), *shabh* (suspension), and others, with the aim of obtaining a statement or a confession.

⁶ The National Centre for Forensic Medicine does not carry out medical examinations of torture victims except at the request of the judiciary or the Public Security Directorate, which constitutes an obstacle for victims in proving the torture inflicted upon them. Moreover, the National Centre for Human Rights faces difficulty in verifying the validity of the complaints it receives concerning torture.

Year		2007	2008	2009
	Non-Jordanian	91	112	43
Female students apprehended	Jordanian	60	58	45
	Non-Jordanian	25	30	12

5. Suicide incidents constitute another factor affecting the right to life and physical integrity. In 2009, (65) persons committed suicide, compared with (60) persons who committed suicide during 2008 and (35) persons who committed suicide during 2007, according to the statistics of the Jordanian National Centre for Forensic Medicine. The statistics also revealed that the majority of those who committed suicide are males, with three males committing suicide for every female. The following chart illustrates suicide statistics for 2009 compared with previous years.⁷

Chart: Suicide cases and suicide attempts

	2009	2008	2007
Suicide cases	65	60	40
Suicide attempts	400	400	350

6. As regards suicide cases in Correction and Rehabilitation Centres, the Centre recorded (117) suicide attempts in these centres during 2009, one of which succeeded in the Al-Muwaqqar-2 prison, whereas 2008 witnessed (93) suicide attempts, of which (92) attempts were foiled, and one suicide attempt by an inmate in Ma'an prison succeeded.

7. As regards the crimes of murder and harm, Table No. (3) shows the number of these crimes, particularly those committed in the name of protecting honour and crimes of revenge, which calls for studying the causes and factors underlying their commission and endeavouring to provide solutions to reduce them.

Table No. (3): Comparison of crimes committed during the past three years

Year	Murder	Attempted murder	Grievous harm
2007	98	321	646
2008	104	315	621
2009	88	283	682

8. Traffic accidents constitute another factor affecting the right to life and physical integrity, as these accidents remain among the most serious problems troubling society. A study of the statistics issued by the Public Security Directorate shows that the rate of these accidents increased by (9.70%) over the corresponding figure in 2008, while fatalities decreased by (4.51%) and injuries increased by (6.90%). Table No. (4) shows the statistics of accidents, fatalities and injuries for 2009 compared with previous years. The Centre calls upon the Public Security Directorate to continue its efforts aimed at reducing traffic accidents in order to save the lives of citizens, as the aforementioned statistics show that the Public Security Directorate has succeeded in covering the dangerous spots that used to lead to an increase in the number of fatalities; however, the rising

⁷ These figures are considered approximate owing to the lack of a national database.

rate of accidents and injuries reveals, on the one hand, the weak coverage of all roads and, on the other hand, the weak traffic culture among citizens.

Table No. (4): Numbers of fatalities and injuries resulting from traffic accidents

Year	Accidents	Fatalities	Injuries
2007	111221	979	17028
2008	101066	740	13640
2009	122793	676	15662

9. In view of the paramount importance of the right to life and physical integrity, the Centre submitted in its 2008 report numerous detailed recommendations which, regrettably, the Government did not adopt. The Centre wishes to reaffirm those recommendations and deems it necessary to restate some of them, and to submit a number of new recommendations for the protection of the right to life and physical integrity, while emphasising that addressing this matter requires the Government to demonstrate a clear and specific political will that is translated into legislation and measures as the situation requires; it also requires that everyone who causes or fails to safeguard the human right to life and physical integrity be subject to political, judicial and administrative accountability.

In the Field of the Death Penalty:

Proceeding from the Centre's conviction that the death penalty is an exceptional penalty, and that recourse to it may only be had for the most serious crimes, it recommends that this subject be studied comprehensively in all its aspects, and that legislative amendments be made permitting the imposition of the death penalty on the following bases: (a) establishing stricter controls and conditions on investigation procedures in criminal cases punishable by death, and ascertaining the strength of the evidence of guilt against the accused, with the necessity for courts to expand mitigating excuses where the act is a felony punishable by death; (b) subjecting the death penalty to all means of appeal, exceptionally and by way of distinction, while emphasising that the penalty shall not be pronounced except by unanimity of the members of the court; (c) establishing alternatives to the death penalty, since the penalty of life imprisonment with hard labour may be equivalent to the death penalty in its general deterrent effect; (d) trying all accused persons before the regular courts; (e) adopting a plan and a scientific awareness-raising programme aimed at spreading awareness of the importance of abolishing the death penalty.

In the Field of Combating Torture:

Within the scope of executive measures to combat torture, the Centre recommends the following:

- (a) The Government's recognition of the competence of the Committee against Torture referred to in Articles (21 and 22) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984, which is competent to consider communications from States and individuals.
- (b) Accession to the Optional Protocol to the Convention against Torture, as well as the two Optional Protocols to the International Covenant on Civil and Political Rights relating to

the abolition of the death penalty, in addition to recognising the competence of the Committee concerned with human rights to receive individual complaints of violations of the rights enshrined in the said Covenant (Article 41).

- (c) Establishing specialised centres for the rehabilitation of torture victims and creating a national fund to compensate them.

Within the scope of legislative measures to combat torture, the Centre recommends the following:

- (a) Restricting jurisdiction over torture crimes to the regular courts instead of the special courts, which do not offer fair trial guarantees in accordance with international standards.
- (b) Expressly providing in the law for the right of torture victims to direct compensation from the State.
- (c) Amending the Penal Code so as to make the officials of Correction and Rehabilitation Centres or detention centres responsible for the safety of detainees where it is not possible to identify the person who committed the crime.
- (d) Abolishing the penalty of solitary confinement provided for in the Correction and Rehabilitation Centres Law.
- (e) Repealing the Crime Prevention Law No. 7 of 1954.

Within the scope of precautionary measures to combat torture, the Centre recommends the following:

- (a) Introducing a system of regular medical examinations for all persons held in detention.
- (b) Maintaining regular registers in places of detention (names, detention warrants, visits, transfers).
- (c) Ensuring that detainees are able to contact their families and lawyers.

In the Field of Narcotics, the Centre Recommends the Necessity of:

- (a) Consolidating a drug-free community culture, strengthening the role of religious awareness and the role of the media in combating this phenomenon, activating the role of school principals, teachers and counsellors in using guidance, preventive and therapeutic methods in dealing with it, and including in school curricula scientific material relating to the harms of drug use.
- (b) Increasing the penalties for those who exploit children and women in drug trafficking and use.
- (c) Creating an appropriate environment for combating the drug phenomenon by eliminating unemployment, encouraging the values of work and production, and achieving progress and success.
- (d) Focusing on supporting the families of drug users economically, socially and psychologically so that they acquire the skills to deal with cases of drug use, with the aim of creating a sound environment resistant to deviance and raising the social competence

of the family, particularly by strengthening its links with the local community, its institutions and its resources.

In the Field of Traffic Accidents:

The Centre stresses the necessity of taking measures that ensure the reduction of this phenomenon in society through the following:

- (a) The Greater Amman Municipality, the various municipalities and the other competent authorities, each as the case may be, taking the measures necessary to reconcile the granting of licences to commercial premises, restaurants, hotels and others with ensuring that such licences do not adversely affect the traffic situation, as well as strictly enforcing the provision of adequate car parks in commercial and residential buildings, rather than merely collecting fines.
- (b) Providing places for pedestrian crossing and following the system adopted in the capitals of the world, which allows pedestrians to cross the street at designated places, merely by initiating the crossing on the dotted lines.
- (c) Setting specific times for the movement of machinery and heavy trucks, particularly those connected with construction works, in a manner that neither disrupts these works nor threatens public safety.
- (d) Regulating the movement of trucks distributing foodstuffs to commercial premises and determining their sizes, as well as setting distribution times so that it does not take place during peak traffic hours.
- (e) The competent authorities verifying that companies, departments and the various agencies have prepared suitable parking places for their employees' vehicles before being granted a licence to occupy their buildings, and carrying out periodic inspections to ensure continued compliance with this obligation.
- (f) The Ministry of Public Works and Housing, in cooperation with the Public Security Directorate, studying the observations made concerning the large disparity and reduction in the speeds set on roads within a short distance that does not allow the driver to adjust accordingly. The Ministry of Public Works in areas outside the zoning plan, and the municipalities, should also play a more effective role in the sound and safe execution of roads, and redesign roads on which traffic accidents recur.
- (g) Reconsidering the conditions for granting driving licences to drivers, such that special additional requirements are set for each category in line with the growth of cities, the expansion of the road network and the development of the vehicle industry.
- (h) Expediting the establishment of a public transport network within cities and between governorates in order to reduce traffic congestion, and endeavouring to benefit from the experiences of other countries in this field.

The Right to Liberty and Security of Person

10. International conventions guarantee the human right to liberty and security of person,⁸ and the Constitution affirmed this right in Article (8) thereof;⁹ the Criminal Procedure Code No. (9) of 1961 also specified the cases in which judicial police officers may arrest a suspect and restrict his liberty (in felonies, and in cases of flagrante delicto in misdemeanours), and established a set of formal controls and restrictions that must be observed during the arrest process. The year 2009 witnessed a marked increase in the number of administrative detainees compared with 2007 and 2008, as more than (16) thousand persons were detained this year. The following chart shows the overall total number of persons administratively detained during the past three years. Administrative detention periods ranged between one week and four months, and the main reason for the continuation of administrative detention was the inability of these persons to provide the required bail.¹⁰ As regards detainees of foreign nationalities, some of them have been detained for three years owing to the inability to provide bail and the delay in taking the measures for deportation or for deciding on the detainee's situation, which contributes significantly to creating a number of legal and procedural problems resulting from prison overcrowding, sometimes causing disturbances and riots, in addition to the psychological, social and economic effects such cases leave on the detainees, as well as burdening the State Treasury with financial costs without real justification.

Chart: Number of persons detained during the years 2007–2009

Year	2007	2008	2009
Number of persons detained	17399	14046	16050

11. In the field of restriction of liberty, the Centre observed the continuation of violations by the judicial police during the arrest of suspects and the restriction of their liberty, the most prominent of which are: (a) the continued encroachment of administrative detention orders on judicial decisions issued by the competent courts acquitting persons or finding them not liable, as those against whom such judicial decisions were issued are frequently returned to prison on the basis of administrative detention orders issued by administrative governors, on the pretext that they have criminal records or are repeat offenders, or that they pose a danger to society, and they are released only upon submitting an undertaking or bail or fulfilling social or legal obligations.¹¹ (b) The continued practice of administrative governors of taking decisions to detain persons administratively in Correction and Rehabilitation Centres far from their families' place of residence, despite the distribution of prisons across most governorates of the Kingdom, which entails additional financial and moral costs for the detainees' families; and sometimes their families are not notified in advance of their sudden transfer from one prison to another or from one detention centre to another. (c) The continued recourse by the security departments to the Crime Prevention Law, through recommending and prompting administrative governors to take

⁸ See Article (9) of the International Covenant on Civil and Political Rights.

⁹ The Article provides that: "No person may be detained or imprisoned except in accordance with the provisions of the law."

¹⁰ It became evident to the National Centre for Human Rights, through complaints and field monitoring of administrative detention cases, that the value of bail ranges between five thousand and twenty thousand dinars.

¹¹ It should be noted that there is no judicial register for determining any person's criminal record.

restrictive measures against certain persons with criminal records or repeat offenders on grounds of security considerations and the maintenance of public security, without regard to their return to good conduct. (d) The continued expansion by administrative governors in the use of the power of detention for long periods without justification, which makes administrative detention a penalty imposed by the administrative governor without a legal basis and without his having the legal competence to impose it. (e) The unlawful detention of certain detainees by administrative decision, examples of which include the detention of persons because of cases pending before the courts, and the detention of persons to compel them to reconcile with their adversaries despite their not acknowledging their adversaries' right.

12. By its letter dated 22/7/2007, the Centre addressed the Minister of Interior, urging the necessity of reconsidering the applications of the Crime Prevention Law in light of the recommendations issued by the committee formed for this purpose¹² on 30/8/2006, and the Centre notes that the Ministry of Interior, up to the date of preparation of this report, has not submitted any legal amendments in this regard. However, some specific procedural measures have been taken on this matter, as on 10/11/2009 the Minister of Interior issued a circular to administrative governors, the substance of which is the necessity of committing to respect human rights and to provide legal and procedural safeguards when applying the Crime Prevention Law, by allowing a lawyer to attend the investigation conducted by the administrative governor with the suspect regarding what is attributed to him, provided that there is a special legal power of attorney from him to the lawyer granting him the right of defence, pursuant to the provisions of Articles (4 and 5) of the Crime Prevention Law, and in line with Article (32) of the Bar Association Law No. (11) of 1972 and its amendments. The circular also stressed the responsibility of the administrative governor to investigate the acts attributed to the suspect before issuing a summons memorandum for his appearance, with the aim of ascertaining that the acts attributed to him do not fall within the jurisdiction of the regular courts; if they fall within the jurisdiction of those courts, the complainant shall be instructed in writing to have recourse to them without the need to conduct an investigation. Finally, the circular stressed the necessity for complaints to be written, organised and signed by the complainant in accordance with the legal rules for their consideration by the administrative governor, as well as refraining from interfering in cases pending before the judiciary, in line with the principle of the separation of powers. The Centre considers this circular to constitute progress in the field of rectifying the procedures followed in administrative detention; however, it is insufficient to curb all abuses, and it is necessary to make legal amendments to the Criminal Procedure Code and the Penal Code so as to transfer the powers of administrative governors under the Crime Prevention Law to the judiciary and public prosecutors. The Centre wishes to reaffirm that the Crime Prevention Law applied by administrative governors constitutes a breach of international instruments and directly contravenes the provisions of the Constitution, in addition to violating the principle of criminal legality, which rests on two fundamental rules: “the accused is innocent until proven guilty” and “no crime and no punishment without a text”.

¹² Formed of the Minister of Justice (Chairman of the Committee) and the membership of each of the Minister of Interior, the Director of Public Security, the Governor of the Capital and a representative of the National Centre for Human Rights.

13. As for the matter of the security record¹³ as a preliminary measure for administrative detention and for protecting society from persons with criminal records, the Centre considers that it constitutes a violation of the right to liberty and security of person, since under this record the security departments summon any of these persons in order to question him regarding any case committed in the area in which he resides, and the criminal record is placed before the judge or the Public Prosecutor by the security departments so that the latter may identify the previous convictions of the person appearing before them, particularly in cases of fraud, breach of trust and theft, for the purpose of applying aggravating circumstances. Under the security record, a person is held to account on the basis of entries recorded against him years ago, even if he was a juvenile at the time.¹⁴ On the other hand, the Criminal Procedure Code permitted persons against whom final judgments were issued, after the lapse of a certain period depending on the type of crime, to apply for rehabilitation in order to clear their criminal record. Nevertheless, the security services retain these entries, as the Centre has observed that many persons, upon checking their entries with the Public Security Directorate during inspection campaigns, are found to have entries in their criminal record, which subjects them to inappropriate treatment. In view of this, it has become incumbent upon the Ministry of Justice to establish a judicial register based on final judicial rulings instead of relying on the records held by the security authorities, for the sound enforcement of the provisions of the law and in a manner that achieves equality and justice for all.

14. The Centre received a number of complaints and reports relating to administrative detention and the linking of persons to compulsory residence during the years (2007–2009), according to the following chart, noting that most of these detainees were administratively detained after serving their sentences.¹⁵ It must be emphasised that, if the purpose of this measure is crime prevention, actual reality does not prove that it has contributed to reducing the crime rate in Jordan; according to the statistics of the Technical Office of the Ministry of Justice, the Criminal Court witnessed a slight increase in the number of cases registered with the Court at a rate of (2%) in 2009, as the number of cases registered during the first seven months of the same year reached (708) cases, whereas in 2008 it was (629) cases.

15. Based on the complaints received by the Centre during the years 2007–2009 and their analysis, it is evident that there is a clear expansion in the exercise by administrative governors of the powers granted to them under the provisions of the Crime Prevention Law, and the Centre has reservations about the expansion in the application of the power of the administrative governor to impose compulsory residence, as it is incompatible with the philosophy of correctional and rehabilitative punishment and stands as an obstacle to the reform of such persons and their return to normal, sound life, let alone closing the door of repentance to those persons. Here the Centre wonders whether the correctional and rehabilitation programmes implemented in Correction and

¹³ It is a cumulative record of persons who have engaged in conduct contrary to the law, held by the security departments.

¹⁴ Despite the fact that the Juveniles Law provides in Article 6 thereof that “the conviction of a juvenile of a crime shall not be considered a previous conviction”.

¹⁵ Noting that no study containing statistics on this issue in particular has previously been prepared; however, most of the complaints received by the Centre were confirmed by their submitters.

Rehabilitation Centres actually achieve their purpose, given that some released inmates will be administratively detained once again?

16. Accordingly, the Centre calls for the repeal of the Crime Prevention Law; if this is not done for any considerations whatsoever, then fundamental amendments must be made to its provisions that guarantee regular judicial oversight of the decisions of administrative governors relating to restraint, in order to achieve the guarantees of a fair trial represented by litigation at more than one level and ease of access of individuals to the judiciary, until the power of restraint exercised by administrative governors is restricted to the judiciary and in accordance with controls that observe international human rights standards.

Chart: Number of administrative detention complaints received by the National Centre

Year	2005	2006	2007	2008	2009
Number of complaints	35	72	100	97	110

17. As regards judicial detention, the Centre notes the continued increase in the numbers of judicial detainees,¹⁶ as 2009 witnessed the detention of (29547) persons compared with the detention of (26088) persons in 2008, their number exceeding the number of convicted persons¹⁷ for the years 2008–2009, which prompted the relevant authorities to take a set of measures to curb the phenomenon of the rising numbers of judicial detainees, the most prominent of which are: (a) amending the Criminal Procedure Code with regard to the crimes in which detention is mandatory and the conditions of detention; (b) with regard to the power of public prosecutors in judicial detention, so that detention is not a penalty in itself but rather a precautionary measure. The amended Criminal Procedure Code No. (19) of 2009, in force, shortened the power of the Public Prosecutor to detain in misdemeanours from two months to one month, and in felonies from six months to three months, provided that the decision to extend these periods is subject to the approval of the competent court, in order to achieve justice, protect personal freedoms and prevent abuses. Under those amendments, controls were also placed on the powers granted to the Public Prosecutor in judicial detention, and for the first time a time limit was placed on detention and extension decisions issued in felonies legally punishable by temporary penalties, such that they do not exceed one quarter of the maximum penalty prescribed by law. The text requiring detention to be mandatory in felonies was also repealed, in addition to it becoming possible for the person accused of misdemeanours to have a lawyer appear on his behalf in attending the trial before the Magistrates' Courts instead of him, unless the court decides that his personal attendance is necessary to achieve justice, with the exception of the session for reading the charge to the accused and questioning him about it, and the session for giving the defence statement. Since the powers of public prosecutors have become restricted by legal controls in light of this amendment, the Centre calls upon the judicial authorities to study the reasons for the lack of expedition in deciding the cases brought before the judiciary in light of international standards and national laws, as the continuation of detention for long periods, sometimes exceeding the length of the penalty, or the

¹⁶ The direct and principal cause of the rising numbers of judicial detainees is attributable to the expansion of public prosecutors in detention, as the detention decision is issued at the beginning of the investigation stages, or to other reasons including the severe slowness in trial procedures and the notification of witnesses, or the attendance of the accused, or the deliberate prolongation of the trial by some lawyers.

¹⁷ Noting that the number of convicted persons in 2008 reached (24176) convicts, and (24129) convicts in 2009.

use of detention and its renewal as a means of pressure on persons in pursuit of reconciliation with their adversaries, has become widespread. Cases have been monitored of persons who were detained for periods exceeding three years and, as a result, the court issued decisions acquitting them or finding them not liable, whereas detention may not be a penalty, since that is considered a clear breach of fair trial guarantees. It is also necessary to amend legislation so as to provide for the right of every person who was the victim of unlawful detention or arrest to obtain legal compensation, as required by Article (9) of the International Covenant on Civil and Political Rights.

18. As regards temporary detention facilities of the Public Security Directorate,¹⁸ the Centre carried out (23) visits to those facilities during 2009 in cooperation and coordination with the Grievances and Human Rights Office of the Public Security Directorate. The Centre appreciates the Public Security Directorate's establishment during 2009 of numerous security centres comprising model temporary detention facilities in accordance with international and national standards, taking into account the provision of places designated for juvenile and female detainees and the provision of special rooms for those waiting for the security centre's attendants. However, the Centre, by contrast, noted the continuation of a number of negative aspects affecting the rights of detainees and constituting a violation of the relevant international and national standards; these observations have been repeated in all of the Centre's reports over the past five years, yet these observations have not been taken into consideration up to the date of preparation of this report, which calls for the Public Security Directorate to take urgent measures to protect the rights of detainees held in those places, namely: (a) failure to follow any of the classification criteria guaranteed by international and national standards when holding complainants or suspects, and the lack of places for performing religious rites in most security centres; (b) poor environmental and health conditions, low standards of cleanliness and the lack of potable water in those places, and the failure to provide basic meals to detainees, with the exception of the lunch meal; (c) the cruel and inhuman treatment of certain detainees at some security centres, particularly persons with criminal records and repeat offenders and some persons who have been linked to compulsory residence, and forcing some detainees to carry out cleaning work in the security centre; (d) overcrowding in some temporary detention centres, leading to a severe shortage of the services provided to detainees in these centres, particularly with regard to the meals provided and the bedding and blankets supplied to the detainee; (e) the detainee's loss of all forms of contact with the outside world¹⁹ (his family and friends), together with his deprivation of the right to seek the assistance of a lawyer; (f) the lack of natural lighting and ventilation in most of those places; (h) the Centre recorded during 2009 the occurrence of one death in temporary detention centres, whereas deaths in 2008 numbered (5).

19. As regards places of temporary detention at the General Intelligence Directorate (GID), the Centre conducted two visits during 2009 to the places of detention affiliated with the General

¹⁸ These include the lock-ups of police directorates and security centres, and the places of confinement in the Criminal Investigation Department, the Preventive Security Department, the Anti-Narcotics and Counterfeiting Department and the Family Protection Department.

¹⁹ The detainee is often deprived of making a telephone call to his family to inform them of his whereabouts.

Intelligence Directorate²⁰. It observed that the periods of detention of detainees held in those places varied between one week and one year, pursuant to detention warrants issued by the Public Prosecutor of the State Security Court. The complaints of detainees held by the GID centred on the state of isolation in which they live in the solitary cells inside the detention centre; the lengthy duration of judicial detention; the failure to allow inmates to be alone with their visitors during visits; and the denial of visits to some detainees, at times by decision of the Public Prosecutor of the State Security Court, which places them in isolation from their families and their lawyers. Table No. (5) sets out a summary of the complaints received by the Centre during 2009 against the General Intelligence Directorate. The Centre calls upon the Directorate to comply with the requirement to inform the detainee's family of his whereabouts.

Table No. (5): Complaints by Outcome

Outcome	Number
Closed with a satisfactory outcome	11
Complaints under follow-up	2
Complaints outside the Centre's mandate	2
Complaints filed owing to the absence of a violation	0
Complaints in which no satisfactory outcome was reached	0

20. As regards Correction and Rehabilitation Centres (CRCs), the Centre conducted (43) surprise and semi-surprise visits in 2009 covering all Correction and Rehabilitation Centres in the Kingdom, in cooperation and coordination with the Grievances and Human Rights Office of the Public Security Directorate. The number of inmates in Correction and Rehabilitation Centres in 2009 ranged between (7000–8000) inmates. This year witnessed a number of measures taken under the policy of developing Correction and Rehabilitation Centres, the most prominent of which were: (a) the completion of the construction of new Correction and Rehabilitation Centres (the Salhoub and Umm Al-Lu'lu' Correction and Rehabilitation Centres); (b) the signing of memoranda of understanding with the National Centre for Human Rights, the Jordan Bar Association and the Ministry of Information and Communications Technology, with the aim of cooperation and coordination in the field of promoting and protecting human rights and addressing violations and abuses; (c) the recruitment by the Public Security Directorate of (29) university-educated nurses to work in the clinics of Correction and Rehabilitation Centres, with the aim of improving health care in these centres; (d) the holding of (5) literacy courses in five correction centres, with the number of inmates benefiting from those courses reaching (205) inmates, and the holding of (95) courses in the field of academic education for (2388) male and female inmates; (e) the training of (682) officers and personnel of the ranks serving in Correction and Rehabilitation Centres, and their enrolment in specialised courses covering social and psychological subjects as well as others specific to human rights; (f) the classification of Correction and Rehabilitation Centres into centres for convicted persons and others for detainees, and the commencement of developing a plan for the classification of inmates in accordance with Article (11) of the Correction and Rehabilitation Centres Law No. 9 of 2004; (g) the continued

²⁰ The Centre's team examined the conditions of the places of detention and the legal status of the detainees, whom it met in private and whose demands and complaints it heard. It also examined the forms of care, the specifications of the prison environment, the quality of food, and the level of health care and mental health services.

implementation of cultural seasons for inmates in all centres; (h) the holding of the first fine art exhibition for inmates of Correction and Rehabilitation Centres on 12/10/2009 at the Royal Cultural Centre, in cooperation with the Ministry of Culture; (i) the formation of the first inmates' council, on 18/8/2009, at the Umm Al-Lu'lu' Correction and Rehabilitation Centre, composed of (24) inmates elected from among those of good conduct, as representatives of the inmates before the administration, with the aim of improving the level of service provided and creating a spirit of cooperation among inmates; (k) the launch of the "Tahyi'ah" (Preparation) programme for inmates nearing the end of their sentences, to prepare them for the post-release phase (the programme was implemented at the Umm Al-Lu'lu' Centre), and the "Tahwin" (Easing) programme for new inmates entering Correction and Rehabilitation Centres for the first time, to ease their burden (the programme was implemented at the Balqa Centre); (l) the operation of the Dar Al-Amal nursery for the care of the children of female inmates at the Women's Correction and Rehabilitation Centre on 14/6/2009; (m) the equipping of a computer laboratory at Al-Tawbah School in the Muwaqqar-1 Correction and Rehabilitation Centre by the Directorate of Education of the Central Badia with (15) computers, and the holding of an (ICDL) course for (19) inmates at the Swaqa Centre under the supervision of the Ministry of Education.

21. On the other hand, in 2009 the Centre monitored the persistence of a number of problems that adversely affect the protection of inmates' rights and their right to liberty and security of person. The most prominent of those problems are: (a) the failure to close the Juweideh/Men Correction and Rehabilitation Centre, notwithstanding that the Centre has called in its previous annual reports for its closure owing to the harsh humanitarian conditions therein resulting from the age of its buildings and the deterioration of its infrastructure; (b) the weakness and limited nature of the legal aid services provided to prisoners, with the exception of the Juweideh/Women's Prison, which is attributable to the failure of civil society organisations and the Bar Association to provide such service inside prisons, and to the absence of a national body providing legal aid; (c) the weakness and ineffectiveness of the social care services provided to inmates and their families; (d) the limited health care services, whether preventive or curative, including psychological care and counselling services, owing to the shortage of psychiatric medical staff working in the centres, the unavailability of certain medical specialities in prisons (orthopaedics and gynaecology, for example), and the mistreatment of inmates by doctors working in the hospitals which inmates attend when being provided with the necessary medical service; (e) the continued suffering of inmates when they are transferred to hospitals while ill, as a result of the administrative procedures followed, the most significant being their transfer in shackles in a manner involving cruelty and humiliation, and the pain caused to persons suffering from chest diseases or spinal problems, as the method of restraint (according to the level of danger) exposes them to bruises as a result of the movement of the vehicle (the cell vehicle) and its sudden stops or passing over speed bumps; (f) the continued suffering of inmates from the lack of access to potable water, as they are compelled to buy it at their own expense, the inadequacy of the meals provided to them in terms of breakfast and dinner, the acute shortage of blankets and heating in winter in some prisons, and the unavailability of hot water for bathing in winter; (g) the continued suffering of prisoners from the problem of missing trial hearings, either because of the late arrival of notification memoranda or because they are not dispatched on the date such hearings are held, owing to the large number of inmates in the prison vehicle who are distributed to various courts and multiple hospitals; (h) continued overcrowding in some centres, despite the construction of new centres, and the failure

to adopt a considered standard for determining the capacity of prisons that takes into account the total area of the prison and the area allocated to service facilities and to each inmate's sleeping space, which has led to the spread of the phenomenon of "selling the right to use equipment", "selling services" and "bribery among prisoners", and the spread of narcotic pills and violence among prisoners; (i) the limited judicial oversight of prisons, which was confined to (63) visits only; (j) the rise in the rate of recidivism to reach (33%) among men and women, and the unavailability of accurate statistics showing the types of offences, the age group or geographical area, and the reasons for reoffending; (k) the lack of actual implementation of the prison classification system and of the classification of prisoners in a manner that guarantees the achievement of the objective of correction and rehabilitation and the enjoyment by inmates of their guaranteed rights; (l) the lengthy periods of judicial detention and the increase in the number of persons judicially detained during 2009 to (29547) persons in judicial detention, noting that among the detainees there are persons whose detention has exceeded seven months without their being served with an indictment or brought to trial and their cases heard.

22. The Centre also recorded the occurrence of (606) hunger strikes in 2009, distributed among the Correction and Rehabilitation Centres as shown in Table No. (6). Notwithstanding the decrease in the rate of such strikes²¹ from 2008 to (506), the continued occurrence of such cases is an indicator of the problems from which inmates still suffer. As regards deaths inside Correction and Rehabilitation Centres, the Centre recorded (18) deaths in 2009, compared with (24) deaths in 2008. Although (17) deaths were considered natural in light of the forensic medical reports and the decisions of the investigation committees formed, the death of one inmate (N.Kh.) is still under investigation by the Civil Public Prosecutor. The Centre emphasises the role of the Ministry of Health and of the doctors working in Correction and Rehabilitation Centres in paying greater attention to the health conditions of inmates, and the necessity of dealing seriously with the health condition of the inmate in terms of providing him with first aid in the required manner and at the appropriate time, and of dealing with greater attention with inmates afflicted with serious illnesses, the elderly, or those with a medical history.

Table No. (6): Distribution of Strikes among Correction and Rehabilitation Centres

Prison	Number of Strike Cases
Swaqa Prison	51
Juweideh Men's Prison	114
Qafqafa Prison	80
Birin Prison	51
Muwaqqar 1 Prison	73
Karak Prison	19
Ma'an Prison	82
Aqaba Prison	20
Balqa Prison	67
Umm Al-Lu'lu'	2
Juweideh Women's Prison	30
Muwaqqar 2 Prison	17

²¹ In 2008 they amounted to (1112) cases.

23. In the field of excessive use of force and exaggeration in raids and arrests during 2009, the Centre received (22) reports concerning the forcible storming of homes and the terrorising of children and residents in a number of areas of the Kingdom when arresting persons wanted in security cases, and in narcotics cases in particular, as well as in certain theft cases, major embezzlement cases and fraud cases. The most prominent of these cases was what occurred during the arrest of a number of suspects in the course of security campaigns in the governorates of Zarqa, the Capital, Irbid and Ma'an. The frequency of disproportionate use of force by the Gendarmerie Directorate in breaking up sit-ins also increased, particularly in the governorates of the Capital and Aqaba, and at certain sporting matches. The Centre received (14) reports and complaints relating to this matter, and the complaints centred on the use by the Gendarmerie forces of batons and tear gas, in addition to directing insults at individuals and kicking them with boots. The year 2009 also witnessed tribal protests over the death and injury of a number of their sons as a result of the use of force by the Public Security forces. The young man (S.S.) died as a result of being beaten by Public Security personnel; following the incident of his death, a group of individuals attacked passing cars and smashed them, set fires in the public street and threw incendiary bottles, which led to the burning of the security post in that area. Those confrontations resulted in the injury of six Gendarmerie personnel, among them four by firearm rounds, and the Gendarmerie forces used tear gas to disperse citizens during those events. The city of Ma'an also witnessed the death of the citizen (F.K.) as a result of being beaten by police personnel on the pretext that his father was a wanted person. In the Governorate of Ajloun, a young man died following the intervention of the Gendarmerie forces to break up a family quarrel, and the investigation established that the death occurred in error. The Centre expresses its concern at the growth of incidents of violence during 2009 in Jordanian society, which have not been confined to family disputes but have extended to Jordanian universities, and calls upon all the competent authorities to concert their efforts to confront this phenomenon and curb its growth, particularly among young people, and to address its causes and roots.

24. In light of this reality, the Centre renews its call to the Government and its relevant security departments to give effect to the recommendations it set out in its reports on prisons, which it reiterated and emphasised in its report for 2008, the most prominent of which are:

- a. The repeal of the Crime Prevention Law of 1954. Pending its repeal, the Centre emphasises the necessity of respecting final judicial decisions and judgments of acquittal or non-liability and abiding by them, of following the principle of the proportionality of the measure to criminal conduct and dangerousness when imposing compulsory residence, and of transferring the power to impose compulsory residence to the judicial authority.
- b. The lifting of the umbrella of the administrative governor from the investigative procedures carried out by the police, in a manner that does not permit the continued holding and interrogation of persons for long periods on the basis of detention warrants issued by administrative governors.
- c. The obligation of security centres to refer accused and suspected persons to the Public Prosecution within the period specified in the Criminal Procedure Code.
- d. Pending the amendment of the Crime Prevention Law, administrative governors must comply with the procedures that must be followed when resorting to administrative detention pursuant to

Article (4) of the Crime Prevention Law, with regard to the issuance of an arrest warrant, hearing the statements of the persons, and only thereafter issuing administrative detention warrants.

e. Finding solutions to the problem of overcrowding in prisons, including the enactment of legislation specific to non-custodial alternative measures, and activating the legislative provision on the suspension of the execution of the penalty (Article 54 *bis* of the Penal Code).

f. Modernising the detention facilities in existing security centres within standards that ensure the provision of care and protection to detainees, in conformity with the relevant international standards.

g. Addressing the issue of judicial detention and the lengthy duration of such detention before and during trial; working to develop legislation and judicial practice in order to expedite trial procedures and reduce the problems of notification between courts and prisons; and establishing a clear mechanism with emphasis on renewing detention warrants within the legal time limits and not resorting to automatic renewal, and activating the mechanism of inspection of prisons by the judicial authority.

h. Concerting national efforts, including those of the media, to promote the concepts of pluralism, dialogue and respect for human rights, and to disseminate a culture of tolerance.

i. Incorporating human rights concepts into all educational curricula, including university curricula.

The Right to the Administration of Justice

25. The concept of the judiciary is linked to justice and to the protection of people's rights and freedoms; accordingly, an impartial judiciary is one of the fundamental elements of any democratic State, and it is the key to the rule of law, respect for human rights and the trust required between the people and the State. Article (6/1) of the Constitution provides that Jordanians shall be equal before the law, with no discrimination among them in rights and duties; Article (27) thereof provides that the judicial power shall be exercised by the courts of law of their various types and degrees, and that all judgments shall be delivered in accordance with the law in the name of the King; and Article (97) provides that judges are independent and that, in the exercise of their judicial functions, they are subject to no authority other than that of the law.

26. Among the positive developments relating to the judiciary during 2009 were: (a) an increase in the number of judges, the total number reaching (752) judges by the end of 2009; (b) the completion of the design of a computerised notification programme linking the notifications section in each court with the judicial bodies therein, such that notifications are sent electronically and the process server carries out notification within a short period, after which the notification is optically scanned and returned electronically to the judicial body, with the aim of activating notification procedures, expediting them and raising their quality; (c) the expansion of computerisation systems and comprehensive electronic linkage of all courts, including the exchange of data and files through the unified network, and the determination of access permissions in a manner that preserves the confidentiality of information and files and prevents tampering with them.

27. The Centre monitored a number of obstacles and problems that impede access to justice, including: (a) the unsuitability of some court buildings for their work, as a large proportion of them are rented and designed for residential use and lack waiting areas, in addition to the weakness of maintenance operations on those buildings; (b) the issue of expert evidence in cases continues to raise numerous problems and to burden litigants with large sums of money, owing to the absence of a regulation governing experts or subjecting them to liability in cases of default and negligence; (c) some public prosecutors refer cases to the courts despite the absence of any evidence linking the defendant thereto to the offences attributed to him, and fail to apply the text of Article (130) of the Criminal Procedure Code, which provides that (“If it becomes apparent to the Public Prosecutor that the act does not constitute an offence, or that there is no evidence that the defendant committed the offence ... he shall decide, in the first and second cases, to bar the prosecution of the defendant”); (d) the subordination of the Public Prosecution in Jordan judicially to the Judicial Council and administratively to the Minister of Justice, which is inconsistent with the international standards on the independence of the Public Prosecution; (e) the granting of judicial powers to executive bodies; for example, Article (32) of the General Sales Tax Law No. (6) of 1994 granted the Director of the General Sales Tax Department the power to impose a fine of not less than one hundred dinars and not exceeding five hundred dinars on anyone who commits any of the violations stipulated in the said Article, in addition to what is provided in the Crime Prevention Law, the Agriculture Law, the Customs Law and other laws; (f) the shortage of judges and public prosecutors working at the Major Felonies Court in comparison with the number of cases brought before it, which compels the Court to fail to comply with the provisions of the law regarding the periods of adjournment of cases; (g) some legislation in force still contains provisions that detract from human rights and conflict with the provisions of the Constitution and the general principles of the administration of justice, in particular the Economic Crimes Law of 1993, which granted the Prime Minister powers to refer any of the offences stipulated therein to the State Security Court, and also granted the Public Prosecution or the court the right of precautionary attachment of the funds of the principals, descendants, ascendants and spouse of anyone who commits an economic offence and the prohibition of the disposal of such funds, as well as the prohibition of any of them from travelling, which contravenes the principle of the personal nature of punishment; (h) during 2009 the Centre received (53) complaints and (26) requests for assistance in the field of the administration of justice.

28. In the field of juvenile justice, there are numerous international treaties and conventions that require the establishment of a special judicial system for children, as they are passing through a period of growth and formation of personality at this stage of their lives. The United Nations rules for the protection of juveniles deprived of their liberty, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the Vienna Guidelines for Action on Children in the Criminal Justice System, have repeatedly stressed the necessity of avoiding recourse to depriving juveniles of their liberty; providing appropriate staff and the necessary material resources; training all those working in this field, including judges, members of the Public Prosecution, lawyers and social workers, on the rights of the child; and establishing independent oversight bodies, as well as separating children from adults in places of detention. It is worth mentioning that the Royal Committee for Judicial Reform had prepared a draft Juveniles Law of 2001; however, to date it has not yet been enacted*. In this field, the

practical reality has shown that there are some matters requiring review, including: (a) the absence of a judicial police unit specialised in juveniles; (b) the registration of criminal records on the basis of a letter issued by the police and not on the basis of a judicial judgment issued by a competent court; (c) the administrative detention of juveniles, and the police frequently requesting the juvenile judge to transfer the juvenile (the defendant) to the security centre after the Juvenile Court has concluded his case, and the imposition of compulsory residence on juveniles, particularly in theft cases, which in this respect constitutes a violation of international standards.

** The Ministry of Social Development and the Ministry of Justice are preparing a draft Juveniles Law, which is expected to be completed in 2010.*

29. As for religious courts, provision for their organisation and jurisdiction is made in Articles (104–109) of the Jordanian Constitution. The Centre has shed light on a number of the obstacles facing religious courts, in both their branches, the Sharia judiciary and the ecclesiastical judiciary, in its last five annual reports. While it reaffirms those observations, it adds to them the following obstacles which it monitored during 2009, specifically relating to the Sharia judiciary²²: (a) the absence of a Sharia Court of Cassation; the Chief Justice Department attributes the reason for this to the shortage of the cadres and expertise required to establish this court, the establishment of which has become an imperative necessity; (b) the absence of a Sharia public prosecution, which places additional burdens on judges to perform this role; (c) Sharia enforcement departments still suffer from overcrowding and low productivity; despite the existence of a project, for a long time, to collect adjudged amounts through banks, it has not yet been implemented; (d) the failure to adopt the project of family reconciliation and mediation offices and the alimony fund, notwithstanding their completion long ago; (e) the failure to determine the amount of blood money (*diya*) in law and its being subject to the jurisprudence of the Court of Appeal, in addition to the jurisdiction of both the regular and the Sharia courts in this matter; (f) the absence of a specialised judicial institute for the preparation and qualification of Sharia judges, despite the existence of a project for this for a long time; (g) the weakness of the financial allocations for the Sharia judiciary, in addition to the weakness of the salaries of the functional staff (judges' assistants), which affects their productivity; (h) the lack of buildings suitable for the work of the courts, most of which are rented and unsuitable²³.

30. As regards the ecclesiastical judiciary, the ecclesiastical courts of the Christian denominations exercise the role entrusted to them in accordance with the provisions of the Constitution. The Centre monitored a number of obstacles facing the ecclesiastical judiciary and those dealing with it, including: (a) the laws of some ecclesiastical courts are not published in the Official Gazette, and some of them are not available and others are not translated into Arabic, which makes it difficult to access and become acquainted with those laws; (b) the absence of a fixed Code of Procedure applicable to all cases, which causes confusion and instability for citizens; (c) the high judicial fees before ecclesiastical courts, and the absence of a fixed system therefor and their being subject to the discretion of the judge; (d) the existence of some (second-instance) courts outside Jordan, which affects the independence of the Jordanian judiciary and prolongs the duration of

²² The number of Sharia courts in Jordan is (67) courts, including three Sharia courts of appeal inside Jordan and one in Jerusalem; the number of Sharia judges of all grades reached (168) judges.

²³ The number of rented court buildings reached (63) buildings, while the number of owned courts is only (4) buildings.

trial proceedings therein; (e) some judges are not sufficiently legally qualified to hold judicial office, as a number of them do not hold a law degree; (g) the lengthy duration of trial proceedings, as the hearing of some cases takes years before they are decided, which causes grave harm to litigants and the loss of their rights.

31. In light of the foregoing, the Centre reaffirms its recommendations for 2008, and recommends the following in order to advance the judiciary:

a. The Centre reaffirms its recommendation set out in its previous reports concerning the independence of the Judicial Council, and calls for the necessity of amending legislation so as to guarantee that this Council is granted the powers and the administrative resources necessary to ensure its freedom in development and modernisation; transferring the power of nomination for the appointment of judges from the Minister of Justice to the Council, while retaining the power of appointment in the hands of the Judicial Council; and likewise emphasising the necessity of issuing a regulation on the administration of the Judicial Council and a regulation for its staff, in addition to adopting provisions allowing for the establishment of an independent budget for the judiciary and the provision of administrative, technical and accounting cadres for it²⁴.

b. Giving due importance to court buildings, constructing model courts that meet the needs of litigants, and resolving the problem of rented buildings.

c. Developing judicial enforcement procedures and the time standards relating thereto, and enhancing the independence of the Public Prosecution and its integration with the judiciary and the supporting bodies.

d. Raising the age of criminal responsibility of juveniles so that they may not be criminally prosecuted below the age of twelve years, adopting a system of alternative measures, and providing for it within the Juveniles Law.

e. Providing clearly and explicitly that it is not permissible for administrative governors to detain juveniles, whatever the circumstances, and that juveniles must be referred to the judiciary with the necessary speed.

f. Reviewing the Sharia judiciary facility and improving the conditions of all those working in the Sharia courts.

²⁴ It is worth noting that the President of the Judicial Council announced, in a press statement dated 22/2/2010, that the Judicial Council had never, since its establishment in 1952, demanded to be responsible for the financial and administrative management of the judicial apparatus, or what is termed financial and administrative independence. He stated that it is mistaken to think that the independence of the judiciary requires the Judicial Council to be responsible for financial and administrative management, and he justified the rejection on the ground that the President of the Judicial Council and the members of the Council cannot accept becoming responsible for the appointment of assistant judicial and administrative staff in the courts, including messengers, process servers and clerks, and for their promotion, discipline, transfers and other matters relating to the administrative apparatus; in addition to the maintenance of infrastructure, ensuring the continued functioning of court building facilities, providing court supplies of paper, stationery and computers, tendering, following up contractors, disbursing their financial dues, auditing the invoices submitted by them and signing cheques. Such matters may give rise to disputes which may at the same time come before the courts for adjudication and the issuance of judgments thereon, so that the judges would be both adversaries and arbiters.

g. Re-evaluating the performance of the ecclesiastical courts in light of the developments and reforms that have taken place and are taking place in the Jordanian judicial system.

The Right to Hold Public Office

32. The right to hold public office is part of the system of civil and political human rights guaranteed by international instruments and national legislation. The Constitution²⁵ clearly provides for the bases of merit and qualifications in appointment, and the international instruments, including those ratified by the Kingdom²⁶, have provided for non-discrimination among citizens in appointment. Article Seven of the United Nations Convention against Corruption, ratified by the Kingdom in 2005, requires the adoption of the principles of efficiency, transparency and objective criteria, such as merit, equity and aptitude, in the systems and procedures for the recruitment of civil servants and other non-elected public officials²⁷. Among the positive developments that occurred in 2009 were the completion of the confirmation of employees who had been appointed outside the establishment table in a manner that guarantees their rights, the establishment of a special complaints section at the Civil Service Bureau, and the trend towards computerising its work so that complaints can be transferred automatically to the other oversight bodies.

33. This right is regulated in national legislation by the Civil Service Regulation No. (30) of 2007 and its amendments, in addition to the special regulations governing the work of independent public institutions, which constitute the legislative basis for human resources management. Although the Civil Service Bureau is doing good work in regulating employment, whether with regard to appointment, promotion, training, leave or rewards in the government sector, appointment on contracts, outside the establishment table, on projects and on a daily-wage basis casts a shadow of doubt over the observance of the principles of merit, qualifications and transparency.

34. During the past few years, (25000) employees were appointed outside the establishment table, of whom (17000) employees had not obtained the General Secondary Education Certificate. Among the regrettable matters is also the phenomenon of forged or non-equivalent higher degrees, from which their holders have benefited in the form of increments and allowances to which they are not entitled in the first place, and whose number is estimated in the hundreds, according to a statement by the President of the Civil Service Bureau²⁸. Moreover, the disparity in the personnel systems and in the bases of appointment, promotion and the approved salary scales therein creates a number of anomalies, not the least of which is discrimination between citizens who perform the

²⁵ Article (22) of the Constitution provides as follows: “1. Every Jordanian shall be entitled to be appointed to public offices under such conditions as are prescribed by laws or regulations. 2. Appointment to any public office, whether permanent or temporary, in the State and in the administrations attached thereto and in municipalities shall be made on the basis of merit and qualifications.”

²⁶ See Article (21) of the Universal Declaration of Human Rights, Article (25) of the International Covenant on Civil and Political Rights, Article (33) of the Arab Charter on Human Rights, and Paragraph (b) of Article (24) of the Declaration on Human Rights in Islam of the Organisation of the Islamic Conference.

²⁷ Paragraphs 2 and 3 of Article Seven of the United Nations Convention against Corruption provide for the necessity of establishing criteria concerning candidature for and election to public office.

²⁸ Interview of the President of the Civil Service Bureau with employees of the Jordan News Agency (Petra) on 13/12/2009.

same work but at different wages, which calls for pausing to consider whether the reasons that led the State to establish some institutions still exist or not, and whether their establishment has led to the achievement of the purpose behind it, namely increased productive efficiency. A cursory look at the budgets of some institutions and their achievements shows that they have become a burden on the State Treasury, which calls for conducting objective studies to measure the return from their continuation as independent institutions, given that the large gap between the salaries of employees in the civil service and those of employees of independent institutions has become wide, as the average salary of the first group is (330) dinars per month while the average salary of the second group is (900) dinars per month. This great disparity reflects great inequality in holding public office, and it must also be examined in a manner whereby it can be justified by the criterion of productivity and technical needs, in preparation for taking a transparent and appropriate decision in this regard.

35. As regards the appointment of senior administrative leaders in the State, such as secretaries general, directors general, heads of independent public institutions and commissioners in regulatory bodies and others, being the positions of greatest importance in motivating the public sector, increasing its productivity and overseeing public funds, such appointment is not subject to fixed and specific criteria, notwithstanding the international obligations undertaken by the State in this respect. Appointment procedures for these positions need to strengthen the bases of justice and transparency. The Centre records the lack of institutional continuity in appointment procedures upon a change of government; for example, the previous Government did not abide by the criteria and appointment procedures that had been enacted and abided by by the Government preceding it.

36. The Centre observed that the salaries and wages of public sector employees remain low in comparison with the costs and requirements of living, as the average salaries and wages in the public sector amounted to (361) dinars for males and (344) dinars for females in 2007²⁹.

37. Among the problems in the civil service are the repercussions arising from the applications of the Unified Allowances Regulation³⁰ and of rewards for overtime work, which fall within the category of inequality among Jordanian citizens. Moreover, the Unified Allowances Regulation determines allowances for specialisations that are no longer considered scarce and in which there is in fact a degree of unemployment. The Regulation also confines allowances to specialisations in certain departments to the exclusion of other departments that employ these specialisations, such as engineers at the Ministry of Public Works and engineers at the Ministry of Education. Furthermore, the absence of clear bases for overtime work and its practice in some departments has led, and continues to lead, to the waste of public funds and the favouring of certain employees over others, and has even constituted an unprecedented phenomenon of excess in assigning employees to overtime work.

38. As regards appointments, the number of applications for appointment submitted to the Civil Service Bureau up to the date of preparation of this report reached (203380) applications for all

²⁹ See the Jordan Statistical Yearbook 2008, p. 32.

³⁰ Unified Allowances Regulation No. 23 of 1988.

academic qualifications.³¹ The numbers of those appointed by sex and academic qualification in 2009 through the Establishment Schedule are shown in Table No. (7). It is noted that the number of persons appointed outside the Establishment Schedule in 2009 reached (5920) employees, at a time when the Prime Minister had issued a communiqué halting appointments outside this Schedule. Most of these appointments were concentrated in the Ministries of Agriculture and of Public Works and Housing, and it is known that this type of appointment does not observe the bases of appointment with the same precision, as appointment is subsequently transferred onto the Establishment Schedule.

Table (7): Number of Persons Appointed by Sex and Academic Qualification in 2009

Academic Qualification	Males	Females	Total
Doctorate	5	0	5
Master's degree	181	122	303
Bachelor's degree	4201	3874	8075
Higher diploma	43	79	122
Community college diploma	933	1208	2141
Higher specialisation	1	0	1
Specialisation certificate	10	2	12
Total	5374	5285	10659

39. The appointment of citizens with disabilities raises a particular problem at both the humanitarian and the legal levels. Whereas the Law on the Rights of Persons with Disabilities, in Article (4/C/3),³² provides for the obligation of public sector institutions to employ persons with disabilities in a proportion of (4%) of the number of their employees, the practical reality does not indicate any commitment to this proportion, or even to coming close to it. The number of applications for appointment submitted to the Civil Service Bureau reached (930) applications, whereas it was possible to appoint no more than (176) persons up to 6/9/2009, bearing in mind that the number of posts available in the Establishment Schedule for 2009 was (9336) posts, and the number of posts vacated due to leaving work was (1713) posts, i.e. a total of (11049) vacant posts.³³ Accordingly, the proportion of employees with disabilities appointed amounted to (0.0159), which is a very low proportion, a matter that calls for addressing the reasons that prevent the acceptance of the Civil Service Bureau's nominations by State departments.

40. The Civil Service Bureau receives citizens' grievances and objections concerning public posts; however, most of the objections and grievances are, on the whole, attributable to the lack of awareness and knowledge on the part of applicants of the bases, instructions and regulations, as stated by the competent officials at the Bureau.³⁴ Most grievances and objections received by the Civil Service Bureau concern the competitive ranking of applicants, humanitarian cases, the place of residence of some candidates for appointment, cases of failure to attend the examination or nomination for appointment, and the cancellation of an application for appointment by the Bureau

³¹ The number of applications for appointment submitted by males was (51967) and by females (151413).

³² The Law on the Rights of Persons with Disabilities No. 31 of 2007 and its amendments.

³³ This information was obtained from the Civil Service Bureau on 7/2/2010.

³⁴ This information was obtained from some employees of the Civil Service Bureau on 20/1/2010.

after the procedures have been completed in accordance with the law. It is worth noting that the Civil Service Bureau has recently established a special section for receiving complaints. The number of complaints received in 2009 reached (860) complaints, distributed as shown in Table No. (8).³⁵ Furthermore, a number of complaints and grievances, amounting to (2716) grievances, were submitted to the Ombudsman Bureau during this year, and the Bureau is following them up with the concerned bodies.³⁶ As for the Anti-Corruption Commission, it dealt with (1496) cases, including (57) cases of administrative abuses that were rectified with the competent bodies.³⁷ As for the complaints submitted to the Centre during 2008, they amounted to seven (7) complaints, three of which concerned appointments, while the other complaints concerned arbitrary transfer, termination of service without legitimate cause, dispensing with service, and discriminatory treatment with regard to salaries for the same academic qualification. The Centre is following up these complaints with the relevant bodies.

Table No. (8): Percentage of Complaints Received from the Various Bodies

Body from Which the Complaint Was Received	Number	Percentage
The Royal Hashemite Court	1	0.01%
The Prime Ministry	397	46%
The House of Representatives	16	1.8%
The Anti-Corruption Commission	10	1.1%
The Ombudsman Bureau	12	1.3%
Complaints of visitors	111	13%
Complaints of government departments	18	2%
Other complaints	13	1.5%
E-mail	282	33%
Total	860	100%

41. In light of this overall picture, the Centre reaffirms the recommendations contained in its report for 2008, and also recommends unifying the legal provisions relating to the employment of persons with disabilities contained in Article 13 of the Labour Law, which requires the employment of persons with disabilities at a minimum of (2%), and Article 4 of the Law on the Rights of Persons with Disabilities No. 31 of 2007, which requires the employment of persons with disabilities at a minimum of (4%), and the Instructions for the Selection of Employees in Government Departments issued by the Civil Service Council, which set a proportion of 6% for humanitarian cases, among which is the category of persons with disabilities.

The Right to Nationality, Residence and Asylum

42. Nationality is one of the most important elements of the legal personality that every human being must enjoy. Article (15) of the Universal Declaration of Human Rights provides that “Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.” In affirmation of this particular importance of the right

³⁵ The Civil Service Bureau.

³⁶ The Ombudsman Bureau.

³⁷ Interview with the Chairman of the Anti-Corruption Commission on 18/2/2010.

to nationality, this right has been addressed in more than one international convention, some of which Jordan has ratified³⁸ and others of which it has not ratified.³⁹ The Constitution affirmed the right to nationality in Article (5) thereof, which is the first article addressing the rights and duties of Jordanians, out of its belief that this right constitutes the essence of human rights. In application of the constitutional provision, Nationality Law No. (6) of 1954 was issued, which defined the conditions for the acquisition of nationality by origin, nationality by dependency, naturalisation, and other matters relating to nationality. The Centre considers that the Nationality Law has become in need of amendment in order to be consistent with the relevant international standards, particularly after Jordan's acceptance of many of them and the passage of more than five decades since its enactment, and in order to keep pace with the changes imposed by the developments that Jordanian society has undergone.

43. The practical and actual reality of the exercise of this right during 2009 indicates that no change or positive progress occurred in respect thereof, and this right continues to face numerous factors and indicators that constitute an infringement of it, the most prominent of which are: (a) the continued adoption by official bodies of a reading contrary to the text and essence of the Nationality Law of 1954, as it discriminates between Jordanian men and women with regard to the ability to transfer nationality to their children, relying on Article (9/3) of the Law, notwithstanding that Article (9) of the same Law affirms that "the children of a Jordanian are Jordanians wherever they are born", and notwithstanding that the interpretation of this latter provision in accordance with the recognised rules of interpretation indicates that the children of a Jordanian mother enjoy Jordanian nationality; (b) notwithstanding that the Constitution provides that Jordanian nationality shall be determined by law, nationality and identity documents are being withdrawn by the relevant bodies on the basis of ambiguous interpretations of the Instructions of the Decision on Administrative and Legal Disengagement from the West Bank of 1988, and on the basis of new, unwritten conditions lacking a clear legal basis, which constitutes a violation of the constitutional provision⁴⁰ and of international human rights standards; (c) the official bodies

³⁸ Jordan published the following international conventions in the Official Gazette, among them the International Covenant on Civil and Political Rights, which provides for this right in Article (16) thereof. The International Convention on the Elimination of All Forms of Racial Discrimination of 1969 also required States Parties to eliminate all forms of discrimination, including that directed against foreigners seeking to obtain asylum or nationality. The Convention on the Rights of the Child of 1989 provided for this right in Article (2), which states: "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members." Likewise, Article (7) of the same Convention provides that: "The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless."

³⁹ These conventions include the following: the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, and the Convention on the Nationality of Married Women.

⁴⁰ The Disengagement Decision provides that "every person residing in the West Bank before 31/7/1988 shall be considered a Palestinian citizen and not a Jordanian", and Item (3) provides that "the sons of the occupied West Bank shall be granted temporary passports valid for a period of two years". Item (6) also provides that "passports issued before 31/7/1988 shall

are strict in granting Jordanian nationality to the husbands of Jordanian women and the wives of Jordanian men,⁴¹ notwithstanding the law's permitting this; the number of Jordanian women married to foreigners up to 2009 reached approximately (65956) Jordanian women;⁴² (d) the Centre continues to receive complaints regarding the withdrawal of identity documents, national numbers and passports, and Table No. (9) shows the number of these complaints over the past three years. While the Centre affirms that the withdrawal of official documents, quite apart from being a flagrant violation of the Constitution and a breach of international standards, leads to the spread of cases of statelessness in Jordanian society, it is a serious phenomenon that should be given attention and addressed before it becomes aggravated.⁴³

Table No. (9): Number of Nationality Complaints Submitted to the Centre

Year	Number of Complaints
2009	38
2008	64
2007	30

44. The Centre affirms that the practices of the official bodies with regard to the aforementioned right to nationality leave negative effects on these persons, entailing as they do the waste of a basic human right for them and a restriction of their freedom of movement within the territory of the State, owing to their exposure to questioning by the security agencies and the resulting possibility of their detention under the Crime Prevention Law, not to mention their deprivation of work and livelihood opportunities owing to their inability to apply to any body for work because they do not hold official documents, in addition to the complication of the management of their daily lives and living, particularly their right to housing, property ownership, health, education, and obtaining driving licences, among others. The Centre notes that the issue of “withdrawal of nationality” has come to be raised in local, Arab and international media and in the reports of international human rights organisations, which is something that arouses negative echoes that exploit it and use it against Jordan and its internal security, a matter that requires searching for solutions to it in a manner that meets with a national consensus among Jordanians. The Centre

remain in force until the expiry of their validity, and the validity shall be amended to become two years when their holders refer to the Passports Department for any transaction on the passport of whatever type”.

⁴¹ The Centre received a complaint from a woman who does not hold a national number because of her entry into the country in an illegitimate manner. She married a man of Jordanian nationality; however, this marriage was not registered in the court because of the absence of identity documents in the woman's possession, and stateless children resulted from this marriage owing to the inability to register a birth certificate for the child.

⁴² Statistics of the Ministry of Interior for 2009.

⁴³ In its comment on the report of the Human Rights Watch organisation entitled “Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality”, the Ministry of Interior indicated that the number of cases of Jordanians of Palestinian origin whose status was regularised reached 3017 in the direction of withdrawal of the national number and conversion of their cards from yellow to green, and 110 thousand cases were converted from a green card to a yellow card (they hold national numbers) during the period from 2004 until the beginning of the current year. It also indicated that the number of cases whose status was regularised during 2009 was 317 cases, while the national number was confirmed for 19 thousand cases in total up to the end of last year. Since the beginning of 2004 until the end of last year, the status of 3017 cases was regularised, while nationality was confirmed for 110 thousand and 214 citizens after they replaced their own bridge card from green to yellow during the same period, confirming that they had preserved their citizenship rights in the Palestinian territories and continued to renew their Palestinian documents, in accordance with the Instructions of the Disengagement Decision issued concerning them on 31 August 1988.

stresses that the Israeli policy based on emptying the land of its Palestinian people and placing obstacles before their right to return to their homeland in accordance with United Nations resolutions, and placing obstacles before the reunification of Palestinian families holding green and yellow cards, in addition to the deportation of hundreds of Palestinians after their release from prisons and preventing their return to the West Bank and the Gaza Strip, is incompatible with international human rights law and international humanitarian law, for which Israel bears full political, legal and humanitarian responsibility in this context. The Centre calls upon the international community to use the means afforded to it by international law to put pressure on Israel to enforce respect for the right of return of refugees and displaced persons to the Palestinian territories occupied in 1948 and 1967 and to grant them the right to self-determination like the rest of the peoples of the earth.

45. The Centre expresses its concern at the reduction measures taken by the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) with respect to its services to Palestinian refugees in general and Palestinian refugees in Jordan in particular, and calls upon UNRWA to raise the level of the services provided to Palestinian refugees and to take the measures necessary to include the sons of Gaza residing in Jordan since the occupation of 1967 in its services, like the rest of the Palestinian refugees, owing to the negative effects that the reduction entails, firstly, for the refugee issue and, secondly, for its repercussions on Jordan in terms of increasing the burdens borne by the Government. The Centre urges the donor States to increase the volume of their assistance to UNRWA in order to meet the increasing requirements of Palestinian refugees in Jordan and in UNRWA's other areas of operations, particularly since UNRWA was established by an international political decision and its liquidation cannot be accepted before a just solution to the refugee issue is found, consisting of their return and compensation.⁴⁴

46. As regards **the right to freedom of movement and residence**, Jordan has undertaken, through its ratification of the International Covenant on Civil and Political Rights, to respect this right, and the Centre commends the Government's withdrawal of its aforementioned reservation regarding Paragraph 4 of Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) concerning the right to freedom of choice of residence and domicile for both sexes.⁴⁵ As for the Residence and Foreigners' Affairs Law No. (24) of 1973, which regulates the matter of the residence of foreigners in the Kingdom, it requires the foreigner, in Article (18), to obtain a residence permit in accordance with the provisions of the Law, and to leave the territory of the Kingdom unless this residence is renewed. The Centre notes that this Law does not provide the guarantees set out in Article (13) of the Covenant where the matter relates to the expulsion of foreigners, which do not permit the expulsion of an alien lawfully in the territory of a State Party to that Covenant except in pursuance of a decision reached in accordance with law and, after enabling him — unless compelling reasons of national security

⁴⁴ According to the data of the Department of Palestinian Affairs, the number of Palestinian refugees in Jordan amounts to 1.9 million refugees, and the Department of Palestinian Affairs supervises 13 camps in which more than four hundred thousand Palestinian refugees and displaced persons from Palestine of the years 1948 and 1967 live.

⁴⁵ The Royal Decree was issued approving Council of Ministers Decision No. (4476) dated 31/3/2009, which includes approval of the withdrawal of the reservation entered on Article (4/15) of the Convention on the Elimination of All Forms of Discrimination against Women, relating to the granting by States Parties to men and women of the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

require otherwise — to submit the reasons against his expulsion and to have his case reviewed by the competent authority or by a person or persons especially designated for that purpose, and to be represented for that purpose before them. The Centre considers that some expulsion decisions constitute a violation of the international covenants and instruments that provide for the human right to enjoy the right to freedom of movement and residence, particularly where the matter relates to the expulsion of foreigners married to Jordanian women in the event of a judicial ruling being issued against any of them, irrespective of the nature of the charge, which may result in the displacement of many families (spouses and children).

47. In 2009, the Centre received approximately (101) complaints relating to movement and residence, compared with (89) complaints in 2008 and (166) complaints in 2007, as shown in Table No. (10). Most of these complaints relate to the confiscation of foreigners' passports by employers, which impedes their freedom of movement, in addition to the issuance of decisions to expel foreigners married to Jordanian women without regard to their social and family circumstances.

Table No. (10): Number of Complaints Received by the Centre Relating to Movement and Residence

Year	Number of Complaints
2009	101
2008	89
2007	166

48. As regards **the right to asylum**, notwithstanding Jordan's non-ratification of the United Nations Convention relating to the Status of Refugees of 1951, Jordan's obligations in the field of asylum derive from its ratification of the core human rights conventions,⁴⁶ which guarantee the right to asylum or the other rights of every person within the territory of the State.⁴⁷ Jordan hosts a large number of refugees, particularly Iraqis, and Table No. (11) highlights the number of Iraqi refugees compared with refugees of other nationalities. The United Nations High Commissioner for Refugees (UNHCR), in cooperation with governmental and non-governmental partners and United Nations agencies, provides many services to Iraqi refugees in the Kingdom.⁴⁸ For example, (26) thousand Iraqi students study in government schools, whether they are refugees registered with UNHCR or not, and the Ministry of Education facilitates the procedures for their registration

⁴⁶ Jordan ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which constitute general protection for all the rights of any person on the territory of the State. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment also constitutes a guarantee for any person by preventing his exposure to torture or his expulsion to a place where he may be exposed to the danger of torture, as does the Convention on the Rights of the Child, which guarantees to the refugee child, in Article 22, the right to the State's care for him and the tracing of his family.

⁴⁷ Palestinian refugees registered with UNRWA residing in the Hashemite Kingdom of Jordan are considered Jordanians as a result of the decision on the unity of the two Banks, and consequently they enjoy citizenship rights, with Jordan's affirmation of guaranteeing their right of return under United Nations resolutions.

⁴⁸ The number of Iraqis present in Jordan is estimated at more than this number; however, they are not registered with UNHCR. Their number may reach 250 thousand, and some figures reach 500000. The largest number of Iraqi refugees is found in Jordanian cities, such that they may be considered urban refugees, as 88% of them are in Amman, 3% in Zarqa, 3% in Irbid, and 6% in the remaining governorates.

in schools, particularly with regard to the condition of the availability of official documents. UNHCR and United Nations agencies provide financial support to the Ministry of Education in return for their education, and consequently these students do not pay any fees in government schools; however, cases of dropout among Iraqi students in previous periods constitute a challenge, notwithstanding the possibility of their enrolment in the Ministry's Dropouts' Culture Programme.

Table No. (11): Comparison between the Numbers of Iraqi Refugees and Refugees of Other Nationalities

Refugees	Males	Females	Total
Iraqis	19736	18956	38,692
Other nationalities	783	873	1656

49. Iraqis residing in the Kingdom face conditions restricting the field of work more than is imposed on a resident foreigner, a matter which deprives them of practising many professions, notwithstanding that they were permitted, as of 16/12/2009, to work in the professions permitted to non-Jordanians, which is considered an important step towards guaranteeing the right of refugees to work. UNHCR refugees are also treated as uninsured Jordanians at the level of primary treatment, while they are treated as foreigners with respect to advanced treatment, such as admission to hospitals and the performance of operations. Non-governmental organisations contribute to the provision of advanced health services, and UNHCR also provides financial assistance to those registered with it.⁴⁹ Notwithstanding UNHCR's efforts in providing assistance, many Iraqi families and refugees in general face difficulties in securing a decent living. The question of residence continues to be considered problematic for Iraqis in general; although there is coordination between UNHCR and the Government with regard to determining refugee status, granting refugee status does not necessarily mean granting residence, and there are large numbers of Iraqis registered with UNHCR who have not obtained a residence permit in the first place. Although the Government has on more than one occasion waived the fines arising from failure to obtain residence,⁵⁰ the failure to grant refugees residence other than under difficult conditions, such as the existence of an investment, makes the refugee feel that he is constantly threatened with the danger of expulsion or imprisonment.

50. Under the Memorandum of Understanding concluded between UNHCR and the Jordanian Government in 1998, the durable solutions for refugees consist of temporary residence in Jordan, or voluntary return to the country of origin, or resettlement in a third country, which means rejecting local integration in the country of asylum, a rejection justified by the limited capacities of Jordan. Table No. (12) shows the number of resettlement applications submitted by refugees, and indicates a relative decline in the numbers of applicants and of those resettled. This may be

⁴⁹ A single person is provided with 75 Jordanian dinars; if the family consists of two persons, they are provided with 110 dinars, with a maximum of ten persons in the family at 290 dinars.

⁵⁰ At the end of 2009, a number of decisions aimed at facilitating Iraqis' obtaining of residence were taken, namely the issuance of a governmental decision permitting an Iraqi resident in Jordan to obtain a visa before leaving Jordan should he wish to visit his country and return to Jordan. On 20/12/2009 a decision was also issued providing that the Sharia judge shall not refer the papers of a divorced foreign woman to the Ministry of Interior for the cancellation of her residence, and on 16/12/2009 another decision was issued permitting Iraqis to work in the professions permitted to non-Jordanians.

attributable to the length of the period for determining refugee status, which in many cases exceeds the six-month period set by the Memorandum of Understanding, making the registration process with UNHCR an unencouraging matter for some Iraqis. Notwithstanding Jordan's hosting of many refugees and the existence of coordination between UNHCR and the Government on the basis of the Memorandum of Understanding with regard to determining refugee status, the Government considers Iraqis to be guests and visitors and not refugees, which constitutes a challenge to the provision of the necessary protection for Iraqi refugees on the one hand, and to the participation of the international community in bearing responsibility for Jordan's burdens on the other. It is worth noting that the Centre has, for 6 years and with the support of UNHCR, been working on building the capacities of employees of official institutions in the field of refugee issues and human rights, which constitutes a model of national cooperation among all the bodies concerned.

Table No. (12): Comparison of Resettlement Applications Submitted by Iraqi Refugees

Year	2008	2009
Resettlement applications	9616	8529
Actual resettlement	6658	4852
Percentage	69.2%	56.9%

51. For the protection of the rights of individuals to nationality, residence and asylum, the Centre considers it necessary to adopt a number of recommendations, including:

- **In the field of the right to nationality: the Centre reaffirms its recommendations contained in its previous reports, the most important of which are the following:**

a. Activating the provision of Article (5) of the Constitution, such that no person shall be granted nationality or have it withdrawn except in accordance with the provisions of the law, and that nationality and other identity documents shall not be withdrawn except by virtue of a final judicial decision.

b. Forming a high-level committee to consider the complaints submitted by citizens concerning the withdrawal of their national numbers and the serious consequences resulting therefrom, working to find fair solutions for these citizens, giving special and urgent attention to humanitarian cases, and ensuring that basic services such as education, health and social care are not suspended for individuals whose national numbers (nationality) are withdrawn.

- **In the field of the right to residence: the Centre affirms the necessity of adopting its previous recommendations, in particular:**

a. Amending the provision of Article (37) of the Residence and Foreigners' Affairs Law, which grants administrative governors and other executive officials the power to issue expulsion decisions, so that an expulsion decision is issued only by judicial order, and granting the person a specified period before his expulsion in order to defend himself before the judicial authorities, in activation of the principles of the right to a fair trial and in harmony with the Constitution, which provides that the courts are open to all, and granting the person a specified period to settle his financial and social affairs in the event of an expulsion decision being issued.

b. Not expelling the husband of a Jordanian woman or the wife of a Jordanian man by administrative decisions, in order to guarantee the stability of family and living conditions, by explicitly providing for the right of permanent residence for a foreign person married to a Jordanian woman and for her non-Jordanian resident children, and granting them residence permits under specified conditions and controls.

- **In the field of the right to asylum: the Centre reaffirms its recommendations contained in its five previous reports in this field, the most important of which is the necessity of remedying the legislative shortcoming with regard to the legal status of refugees and their rights and duties in accordance with international standards, and recommends the following:**

a. Considering ratification of the 1951 Geneva Convention relating to the Status of Refugees and the supplementary 1967 Geneva Protocol.

b. Establishing a national asylum mechanism in the Kingdom consistent with international human rights standards.

c. Facilitating the granting of residence to Iraqis registered with the UN High Commissioner for Refugees.

d. Granting refugees registered with the UN High Commissioner for Refugees preferential treatment with regard to higher education, work and health.

The Right to Vote, to Stand for Election, and the Legislative Performance of Parliament

52. The Constitution⁵¹ and international instruments⁵² have affirmed the right to vote as the basic democratic tool for political participation and the management of public affairs. Many laws regulating the electoral process in the Kingdom have been issued, the most recent of which was the Provisional Election Law for the House of Representatives No. (34) of 2001. Notwithstanding the inclusion in this Law of a number of provisions reinforcing the exercise of the right to vote, the Centre recorded against it a number of shortcomings that are not consistent with the principles

⁵¹ This is what is provided for in Article (67) of the Jordanian Constitution, which states: “The House of Representatives shall consist of members elected by general, secret and direct ballot in accordance with an election law that guarantees the following principles: 1. The integrity of the election. 2. The right of candidates to monitor the electoral proceedings. 3. The punishment of those who tamper with the will of the voters.”

⁵² This is what is provided for in Article (21) of the Universal Declaration of Human Rights, which states: “1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. 2. Everyone has the right of equal access to public service in his country. 3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.” Article (25) of the International Covenant on Civil and Political Rights provides that: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”

of free and fair elections, which were mentioned in its five previous annual reports⁵³ and in the Centre's report on the conduct of the 2007 parliamentary elections.

53. As regards the developments that this right witnessed during 2009, the Centre noted that no initiative was submitted, whether by the legislative authority or the executive authority, to discuss and amend the Provisional Election Law with a view to its adoption as a permanent law consistent with the standards of free and fair elections that guarantee sound representation for all voters,⁵⁴ until His Majesty King Abdullah II dissolved the House of Representatives on 23/11/2009, effective from the twenty-fourth of the same month. At the same time, the Royal Decree was issued for the holding of early parliamentary elections, whereby His Majesty addressed — on 24/11/2009 — a letter to the Prime Minister in which he requested the Government to begin immediately preparing for the holding of the parliamentary elections and to take all the necessary steps, foremost among them amending the Election Law and developing all procedures of the electoral process, “so that the coming elections will be a model of transparency, fairness and integrity, and a bright milestone in Jordan's march of reform and modernisation, through which all Jordanians exercise their right to stand for election and to elect their representatives in the House of Representatives”. The Council of Ministers affirmed its absolute commitment to implementing the Royal directives, and the Prime Minister decided to form a ministerial committee chaired by him and comprising the Minister of Interior, the Minister of State for Media Affairs and Communication, the Minister of State for Legal Affairs, the Minister of State for Parliamentary Affairs, and the Minister of Political Development, to study the current Law and the administrative divisions in preparation for amending the Law. However, the Council of Ministers decided at its session held on 8/12/2009 that it was impossible to hold the parliamentary elections within the four months specified in the second paragraph of Article (73) of the Constitution, and on the basis of the Council of Ministers' decision, the Royal Decree was issued postponing the holding of the general election for the House of Representatives. His Majesty the King again affirmed the importance of holding parliamentary elections that would be a model of integrity, neutrality and transparency, which must not be delayed beyond the last quarter of 2010.

⁵³ Among the most prominent positive aspects of this Law are the adoption of the principle of general, direct and secret ballot, the lowering of the voting age from (19) to (18) years, and the conduct of the counting of results in the polling centres themselves. On the other hand, the Law includes a number of provisions that are not consistent with the principles of free and fair elections, the most prominent of which are: (a) the failure to realise the principle of representative character and equality among all citizens, which is manifested in the lack of fairness and adequate equality in the division of constituencies, the lack of neutrality of the body that divides them, the failure to fully apply the principle of the universality of election and candidacy, and the failure to realise the principle of equality among voters as a result of the unequal weight of their electoral votes, owing to the variation in the number of seats allocated to the electoral constituencies, which accompanies the granting of a single vote to each voter; (b) the failure to realise the principle of transparency and the neutrality of the authority administering the electoral process in an ideal manner, which is manifested in the Election Law's failure to regulate the preparation of the electoral registers in a manner guaranteeing the veracity and accuracy of the electoral registers, the lack of neutrality of the authority supervising the electoral process as a result of the executive authority being given the power of full supervision over the electoral process, beginning with the preparation of the electoral registers and ending with the announcement of the electoral results, as well as the failure to properly apply the principle of the secrecy of voting, and finally the lack of neutrality of the body charged with ruling on the validity of membership by granting this competence to the House of Representatives.

⁵⁴ The provisional election laws, which do not meet all the international standards necessary for the holding of free and fair elections, continue to govern the course of successive parliamentary elections, and this also applies to the elections of the Fifteenth House of Representatives, which were subjected to much criticism that accompanied their conduct in 2007.

The Royal Letter of Designation addressed to the designated Prime Minister, Samir Al-Rifai, on 9/12/2009 stated the following: “Since our will has been issued to dissolve the House of Representatives in preparation for holding new parliamentary elections that will be a model of integrity, neutrality and transparency, it shall be at the forefront of your Government’s tasks to take all the necessary steps, including amending the Election Law and improving all procedures of the electoral process, to ensure that the coming elections constitute a qualitative leap in our modernising developmental march, such that every Jordanian is able to exercise his right to vote and stand for election and to perform his duty in electing a House of Representatives capable of exercising its constitutional role in oversight and legislation and of contributing effectively to completing the march of building, and to entrenching democracy as a culture and practice in our beloved homeland.”

54. Believing in its role in strengthening the democratic approach in the Kingdom, pursuant to Article (4/C) of its Law, the Centre contributed during the second half of 2009 to the implementation of a project to reform the legal framework of the electoral process, with the aim of contributing to the amendment of the national legislation regulating the electoral process in a manner consistent with the Constitution and international standards on the right to free and fair elections as a basic human right, and to activating the role of civil society institutions in participation in political and public life in the Kingdom. The project’s activities included holding a series of consultative meetings with civil society institutions and representatives of some political parties and professional associations, as well as deputies, sheikhs and notables in all governorates of the Kingdom,⁵⁵ which resulted in the establishment of the Jordanian National Coalition for the Reform of the Legal Framework of the Electoral Process. A specialised committee of university professors was also assigned to study the legislation regulating the electoral process, with the aim of identifying the provisions and legal rules that are not consistent with the constitutional and international standards relating to free and fair elections.

55. The National Coalition arrived at a number of recommendations that should be introduced into the legislative system relating to the electoral process, and in this context the draft of the proposed amendments to the Law was submitted to the previous Prime Minister, and it was submitted once again to the current Prime Minister, Mr. Samir Al-Rifai, in addition to carrying out a broad media campaign to gain support for making the amendments to national legislation and following up on their adoption by the constitutional authorities. These recommendations received considerable societal and partisan attention; however, as of the preparation of this report, the Centre had not received any response whatsoever from the Government thereon, despite the lapse of more than three months since the Centre submitted the recommendations on behalf of the National Coalition. Annex No. (1) sets out those recommendations.

⁵⁵ The Centre held (15) round-table sessions — (12) sessions in the governorates and (3) in each of the north, centre and south of the Kingdom — in which approximately (500) representatives of civil society institutions participated, including representatives of some political parties, professional associations and some deputies, in addition to the closing meeting in which civil society institutions from all governorates, political parties, associations, some Senators and deputies, university professors and human rights activists participated.

56. With regard to the **legislative performance of Parliament (the National Assembly)**, the year 2009 witnessed the holding of two sessions of the Parliament.⁵⁶ The Centre notes that the second ordinary session was convened on its constitutional date, as the Royal Decree was issued convening Parliament on 5/10/2008, which is consistent with the text of Article (78) of the Constitution.⁵⁷ Parliament also passed the General Budget Law for 2009 during December 2008, in implementation of the text of Article (112) of the Constitution, after the Government had submitted the draft Budget Law to it early.⁵⁸ In the field of Parliament's exercise of its legislative role, Table No. (13) shows the draft laws passed by the Fifteenth Parliament during its parliamentary sessions in 2008; accordingly, the House of Representatives passed (100%) of the laws submitted to it in the first ordinary session, (78.57%) of the laws in the first extraordinary session, (65.71%) of the laws in the second ordinary session, and (44.82%) of the laws in the second extraordinary session. The Centre observed that the legislative performance of the House of Representatives in its second ordinary session was marred by certain manifestations of weakness, the most prominent of which was the decline in the number of laws passed by the House in the second ordinary session, which amounted to (23) laws compared with (40) laws in the first ordinary session, whereas the House of Representatives passed (13) laws in the second extraordinary session compared with (24) laws in the first extraordinary session. It is also observed that the Senate returned two laws to the House of Representatives in the second ordinary session. It had returned ten laws to the House of Representatives in the first ordinary session, and it likewise returned three laws in the extraordinary session.

Table No. (13): Number of Draft Laws Passed by the Fifteenth Parliament during Its Parliamentary Sessions in 2009

Parliamentary Session	Laws Submitted to the House of Representatives	Laws Passed by the House of Representatives	Laws Passed by the Senate
First Ordinary Session	40	40	40
First Extraordinary Session	28	24	22
Second Ordinary Session	35	23	21
Second Extraordinary Session	29	13	10

57. In order to protect the right to vote and to stand for election, and to strengthen the legislative performance of Parliament, the Centre reaffirms its recommendations contained in its previous reports on the necessity of: (a) expediting the adoption of a permanent elections law consistent with the principles established in democratic systems and with the provisions of the Constitution,

⁵⁶ The first was the second ordinary session of the Fifteenth House of Representatives, which was held during the period from 5/12/2008 to 5/2/2009, while the second was the extraordinary session, which was held during the period from 8/6/2009 to 10/8/2009.

⁵⁷ Article (78) of the Jordanian Constitution provides that: "The King shall convene Parliament to meet in its ordinary session on the first day of the month of October of each year, and if the said day is an official holiday, on the first day following it that is not an official holiday; provided, however, that the King may, by a Royal Decree published in the Official Gazette, postpone the meeting of Parliament, provided that the period of postponement does not exceed two months."

⁵⁸ Article (112/1) of the Jordanian Constitution provides that: "The draft General Budget Law shall be submitted to Parliament at least one month before the beginning of the fiscal year for consideration in accordance with the provisions of the Constitution."

as well as expediting the implementation of the recommendations relating to the elections law contained in the National Agenda, the report on the monitoring of the 2007 parliamentary elections issued by the Centre, and the conclusions reached by the National Coalition.⁵⁹ (b) The necessity of holding parliamentary elections during this year in a manner that affirms the Government's commitment to the democratic approach, and of not suspending the legislative authority, in commitment to democratic life and in observance of the provisions of Article (94) of the Constitution when the Government is compelled to issue any provisional law.⁶⁰ (d) The necessity of establishing a national network for monitoring the elections under the umbrella of the National Centre for Human Rights, which shall undertake the preparation of observers from civil society organisations and youth and university bodies to carry out the work of observation at polling and counting centres, and that a delegate of the Centre attend the central elections room at the Ministry of Interior.

The Right to Freedom of Opinion, Expression, the Press and the Media

58. The Constitution and international instruments have guaranteed freedom of the media as a fundamental human right and as the touchstone of all the freedoms to which the United Nations has dedicated itself.⁶¹ Proceeding from this premise, the Centre follows the developments affecting the right to freedom of opinion, expression and the media, and the extent to which this right is observed as provided for in the Constitution and as defined by international instruments. Within the legislative framework,⁶² the Criminal Procedure Code was amended by virtue of Amending Law No. (19) of 2009, which included a provision stipulating that the presence of the defendant is not required in misdemeanour criminal cases except at the hearing at which the charge is read or where he wishes to submit a defence statement, which means that citizens are not obliged to attend the court hearings at which such cases are heard. As this amendment was one of the fundamental demands of the press community, its adoption constitutes a response to that demand, in addition to the fact that it spares journalists, and citizens in general, a great deal of effort. An important amendment was also introduced into the legislative system during the preparation of this report, as the daily newspapers published a statement by the Minister of State for Media Affairs and Communication / Government Spokesperson on 3/3/2010 concerning the adoption by

⁵⁹ See: the National Centre for Human Rights' report on the conduct of the 2007 parliamentary elections, published on the Centre's website www.nchr.org.jo

⁶⁰ The Centre observed that, since the dissolution of Parliament on 23/11/2009 and until 1/3/2010, the Government issued seven laws, namely: Provisional Law No. 30 of 2010, the General Budget Law for 2010; Provisional Law No. 28 of 2010, a law amending the Income Tax Law; Provisional Law No. 29 of 2010, a law amending the General Sales Tax Law; Provisional Law No. 27 of 2010, a law supplementary to the General Budget Law for 2010; Provisional Law No. 26 of 2010, a law amending the Social Security Law; Provisional Law No. 24 of 2010, a law amending the Higher Education and Scientific Research Law; and Law No. 25 of 2010, a law amending the General Sales Tax Law.

⁶¹ The United Nations General Assembly resolution of 1946 stated ("that freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated"), and the Universal Declaration of Human Rights of 1948 and the International Covenant on Civil and Political Rights, in Article (19), addressed this freedom in detail in terms of concept and limitations. The Johannesburg Principles also set out the exceptions to freedom of the media.

⁶² The Centre's report on the human rights situation issued in 2007, as well as the report for 2008, set out the most important positive amendments introduced into the Press and Publications Law, as well as the adoption of the Law on Guaranteeing the Right of Access to Information.

the Council of Ministers of a law amending the Press and Publications Law, which provides for the establishment of a specialised judicial chamber for press and publication cases in every Court of First Instance and Court of Appeal, and for the Amman Court of First Instance to be the court specialised in hearing crimes against the internal and external security of the State provided for in the Penal Code where committed by means of a publication or by one of the licensed audio-visual media outlets. The amendment also expressly provided that detention is not permissible in respect of such crimes, whether committed by a journalist or by a citizen.⁶³

59. Moreover, on 18/3/2009 the judiciary took a decision that would strengthen public freedoms and affirm adherence to constitutional principles, as the Amman Court of Appeal issued its decision on the unconstitutionality of the text of Article (42/b) of the Press and Publications Law, which provides for the presumed liability of the editor-in-chief. This came against the background of a press and publications case concerning a publication in one of the daily newspapers, where the Court held that this Article contravenes the text of the Constitution and the general laws that establish the presumption of innocence. The importance of this decision lies in the fact that it abolished the presumed liability of the editor-in-chief and placed upon the Public Prosecution the burden of proving his liability, given that Article (42/b) of the Press and Publications Law had relieved the Public Prosecution of the burden of proving the liability of the editor-in-chief and presumed him to be responsible for everything published in the newspaper, even if he had not seen it by reason of his travel, illness or absence from the newspaper. Notwithstanding the importance of this decision, the Centre reaffirms the importance of amending the Press and Publications Law in a manner consistent with the concept of the presumption of innocence and the spirit of the Constitution and general laws, since the aforementioned judicial ruling has relative authority confined to the dispute brought before the court, while the law remains in force and the other courts may apply it; indeed, the same judge may apply it in any dispute other than the one in which he excluded its application.⁶⁴

60. While these amendments and the judicial ruling meet some of the requirements for raising the ceiling of media freedom, there are still several laws relating to media work that require fundamental amendments in line with the constitutional rights to the freedom of opinion and expression, and also in line with international human rights standards. Foremost among these laws is the Penal Code, which contains provisions imposing deprivation of liberty (the penalty of imprisonment) for certain cases relating to press and publications. In addition, the Press and Publications Law itself contains, in some of its articles, expressions characterised by vagueness and ambiguity in defining the criminalised acts through the use of general and loose terminology, as well as its imposition of high fines, some of which reach twenty thousand dinars. There are also certain laws that likewise require review, including those laws that oblige journalists against whom civil-compensation suits are brought to pay the value of the compensation to the “injured” complainant without instalments, failing which the debtor is exposed to imprisonment orders. Reference will also be made to certain other laws that require amendment within the paragraphs of this report.

⁶³ Notwithstanding the positive nature of this amendment, the Centre considers that the State Security Court Law should also be amended in order to complete the legal framework of this matter in all its aspects.

⁶⁴ Amman Court of Appeal decision / Misdemeanour No. 3861/2009.

61. With regard to the Law on Guaranteeing the Right of Access to Information, which obliges ministries, departments and public institutions to disclose the information in their possession within a mechanism defined by the law, the Centre has observed continuing complaints by citizens and journalists of the reluctance of ministries and government institutions to provide them with the requested information except to a small extent, and has observed that ministries and government institutions have not completed the indexing and classification of the information and documents available to them in a manner that facilitates dealing with them in accordance with the requirements of the law. It has also recorded instances of certain official bodies preventing journalists from attending their open meetings, despite the provision in Article (8) of the Press and Publications Law on the journalist's right, within the limits of performing his work, to attend official and civil public meetings, unless they are closed or confidential by virtue of the laws, regulations or instructions in force specific to those bodies. The Centre stresses that failure to provide information transparently to media professionals and citizens generally creates a state of "lack of confidence" between government institutions and citizens, and urges everyone whose request for access to information under the Law on Guaranteeing the Right of Access to Information is not met to use the means of access to information that this law affords them, including appeal before the High Court of Justice. On this occasion, it should be noted that the Law on Guaranteeing the Right of Access to Information was issued to provide information to citizens in general, but journalists conducting investigative press inquiries can benefit from it by obtaining the documents and information relevant to their investigations. Here it is necessary to ensure that the Press and Publications Law includes specific provisions to assist the journalist in performing his duties, by providing for his right of access to information and by obliging all official bodies and public institutions to provide the journalist with such information and news at the speed required by the nature of the news and the information requested where they are of an urgent news nature, or within a period not exceeding two weeks where they are not of that nature. The Centre has monitored press reports of employees working in government institutions being subjected to accountability, investigation and warnings on suspicion that they leaked information to the media, even where it was merely a comment on one of the subjects falling within their department and published on various websites. The Centre also received a complaint from a public figure who had previously held a public post concerning the Government's conduct, through the media, of directing accusations against him before the issuance of a judgment by the judiciary, which subsequently acquitted him, which led to his material and moral harm and defamation. The Centre always calls for reconciling the principles of freedom of expression and opinion with respect for the principle of the presumption of innocence, on the basis that the defendant is innocent until his guilt is proven by a final judicial judgment.

62. The Centre calls upon the Government to amend the Law on the Protection of State Secrets and Documents No. (50) of 1971, which remains a provisional law despite the lapse of (39) years since its issuance, so that clear and transparent criteria may be set for the classification of documents in a manner that ensures facilitating access to information, in addition to harmonising it with the Law on the Right of Access to Information. There is also a call by the press community and civil society to amend the latter law in order to strengthen the representation of civil society organisations and the Jordan Press Association on the Information Council, and to reconsider the exceptions contained in Article (13) of the said Law, which have been the subject of objection by these organisations, in addition to the demand to review the experience of the Information Council

since the issuance of this Law and to assess the effectiveness of the procedures and measures it has undertaken to inform citizens of their rights under the said Law,⁶⁵ with the aim of activating the Law and developing the relevant government policies and procedures, in order to create a more transparent government environment and to enable citizens to access information.

63. Furthermore, the Centre distributed questionnaires to (120) journalists with the aim of monitoring the extent to which they were subjected to infringements affecting media freedoms during 2009; the sample represented 8.14% of the total number of journalists working in the Kingdom.⁶⁶ It also distributed (10) questionnaires specifically to editors-in-chief of daily and weekly newspapers, equivalent to 22% of the total number, with the aim of recording the incidents to which their press institutions were subjected. The results were as set out in Tables Nos. (14) and (15).⁶⁷ The results of the questionnaires showed the following: (a) No case of killing or abduction of media professionals was recorded, bearing in mind that Jordan has never recorded any case of the killing of journalists throughout its history, and this is the most important indicator in measuring press freedoms. Likewise, no case of breach relating to the total or temporary closure of any newspaper was recorded, nor was any case of prior or subsequent censorship of any newspaper recorded, and likewise no case of the expulsion of a foreign correspondent or of preventing his entry into the Kingdom was recorded. (b) Recurrent cases were recorded, at varying rates,⁶⁸ of certain heavy-weight indicators of infringements affecting press freedoms, namely: physical harm, administrative detention, total dismissal from work, temporary suspension from work, and trial. (c) Recurrent cases were recorded of certain medium-weight indicators, namely: threats from an official party, threats from an unofficial party, summons by the security agencies, obstruction of distribution, confiscation of equipment and documents, and administrative obstacles. (d) Recurrent cases, high in number, were recorded of light-weight indicators, namely: difficulty of access to information, high costs of continuing work, pressure to promote a particular opinion and the lack of openness to the other opinion, interference in press work, being prevented

⁶⁵ An opinion poll of Jordanian journalists and media professionals on the Law on Guaranteeing the Right of Access to Information, conducted by the New Jordan Research Centre and the Arab Network for the Right of Access to Information, showed that 58% of the media professionals surveyed were aware of the issuance of the said Law, against 42% who were unaware of the existence of such a Law. When the sample was asked whether the journalists had previously seen the model information request form prepared by the Information Council, on the basis of which persons requesting information submit their requests to government departments, 84.7% of those surveyed stated that they had not seen it before. With regard to obtaining information from government bodies, the poll showed that approximately 89% of the media professionals surveyed had not used the Law on Guaranteeing the Right of Access to Information No. 47 of 2007 to obtain the information they need in their work, against 11% who stated that they had used it to request information. Of the latter, 50% stated that the responses they obtained under this Law were satisfactory, while the other half stated that the Government's response was unsatisfactory and declared that they would not resort to this Law again in the future. With regard to the degree of responsiveness of government and official institutions to media professionals' requests for information, only 7% of the sample stated that the response was excellent and swift, while 51% stated that the response of these institutions was good, and 37.4% stated that it was weak. For further details, see the website link of the New Jordan Centre.

⁶⁶ It should be noted that a large number of media professionals in the electronic press work at the same time for the daily and weekly press, and they completed the questionnaire in their capacity as media professionals within these newspapers; moreover, a number of the newspapers to which the questionnaire was distributed own websites of their own.

⁶⁷ The media professional to whom the questionnaire was distributed was asked whether he had personally been subjected to these indicators during the period from 1/1/2009 to 1/12/2009.

⁶⁸ The classification of the weights of the indicators as set out in the Press Freedom Index issued by the Higher Media Council for the years 2004-2007 was adopted, whereby the weight of a light indicator ranges between 2 and 4, a medium weight between 5 and 7, and a heavy weight between 8 and 20; for further details see www.nchr.org.jo.

from attending public events, arbitrary transfer from one workplace to another, and bias on the part of the Government in the provision of news and the publication of advertisements.

Table No. (14): Percentage of Infringements Affecting Journalists' Freedom out of the Sample Size (120 Journalists)

Infringements	Frequency	Percentage of Sample Size
Physical harm	7	5.83
Administrative detention	3	2.50
Threats from an official party	21	17.50
Threats from an unofficial party	30	25.00
Summons by the security agencies	16	13.33
Prevention from attending public meetings and events	23	19.17
Trial	9	7.50
Suspension from work	6	5.00
Dismissal from work	6	5.00
Arbitrary transfer from one workplace to another	7	5.83
Difficulty of access to information	97	80.83

Table No. (15): Percentage of Infringements Affecting Media Institutions out of the Sample Size (10 Editors-in-Chief)

Indicators	Frequency	Percentage of Sample Size ⁶⁹
Confiscation of any equipment or documents	1	10
Obstruction of distribution	1	10
Pressure by official parties to disclose sources	2	20
Administrative obstacles by official parties	3	30
Costs of continuing press work	6	60
Interference in appointments	0	0
Pressure by official parties to suppress the other opinion	2	20
Difficulty of access to information	5	50
Withholding or reducing the volume of advertisements from official parties	2	20

64. It is observed from the two tables that the greatest obstacle facing the work of media professionals is the difficulty of access to information, as (97) media professionals out of the sample, i.e. (80.83%), stated that they had difficulty in accessing information. In addition, (23) media professionals stated that they had been prevented from attending public meetings and gatherings, which reinforces the problem of the difficulty of access to information. Also, (5) editors-in-chief, i.e. (50%) of the sample size, indicated that their institutions face difficulties in accessing information. This reinforces what was stated in the Centre's annual report in the previous paragraph (58). It may also be noted that the percentage of threats from an unofficial

⁶⁹ The sum of the percentages exceeds 100% because a number of the members of the sample indicated the existence of more than one infringement.

party was high compared with threats from an official party and the other indicators, as (30) media professionals stated that they had been subjected to threats from an unofficial party against (21) who stated that they had been subjected to threats from an official party, which is a phenomenon deserving of study and attention. It is further observed that the fundamental problem facing press institutions, in the opinion of the editors-in-chief, is the high costs of continuing their work as a result of the rise in the cost of the raw materials and equipment used in this industry.

65. The Centre monitored a number of infringements that affected press and media freedom in the Kingdom and were published by newspapers and various websites, the most prominent of which were the infringements of physical harm,⁷⁰ as an Al Jazeera channel correspondent and three photographers were beaten by the Gendarmerie forces while covering the dispersal of the peaceful sit-in tent denouncing the Israeli aggression on the Gaza Strip on 8/1/2009. One of the press photographers was also subjected to beating and pushing by the personal guard of the Prime Minister while attempting to enter the hall of Al-Hussein Youth City on 20/6/2009 to cover the launch of the project for training elected student councils at universities on democratic skills and the concept of voluntary work. In the same context, a team from the “Al-Haqiqa Al-Dawliya” newspaper was subjected to beating and insults on 13/3/2009 by a number of lawyers against the background of its coverage of a quarrel inside the main hall for the counting of votes in the Bar Association elections. One of the journalists of the “Al-Haqiqa Al-Dawliya” newspaper was also beaten at the hands of the Gendarmerie forces while covering a sit-in carried out by the professional associations in front of the Ministry of Agriculture on 5/7/2009, in protest against the Government’s issuance of permits for the import of fruit and vegetables from “Israel”. As regards material harm, the premises of the Watan (WTV) satellite station were subjected on 23/5/2009 to a storming by a group of young men, and to the smashing of its contents, the damaging of its furniture and the destruction of a number of computers and equipment, on account of the station’s broadcast of a message that these young men considered to contain social insults.

66. In the field of detention, a journalist was detained on 17/5/2009 for a period of three weeks against the background of his publication of a press article on a website in which he attacked the policies of the President of the Palestinian National Authority. Two journalists, one from Al-Sabeel newspaper and the other from Ad-Dustour newspaper, were also detained on 28/7/2009 for a period of time by the Gendarmerie forces and the Prime Ministry guard during their attempt to cover a sit-in by the inhabitants of the village of Tayba (Karak) in front of the Prime Ministry in protest against the cutting-off of water to their area for a period of four months, and the cameras used in photographing the sit-in were confiscated.

67. With regard to the field of prevention from attending public events, and in completion of what journalists suffer from in terms of difficulty in accessing information, there remain certain obstacles that prevent the journalist from carrying out his professional duty by obstructing his presence at the scenes of events. There are recurrent incidents in which journalists were prevented from attending public meetings, the number of which in the sample reached (23) incidents, at a rate of 19.17%. The Centre also monitored in the electronic press certain incidents of obstructing

⁷⁰ The Centre monitored, under the heading of restrictions on freedom of opinion and expression, that Mr. Laith Shubeilat, President of the Association Against Zionism and Racism, was subjected to assault by beating by five unidentified persons on 25/10/2009.

the work of journalists by restricting or preventing their presence at the scenes of events, among them, for example: the prevention of the representatives of the daily newspapers on 18/3/2009 from attending the meeting of the Prime Minister and the Minister of Interior with the governors at the Ministry of Interior, and the restriction of permission to enter to the representative of the Jordan News Agency (Petra) and the representative of Jordan Television only. In addition, the Secretariat General of the House of Representatives, on 29/4/2009, restricted the movements of journalists covering the sessions of the House, which affected their freedom of movement and mobility and their meetings with Members of Parliament in their offices.

68. In the field of the trial of journalists, the Centre records the issuance of court decisions that strengthen the freedom of opinion and expression and the protection of media freedoms, as a number of judicial decisions acquitting media professionals were issued during 2009, among them: (a) The Amman Magistrates' Criminal Court on 21/4/2009 acquitted the writer Khaled Mahadin in the suit of slander, libel and insult brought by the House of Representatives against the background of an article of his entitled "Mashan Allah Ya Abdallah" (For God's Sake, O Abdullah), published on the "Khaberni" news website. (b) The Court of Appeal on 31/7/2009 acquitted Radio Al-Balad and the owner of the station, Dawood George Kuttab, of the charge of insulting the House of Representatives for lack of sufficient evidence. (c) The Amman First Instance Criminal Court on 30/4/2009 acquitted the weekly Al-Mehwar newspaper, its editor-in-chief Fares Al-Shar'an and the journalist Yousef Al-Toura of liability for the offence of insulting the dignity of individuals and their freedoms and of spreading false information about them, contrary to the text of Article 38 of the Press and Publications Law No. 8 of 1998 and its amendments, against the background of the publication of a press item entitled "financial and administrative corruption in Ma'an Municipality". (d) The Court of Cassation overturned the judgments issued by the Amman Court of First Instance sentencing three journalists to imprisonment for a period of three months following their conviction of the offence of exposing the course of justice to suspicion, contrary to Article 15 of the Law on Contempt of Court, and ruled to substitute the penalty of imprisonment with a fine of not less than one hundred dinars for each of them. On the other hand, the Centre monitored the issuance by the Court of Cassation on 12/1/2010 of a decision providing for subjecting websites to the penalties provided for in the Press and Publications Law, deeming them to be means of publication in which ideas, meanings and words are recorded; thereby, the two judgments of first instance and appeal, which had held that the Press and Publications Law does not cover websites and does not regulate their work, were overturned. The Amman Court of Appeal also upheld a decision sentencing the former editor-in-chief of the "Al-Arab Al-Yawm" newspaper, Azzam Younis, to imprisonment for a period of 3 months on charges of slander, libel and defamation.

69. In the field of administrative and financial obstacles, Al-Luwaibdeh magazine, newly issued, suspended publication on 4/8/2009 at the request of the Press and Publications Department to regularise its legal status and to register as a company with the Ministry of Industry and Trade. The magazine had applied for a licence in accordance with the proper procedures before its issuance; however, one month after the application, the magazine was issued on the basis that the absence of a response is deemed legal approval. It is worth mentioning that the Bureau for the Interpretation of Laws authorised the licensing of the magazine after it had ceased publication for four consecutive issues. The Centre also records the imposition of fees amounting to (1%) on

advertising revenues in press, radio and television institutions under the Culture Support Law,⁷¹ as well as the imposition of fees amounting to (2%) of the value of the licensing fees of radio or satellite stations or of the renewal of the licences of operating stations, which provoked controversy within the media community, which demanded its exemption from the taxes and fees imposed on it, like other industrial sectors. It is worth mentioning that the Government issued a decision on 30/12/2009 providing for the abolition of the culture tax following the dissolution of the House of Representatives, which is consistent with international standards that call for the removal of any obstacles before the media industry that would impede the citizen's access to the various media outlets. On the other hand, the Centre considers the collection by the Press and Publications Department of fees for issuing a licence for a daily press publication in the amount of (2000) dinars, and for non-daily publications in the amount of (1500) dinars, under the Regulation issued pursuant to Article (49) of the Press and Publications Law No. (8) of 1998, to be a restriction on the right to establish media institutions and an impediment to media freedoms.

70. As regards the field of interference in media work, the correspondents of satellite stations and of foreign news agencies operating in Jordan staged a sit-in on 9/1/2009 in protest against the practices of restriction carried out by certain official agencies on media movements in the field, especially the transmission by cameras for covering the successive events in Amman that came in the context of the popular protests against the Israeli aggression on the Gaza Strip. The newspapers also published, on 16/8/2009, the criticisms directed by the Minister of Interior during his meeting with representatives of newspapers and media outlets concerning a number of journalists and writers receiving sums of money with the aim of writing reports hostile to Jordan.⁷² The Centre was not able to ascertain whether this matter had been investigated or whether any charge had been officially brought against any journalist and he had been referred to the judiciary. Some Members of the House of Representatives also accused the daily newspapers of distorting their image among citizens following their publication of opinion polls showing citizens' dissatisfaction with their performance and their desire to hold new parliamentary elections. Some press reports stated that this matter was among the reasons that prompted these Members to pass the Culture Tax Law on advertisements on 26/3/2009, following their feeling of being constrained by the oversight role of the media over parliamentary performance, in addition to the exposure of the shortcomings before the electors, which led to the four daily newspapers refraining from media coverage of the sessions of the House for a period of time, as well as the announcement by the Jordan Press Association of its intention to prosecute the Members who had directed insults at journalists and the press.⁷³ The Centre also monitored government statements concerning the necessity of subjecting the electronic press to legal accountability in the same manner as the paper press, especially since owning a website does not require a licence, and that websites make the

⁷¹ The decision to levy the culture support tax on advertisements published in newspapers was implemented with retroactive effect as of 1 April 2009, the newspapers having been officially notified for the first time upon the commencement of the decision's practical application. This prompted newspaper managements to notify advertisers of their intention to reconsider the pricing of government advertisements by dealing with them commercially instead of the traditional method based on dealing in fils per word, especially since this tax will increase the financial burdens placed upon press institutions and cause their budgets to incur substantial sums.

⁷² Rana Al-Sabbagh, article entitled: "The Government Does Not Know Its Interest Well", Al-Arab Al-Yawm newspaper, 16/8/2009, http://www.alarabalyawm.net/pages.php?articles_id=9017.

⁷³ The press addressed these matters in considerable detail at the time.

reader a partner in the press process and not merely a reader receiving what is presented to him, by allowing the publication of comments. The Centre calls upon those in charge of websites to commit to the professional and legal press standards that govern the relationship of the press and media with civil society, to refrain from defamation and slander, and to commit to the Press Association's Journalistic Code of Honour.

71. The Centre points to the decline of Jordan's international ranking in the field of media freedoms in international reports, which calls for research into the causes of the successive decline in Jordan's ranking and for addressing them. The Centre also points to the opinion poll of the Centre for Strategic Studies on "Democracy in Jordan", published on 30/12/2008, which indicated that (80%) of Jordanian public opinion "fear criticising the Government publicly or participating in peaceful opposition activities for fear of security or livelihood penalties", despite the belief of Jordanian public opinion, as stated in the same questionnaire, that public freedoms are guaranteed, and in particular freedom of the press, which they consider the most guaranteed of freedoms.

72. In order to strengthen this right, the Centre reaffirms its recommendations contained in its annual reports over previous years, and urges the Government to complete the system of media legislation in a manner that reinforces these freedoms and raises the professionalism of media work, to activate the Law on Guaranteeing the Right of Access to Information No. (47) of 2007, and to work to strengthen the specificity and independence of the electronic press and of the audio-visual media and to support them so that they may operate with freedom and professionalism. It also reaffirms the following recommendations:

- a. Abolishing the penalty of imprisoning journalists in the laws relevant to press work, and confining it to appropriate compensation for the injured party.
- b. Abolishing the requirement of prior licensing for the establishment of newspapers in the Press and Publications Law, and replacing it with a notification submitted to the competent authority.
- c. Amending the Law on the Protection of State Secrets and Documents No. (50) of 1971 so as to be consistent with Article (19) of the International Covenant on Civil and Political Rights and the Law on Guaranteeing the Right of Access to Information.
- d. Activating the role of the Jordan Press Association in receiving complaints relating to freedom of opinion, expression and the media, taking the appropriate decisions thereon in a manner that leads to strengthening media freedom, activating codes of honour, and calling upon media professionals and media institutions to commit to them.
- e. Intensifying the holding of training courses and workshops for government officials on the right to know and the Law on the Right of Access to Information, in order to facilitate the flow of information from government agencies to the media and citizens, and promoting a culture of openness and transparency.
- f. Working to strengthen the specificity and independence of the electronic press and supporting it so that it may operate with a high degree of professionalism and responsible freedom that respects opinion and the other opinion, and committing to a code of honour agreed upon among the institutions operating in this field.

g. The issuance by the Prime Ministry of specific instructions to government agencies to activate the mechanism for providing journalists with information, as well as enabling them to attend public events in accordance with the Press and Publications Law and the Law on Guaranteeing the Right of Access to Information, activating the role of spokespersons, and creating the appropriate climate for the journalist to perform his profession.

h. Establishing a tight mechanism, issued by instructions from the Prime Ministry, to guarantee the attendance of journalists at public events without obstruction, in implementation of their legal right thereto.

i. Follow-up by the competent authorities of the implementation of these directives, so as to apply them within a declared timetable.

The Right to Establish and Join Political Parties

73. The Jordanian Constitution⁷⁴ and international instruments⁷⁵ guarantee the right to establish and join political parties.⁷⁶ Notwithstanding the passage of twenty years since the democratic opening and seventeen years since the promulgation of the Political Parties Law No. (32) of 1992, and the launch by successive governments of numerous assurances and political guarantees to citizens regarding the freedom of party activity, the role of political parties has remained weak and below the required level. The Centre affirms that the Political Parties Law requires numerous amendments, which it set out in all its previous annual reports, specifically the Fifth Report⁷⁷ for

⁷⁴ Article (16) provides that “2. Jordanians shall have the right to form societies and political parties, provided that the objects of such societies and parties are lawful, their means peaceful, and their by-laws not contrary to the provisions of the Constitution. 3. The law shall regulate the manner of forming societies and political parties and the control of their resources.”

⁷⁵ See Article (20) of the Universal Declaration of Human Rights, Article (22) of the International Covenant on Civil and Political Rights and Article (8) of the International Covenant on Economic, Social and Cultural Rights, both of which were ratified and published in the Official Gazette, Issue No. 4764 dated 15/6/2006. The Arab Charter on Human Rights provides in Article 24: “Every citizen has the right: 1. To freely pursue a political activity. 2. To take part in the conduct of public affairs, directly or through freely chosen representatives. 3. To stand for election or to choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of the will of the citizen. 4. To the opportunity to gain access, on an equal footing with all others, to public office in his country on the basis of equality of opportunity. 5. To freely form and join associations with others. 6. To freedom of association and freedom of peaceful assembly. 7. No restrictions may be placed on the exercise of these rights other than those prescribed by law and which are necessary in a society that respects human rights and freedoms, in the interests of national security, public order, public safety, public health or public morals, or for the protection of the rights and freedoms of others.” The Charter was ratified and published in the Official Gazette, Issue No. 4675 dated 16/9/2004.

⁷⁶ The number of parties in 2009 reached (19) parties.

⁷⁷ To review these reports and the recommendations contained therein, please visit the website of the National Centre for Human Rights, www.nchr.org.jo. Among these recommendations: (a) The Law requires that registration be effected with the Ministry of Interior, which entails considerable interference by the Government in the formation of political parties, whereas the Law ought to suffice with the deposit of the registration papers with an independent body enjoying neutrality and integrity, with the administration retaining the right, should it have an objection, to file a lawsuit before the judiciary to decide the matter. (b) Article (5) of the Law requires that the number of founders of a party be not less than (500) persons, and that their places of residence be in at least five governorates, at a rate of not less than (10%) from each governorate. The practical effect of this is that close to (80%) of the population residing in the four largest governorates may not form a political party, whereas no more than (20%) of the population residing in the five smallest governorates are able to form any number of parties they wish to form. (c) The Law contains a discriminatory provision in Article (5/2/a), in that it requires that any person wishing to join a party have been Jordanian for at least ten years; this provision constitutes an

2008. The Centre further affirms the necessity of amending the system of contribution to the funding and support of parties in accordance with objective bases and criteria to be incorporated into the Law, such as taking into account the rate of participation of women and youth and the number of votes and seats obtained by a party in elections, in addition to a lump-sum contribution upon the establishment of any party. It likewise affirms the necessity of amending the Public Meetings Law,⁷⁸ as this Law has restricted the right of parties to organise public meetings to within their headquarters⁷⁹ and has made the licensing of a meeting conditional upon obtaining the approval of the administrative governor, while Article (13) of the Law also requires obtaining the approval of the Minister for the use of public facilities, which is considered a fundamental obstacle to disseminating the principles and programmes of parties.

74. Since the Election Law is considered the fundamental driver of political life and its development, the Centre monitored continuous party demands for its amendment so as to meet the aspirations of parties and achieve their objectives, particularly with regard to the abolition of the single vote⁸⁰ and ensuring the integrity of the electoral process, and the establishment of a national body to supervise the electoral process. The Centre affirms the necessity of amending a set of legislation that still constitutes fundamental obstacles to the progress of party life, foremost among them: the Election Law, the Public Meetings Law, the Societies Law, the Law on the Protection of State Secrets and Documents, the Press and Publications Law and others, as these laws constitute restrictions on party activity and on the dissemination of the programmes and principles of parties. The Centre also affirms that work on developing the legal framework governing public life would enable political parties to convey their programmes and policies by direct and indirect means, which would make them a fundamental partner in the democratic approach and in organising the energies of the masses and urging them to participate with national responsibility. It is worth noting that the Centre monitored the refusal by the Ministry of Interior of (15) requests submitted by political parties to hold rallies with speeches, marches, sit-ins, celebrations, evening events and photo exhibitions, which constitutes an obstruction of party activity and of the dissemination of the parties' political discourse to citizens.

75. The Centre recorded a number of obstacles to public acceptance of party activity, the most important of which are: (a) The absence of any internal by-law in any party allocating a specific

explicit violation of Article (6) of the Constitution, which provides that Jordanians shall be equal before the law. (d) Article (25) contains custodial penalties (imprisonment). (e) Article (22) restricts the right of parties to express their opinions, principles and political positions on internal and external public issues.

⁷⁸ Article 13 of the Political Parties Law No. 19 of 2007 provides: "a. A party may use the public facilities of the State after obtaining the prior approval of the Minister in coordination with the competent authority. b. It is prohibited to exploit or use the funds, apparatus or premises of trade unions, charitable societies, clubs and religious institutions in the interest of any party organisation. c. It is prohibited to use the premises and buildings of religious institutions and places of worship for any party activity." Article 3 of the Public Meetings Law provides for "meetings of political parties licensed by law within their headquarters, within the limits of the conditions stipulated in the Political Parties Law in force", thereby restricting such meetings to headquarters only.

⁷⁹ Article 3, Paragraph 3 of the Public Meetings Law provides: "Jordanians shall have the right to hold public meetings or to organise marches in accordance with the provisions set out in Articles 4 and 5 of this Law, and the following meetings shall be excluded from those provisions: ... 3. Meetings of political parties licensed by law within their headquarters, within the limits of the conditions stipulated in the Political Parties Law in force."

⁸⁰ Political parties demanded a mixed electoral system, meaning that 50% would be allocated to individual election and 50% to the proportional list.

number of leadership positions to women or youth, with parties confining themselves merely to discussing the participation of women and youth. (b) The failure of the vast majority of political parties to adopt independent financial systems. (c) Weak democratic practice within political parties, particularly with regard to the principle of rotation of the office of Secretary General.⁸¹ (d) The weakness and limited circulation of the party press, as the vast majority of parties do not issue newspapers expressing their viewpoints. (e) Weak cooperation of public institutions with political parties and their non-compliance with the Political Parties Law. The Centre monitored the refusal of the Radio and Television Corporation to cover the activities of parties, including the coverage of a symposium held by one of the parties, which constitutes a violation of the Political Parties Law, which permits parties to use the official media to set out their viewpoints and explain their principles and programmes.⁸² The Centre considers that these reasons, together with others indicated by studies issued by Jordanian universities and research centres, are the factors underlying the decline in citizens' conviction of the usefulness of party activity and their characterisation of it as elitist activity. An opinion poll showed a significant decline in the perceived usefulness of party activity in previous years: the results of the 2001 poll indicated that (60%) of the members of the sample were convinced of the usefulness of party activity, whereas this proportion stood at (20.4%) in 2009.⁸³

76. During 2009, the Centre carried out a study entitled “Jordanian Political Parties and Human Rights Discourse”,⁸⁴ which showed that, although political objectives represent most of the objectives of Jordanian political parties, which is natural and consistent with the mission of parties as political institutions in the first place, the objective of reaching power, that is, the executive authority, “the Government”, was not included among their objectives, while the objective of reaching Parliament appeared in sixth place in the ranking of the objectives of the parties. It appears here that the process of parties reaching power under its current situation remains remote from the objectives of the parties, even though the very rationale for the existence of parties is their endeavour to reach the executive authority. As for party practices in the field of human rights, they were characterised by a media-oriented and individual nature, manifested in the issuance of statements and the sending of telegrams, whereas practices of a collective nature focused on holding symposia and celebrations on occasions related to human rights. On the other hand, the

⁸¹ Article 6, Paragraph (e) of the Jordanian Political Parties Law provides that “the statute of the party must include the following: ... e. The procedures for forming the bodies of the party, selecting its leaders, organising its relationship with its members, conducting its activities and determining the political, organisational, financial and administrative competences of each of these bodies, and the mechanisms for holding periodic elections on a democratic basis for all levels of these bodies and leaderships.”

⁸² Article 20, Paragraph (b) of the Political Parties Law provides that “a party shall have the right to use the official media to set out its viewpoint and explain its principles and programmes.” The National Centre for Human Rights monitored the refusal to license many requests submitted by political parties to hold certain marches and sit-ins, or in defence of public freedoms.

⁸³ This poll was conducted by the Intelligentsia Centre for Studies in November 2009. For further information on this subject, please visit the website: e-mail: info@intelligent-info, Tel. 5353185, Fax 5353180, P.O. Box 962350, Amman 11196, Jordan.

⁸⁴ For details of the study, see the Centre's website, www.nchr.org.jo.

rate of mention of the term “human rights” in the instruments of the parties reached (60%), which is an indicator of the parties’ increased awareness of the importance of this subject.⁸⁵

77. The Centre also worked to contribute to promoting the right of individuals to establish and join parties through the implementation of the Right to Assembly Project, under which a Code of Conduct for Party Activity⁸⁶ was developed and adopted by eight parties.⁸⁷ The Code included many principles affirming commitment to democracy as a means of achieving a decent living for all citizens irrespective of their affiliations; commitment to political action within the framework of the provisions of the Constitution and the laws; and the adoption of the principles of transparency and of systems of accountability and answerability in the management of public affairs. At the level of the organisational structure of parties, the Code affirmed commitment to democratic mechanisms in internal party activity, foremost among them the periodicity of elections and the selection of party leaders, bodies and representatives in accordance with the internal by-law of each party; commitment to raising the awareness of party members and supporters of the culture of democracy and human rights, enhancing their capacities in political action and qualifying them to assume responsibilities within the party and in the State; encouraging internal dialogue and the participation of youth and women in party bodies; adopting the principle of voluntariness in joining or leaving a party; resolving internal party disputes by peaceful means; and commitment to respecting the principles of good governance in the conduct of their business and the management of their assets by disclosing the sources of their funding and the uses to which it is put.

78. The Centre implemented (6) training courses targeting political parties, official institutions, non-governmental organisations and media professionals, for the purpose of raising awareness of human rights in general and of the right to form and join political parties in particular. It is worth mentioning that the Islamic Action Front Party took the initiative of inviting the Centre to implement a training course to introduce human rights concepts among a number of its members. The Centre hopes that political parties will raise the awareness of their members of human rights and their mechanisms. The Centre also points to the inclusion in the curricula of the Ministry of Education of topics addressing human rights and political parties, which is considered a step in the right direction towards civic and political education.

79. In order to protect the right to establish parties and to develop and activate party life on democratic foundations, the Centre considers it necessary to adopt the following recommendations, in addition to those contained in its previous reports, particularly its report for 2008:

a. Emphasising the call upon all official institutions to cooperate with political parties so as to enable them to address the public, and to give parties a role in the formulation of public development plans.

⁸⁵ The number of licensed parties under the Law as at 1 June 2009, at which time the study was conducted on them, was 15 parties.

⁸⁶ For further details, see the Centre’s website, www.nchr.org.jo.

⁸⁷ These are the Islamic Action Front Party, Al-Hayat Party, the Islamic Centrist (Al-Wasat) Party, Al-Risalah Party, the Arab Socialist Ba’ath Party, the Jordanian Homeland (Al-Watan) Party, the Communist Party and Al-Rafah Party.

- b. Calling upon political parties to commit to the principles of internal democracy and the standards of integrity, transparency, accountability and answerability in all their activities.
- c. Respecting the principles of political and party pluralism and freedom of opinion, expression and thought in the internal organisation and practices of parties.
- d. Developing the legal environment in a manner consistent with constitutional and international standards relating to the right to form and join parties.

The Right to Establish and Join Trade Unions

80. The Constitution guarantees the right to establish and join trade unions, as Article (16/2) and Article (23/2/f) provide for this right. International legislation has likewise guaranteed this right in Article (23/4) of the Universal Declaration of Human Rights and Articles (21) and (22) of the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights reinforced this approach in Article (8) thereof.

81. With regard to labour unions, the Centre records a number of positive developments witnessed in 2009, the most prominent of which are: (a) The implementation of the decision to raise the minimum wage of workers to (150) dinars instead of (110) dinars, on the basis of the decision of the Tripartite Committee. However, the Centre faults this decision for excluding workers in the garment manufacturing sector⁸⁸ as well as domestic workers, cooks and persons in their category, whose number is approximately (27) thousand workers. (b) The settlement of approximately (47) labour disputes through collective negotiation, of which (41) disputes were concluded through direct collective negotiation, two disputes through the conciliation representative and four disputes through the Conciliation Board, while three other cases were referred to the Labour Court for adjudication. The Centre calls for collective negotiation to be given a framework in the Labour Law, such that the Law permits collective negotiation between workers and employers at a rate of at least twice a year, particularly in places that witness recurrent disputes. It also calls upon civil society institutions and the relevant authorities to raise the capacities of workers and to equip them with basic skills in the art of collective negotiation in labour disputes, as it is a fundamental pillar of trade union activity, and to provide legal safeguards to protect workers' representatives and to allow them to exercise their trade union activity in full freedom, in line with International Labour Convention No. 135 concerning the provision of protection and facilities to workers' representatives in the undertaking, which has been ratified by the Jordanian Government. (c) The General Federation of Labour Unions held an extraordinary General Conference on 24/11/2009, attended by (130) members out of (153). The Conference unanimously adopted a number of decisions, the most prominent of which was the adoption of substantive amendments to the statute of the General Federation and to the unified statute of labour unions and their financial and administrative regulations. These decisions, however, met with broad objections from engineers who are members of labour unions and who also come under the umbrella of the professional

⁸⁸ The Centre monitored the exclusion of workers in spinning and weaving from the decision to raise the minimum wage approved by the Committee at the end of 2008, which is considered a discriminatory decision as between workers of the different productive sectors.

associations,⁸⁹ since the decisions do not permit them to stand for the presidency of any labour union or for membership of its administrative board. Some labour leaders have also demanded that the General Federation of Trade Unions reverse its decision to dissolve the union branches, which are considered the link with workers at their workplaces, and put an end to the policies of inducement and intimidation practised against the labour movement.

82. Conversely, the Centre monitored the subjection of dozens of workers of the Ports Corporation in Aqaba Governorate, on 30/7/2009, to acts of beating, physical harm and detention by the Gendarmerie forces, and these acts nearly cost one of the workers his life. This occurred in the context of the dispersal of a peaceful sit-in held by the workers, during which they demanded the improvement of their living conditions and their equality with their colleagues at work. In light of this labour crisis, the Centre submitted a memorandum to the Prime Minister, in which it affirmed the right of port workers to resort to peaceful strike and to the expression of their opinions, and to have a trade union that looks after their interests and defends their rights. It also demanded the opening of an investigation and the referral to the judiciary of all those whose responsibility for the escalation of events is established, since the use of violence against the workers constitutes a breach of the laws. The Centre also monitored the threat by both the Electricity Union and the Petrochemicals Union to strike in protest against the living conditions endured by workers in light of the rising cost of living, and in demand of new gains for their members.

83. The labour unions continued their criticism of the adoption of a temporary Social Security Law, pointing out that any amendment to the early retirement provision that does not exclude those working in hazardous and unsafe occupations poses a danger threatening a large segment of workers who are surrounded by occupational hazards that expose their lives to danger on a daily basis (for example: workers in mines, quarrying, construction and cement). Many trade unionists also considered that the Law did not achieve the objectives for which it was amended and was not agreed upon in accordance with the memorandum submitted to the Council of Ministers for its adoption by the three parties to the production process, namely workers, employers and the Government. The Engineers Association also criticised the Law for excluding the unions from participation in the membership of the Board of Directors, the Insurance Council and the Social Security Investment Fund. In addition, the Centre notes that the Law did not address the gender dimension by including women in the membership of the Board of Directors of the Social Security Corporation, bearing in mind that the rate of women's participation in social security ranges between (26-29%) of the total number of insured persons.

84. On the other hand, in 2009 the Government withdrew its intention to subject the funds and allocations of labour unions to the oversight of the Audit Bureau, as had been provided for in the draft amended Labour Law, the discussion of which was concluded by the Legislation Bureau at the beginning of 2009. The General Federation of Labour Unions had submitted a protest to the Ministry of Labour, affirming that the funds of trade unions are private funds and that subjecting

⁸⁹ There are approximately 17 thousand engineers harmed by these decisions, distributed among the Potash and Phosphate companies, the Jordan Petroleum Refinery Company and Royal Jordanian. These engineers also sought to file a lawsuit to challenge the decisions of the Conference within the legally permitted period of 60 days, considering that these decisions constitute a diminution of the acquired rights of the members.

them to the oversight of the Audit Bureau contravenes international labour standards and the freedom of trade union activity and its exercise.

85. During 2009, the Centre received a complaint to the effect that the Ministry of Labour had refused a request submitted by approximately (400) workers in the pharmaceutical industries to establish a labour union of their own, independent of the General Union of Workers in Petrochemicals, on the ground of the dissimilarity of occupations. While some trade unionists consider that the number of existing unions is currently sufficient and consistent with the occupations in the local labour market, others express broad protest at this, given the dissimilarity of their occupations and the lack of homogeneity of their trade union representation, particularly in the Mines and Quarrying Union, the Petrochemicals Union, the Food Industries Union and the General Services Union. The Centre considers that the decision of the Ministry of Labour to refuse the establishment of a labour union for pharmaceutical industry workers, whose number is approximately (8000) workers, is unfair to the rights of workers in this sector and constitutes a violation of the international conventions for labour ratified by Jordan, which provide for the freedom to form and organise trade unions and for trade union pluralism. This decision may also lead to violations by employers owing to the weakness of these workers' trade union representation within the Petrochemicals Union and the absence of an independent union to defend their rights and gains. The Centre further considers that labour trade union organisation must be based on a general law that guarantees the right of trade union organisation to every sector in a genuine manner and ensures the representation of its members in a fair manner, and that labour unions should contribute to its drafting so that it does not conflict with the international conventions issued by the International Labour Organization and ratified by the Kingdom. The Centre also calls for a review of the occupational classification for the formation of labour unions, so as to allow any labour group to organise itself with complete ease and facility, in accordance with a permanent law adopted by Parliament, and not by virtue of a regulation that may be amended at any time.

86. As regards professional associations, 2009 witnessed a number of trade union demands aimed at improving the conditions of their members and guaranteeing their rights, the most prominent of which were: (a) The holding of three sit-ins by five associations (namely: the Pharmacists Association, the Veterinarians Association, the Journalists Association, the Agricultural Engineers Association and the Geologists Association) demanding that the Government raise the supplementary allowance for their members from (120% to 150%). (b) The Journalists Association demanded the promulgation of legislation explicitly prohibiting the imprisonment of journalists in press and publications cases, and the repeal of the terms contained in certain legislation, foremost among them the Penal Code, which are open to more than one construction or interpretation and whose content constitutes a pretext for the security and judicial authorities to imprison journalists and deprive them of their liberty. (c) Seven branch committees of the Pharmacists Association in the governorates demanded the abolition of the sales tax imposed on medicines at the rate of (4%), and several pharmacies went on strike in protest against the imposition of sales tax on medicines, as it constitutes an additional financial burden on citizens, and on the principle that there should be no tax on illness. (d) The election of seven administrative

councils of professional associations by secret ballot.⁹⁰ A departure from the traditional approach followed in conducting elections was evident in the elections of the Medical Association, as a representative of the Green List was not permitted to be present on the committee supervising the elections, contrary to the customs that had been followed of forming the election committees from all the colours and lists standing in the elections. The results of the elections relating to the ballot box of the President of the Association were challenged before the High Court of Justice, which in turn affirmed the validity of the procedures. The most prominent observation that may be recorded on the elections of the councils of the associations for 2009 is the weak turnout for the voting process, as it did not exceed (12%) in the Engineers Association, which is one of the largest professional associations.⁹¹ Its elections were also boycotted by the Green List in Karak Governorate, owing to the refusal of the Council of the Association to conduct the elections on the basis of the proportional list system, the adoption of which as an electoral system for some professional associations (such as the Engineers, Medical and Agricultural Engineers Associations) was increasingly called for during 2009, in order to afford other forces not dominating the associations the opportunity to obtain a share in the general bodies and leadership positions of the association.

87. However, 2009 recorded a number of assaults on trade unionists, the most prominent of which were: (a) A number of professional association presidents and trade unionists were subjected to beating and assault by the Gendarmerie forces, and to detention and ill-treatment by Public Security personnel, on 5/7/2009, in the course of the dispersal of a peaceful sit-in called by the professional associations in front of the Ministry of Agriculture in protest against the import of agricultural produce from the Israeli settlements, on the pretext that they had not obtained an official licence from the Governor under the Public Meetings Law. The committee of inquiry formed by the associations held the Gendarmerie forces responsible for resorting to the use of force to disperse the sit-in. The Centre considers that the mere failure to obtain an official licence does not justify resorting to violence against citizens, which calls for a reconsideration of this Law in a manner that supports the freedom of peaceful assembly and the freedom of opinion and expression guaranteed by the Constitution. (b) Cases of assault on trade unionists, whether doctors or nurses, working in the Ministry of Health while exercising their work inside the hospitals affiliated to it, followed one another. The assaults were justified on the ground of the manner in which doctors deal with visitors, whether patients or their companions, under the pressure of the volume of work to which they are subjected, in addition to the shortage of medical staff, including doctors on duty. It is worth noting that the Ministry of Health did not take any measures that would contribute to the protection of doctors and nurses by resolving the problem of the shortage of medical staff, nor did it show cooperation with the Medical Association in recording these assaults as assaults on a public official in the course of performing his official duties. This prompted the Medical Association to seek legislation protecting doctors in the course of performing their work; however, such legislation has not seen the light to date.

⁹⁰ These are the councils of the Agricultural Engineers Association, the Engineers Association, the Medical Association, the Dental Association, the Nurses Association, the Artists Association and the Bar Association.

⁹¹ The number of those who exercised the right to vote reached 4782 association members out of 38900 association members entitled to vote, from among a total of 75000 members of the General Assembly of the Jordan Engineers Association.

88. During 2009, the professional associations continued their rejection of the draft Unified Tax Law, considering that it would impose income tax on the resources of savings funds in associations aimed at caring for their members during their working lives and after their retirement, and demanded that the Government exempt the savings funds in the associations from tax. The Ministry of Agriculture ignored the demands of the agricultural associations to hold an emergency session of the Higher Agricultural Council to discuss the Law itself and to convey the voice of the associations rejecting it to the Government. The associations considered that the failure of the Council to convene for six months constitutes a violation of its regulation, as the regulation of the Council, which is chaired by the Prime Minister, provides that the Council shall convene every three months. In the memorandum they submitted to the Ministry of Agriculture, the associations consider that the adoption of the draft in its current form will have catastrophic effects on the agricultural sector, represented by the imposition of new taxes upon it that it will be unable to bear given the multitude of financial obligations resulting from the rise in the cost of production inputs.

89. During 2009, the Bar Association signed two memoranda of understanding with the Ministry of Interior and the Public Security Directorate respectively, in order to enable lawyers to attend with their clients before the administrative governors and before police stations, in light of the provisions of Articles (32) and (40) of the Bar Association Law. Meanwhile, the Association has been striving with the Judicial Council to activate the provisions guaranteeing the immunity of lawyers, so that the articles relating to the authority of the judge in the management and control of sessions under the Contempt of Court Law and the Civil Procedure Code do not apply to them. By its legal meaning, Articles (5) and (1) of the Contempt of Court Law and Article (74) of the Civil Procedure Code exclude lawyers from the scope of these provisions, as they refer to the Bar Association Law with respect to the role of the lawyer in representing his client, given the necessity that the lawyer be immune from any criminal liability while practising his professional work.

90. In order to protect the right to establish and join trade unions, the Centre affirms its previous recommendations contained in its Annual Report for 2008, and considers it necessary to adopt the following additional recommendations:

- a. Amending the Labour Law so as to permit collective negotiation between workers and employers at a rate of at least twice a year, particularly in places that witness recurrent disputes.
- b. Allowing migrant workers to join labour unions in order to defend their labour rights and gains, and treating them equally with Jordanian workers in terms of the freedom to join trade unions.
- c. Enacting a general law that guarantees the right of labour trade union organisation to every sector in a genuine manner and ensures the representation of its members in a fair manner, in the drafting of which the labour unions shall participate, so that it does not conflict with the international conventions issued by the International Labour Organization and ratified by Jordan.
- d. Reconsidering the occupational classification for the formation of labour unions, so as to allow any labour group to organise itself with complete ease and facility.

The Right to Establish and Join Societies

91. Proceeding from the premise that the right to form and join societies is one of the fundamental rights guaranteed by the provisions of the Constitution⁹² and by the international conventions ratified by the Kingdom,⁹³ the Centre followed with great interest the stages of adoption of the Societies Law No. (51) of 2008, and set out in its Annual Report for 2008 the positive and negative observations on the Law. In view of the criticisms of the Law voiced by the Centre, civil society institutions and those working in the field of societies, the Government, represented by the Ministry of Social Development, took the initiative of conducting a dialogue with the aforementioned parties with a view to agreeing on an amended Societies Law that would be consistent with the Constitution and in harmony with international human rights standards. However, this dialogue did not yield tangible results, as the Government submitted a draft amended Societies Law that did not meet the aspirations of the parties that had taken part in the dialogue. Parliament adopted the Societies Law No. (51) of 2008 and the amendments made to it, on which the Centre records a number of shortcomings, the most prominent of which are: (a) The Law still accords the registration procedure a constitutive effect, which restricts the exercise of the right to form societies by rendering it subject to the will of the Registrar and the competent Minister. (b) The Law does not guarantee the necessary independence of the Board of the Registry, since it is chaired by the Minister of Social Development and its membership comprises six representatives of government ministries and four members appointed by the Council of Ministers upon the recommendation of the Minister of Social Development. (c) The Law continues to adopt the approach of referral to executive regulations and instructions with respect to substantive matters relating to the formation of societies; nevertheless, the Government has not issued the regulations necessary to regulate the work of societies. (d) The Law contains severe restrictions on the freedom of a society in the management of its affairs, including: the Law's requirement, in numerous matters relating to the management of a society, of obtaining the approval of the competent Minister, and its requirement of the Minister's approval for the legality of the decisions and meetings of the general assembly. (e) The unfettered power of the executive authority in the matter of the dissolution of societies, as the Minister has the right to dissolve a society. (g) Societies do not enjoy banking secrecy. (h) The Law permits the Minister and the Board of the Registry to appoint a temporary administrative committee for a society from outside its members.

92. In 2009, societies were granted a period of one year to regularise their status pursuant to the provisions of Article 27 of the Societies Law No. 15 of 2009, as the Board of the Registry of Societies, chaired by the Minister of Social Development, took a decision to extend the period for

⁹² Article 16 of the Constitution provides: "1. Jordanians shall have the right to hold meetings within the limits of the law. 2. Jordanians shall have the right to form societies and political parties, provided that the objects of such societies and parties are lawful, their means peaceful, and their by-laws not contrary to the provisions of the Constitution. 3. The law shall regulate the manner of forming societies and political parties and the control of their resources."

⁹³ The Kingdom ratified the International Covenant on Civil and Political Rights and published it in the Official Gazette dated 15/6/2006, Issue No. 4764, wherein the text of Article 22/1 reads: "Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests." Article 24/5 of the Arab Charter on Human Rights, which was ratified and published in the Official Gazette, Issue No. 4675 dated 16/9/2004, provides for "the freedom to form and join associations with others".

regularising their status by a further year, pursuant to the provisions of Article (28/c) of the Societies Law. The Board also issued decisions, among them approval of the registration of (98) societies, of which (74) were charitable societies, (6) ordinary societies, (10) cultural societies, one tourism society, two health societies and (5) environmental societies. Notices were also addressed to (52) societies regarding deficiencies in, or observations on, their registration applications, while the number of applications referred to the Registry relating to the amendment of the statutes of societies reached (20) applications, which were approved by the Board of the Registry.

93. In order to promote this right, the Centre implemented a project entitled “The Right to Peaceful Assembly”, whose activities included holding (14) workshops for representatives of societies operating in all governorates of the Kingdom, for the purpose of introducing the concept of the right to form and join societies and the constitutional and international standards governing the exercise of this right, and of identifying the legal gaps contained in the Societies Law No. (51) of 2008. The project resulted in the formation of the National Coalition, whose members agreed on a set of recommendations contained in Annex No. (2), which were delivered to the Speaker of the House of Representatives with a view to their inclusion in the amended Societies Law. Representatives of the Coalition also took part in the discussions of the Law held in the Labour and Development Committee; however, the Law was promulgated without taking into account many of the recommendations issued by the Coalition. In addition, the project resulted in the preparation of a Code of Conduct for Civil Society Institutions, which was adopted by more than (350) societies. This Code contained principles aimed at achieving democratic transformation and supporting participation in the management of public affairs; working to promote the values and principles of human rights; commitment to the principle of equality before the law; principles of combating all forms of discrimination; working to promote the participation of women in society and the protection of the rights of minorities; commitment to the principles of transparency, accountability, answerability and institutional integrity; the principle of impact and effectiveness; the promotion of sound financial management and the prevention of conflicts of interest; the principle of dispute resolution; and the promotion of participation, networking and coordination and of the right of access to information.

94. The Centre affirms that the right to establish and join societies is still marking time; despite the adoption of a new Societies Law in 2008 and the introduction of amendments thereto in 2009, the provisions of this Law have not risen to constitutional and international standards. The Centre therefore reiterates the necessity that the Societies Law adopt the principles guaranteed by the Constitution and by international human rights standards, which it set out in its Annual Report for 2007, namely:

- a. The freedom to establish and register societies by way of notification only, provided that the administration shall have the right, should it have an objection to the establishment of a society, to resort to the judiciary.
- b. The right of each society to draw up its statute freely, and the right of the administrative body of each society to manage its affairs without interference from any governmental authority.
- c. The right of the general assembly of each society to elect its administrative body freely, and the respect of the administration for the results of elections, and that the administration shall have no

right to object to the membership of any person in the administrative body of the society except by way of an action filed before the competent administrative judiciary.

d. The right of the administration to oversee the work of societies; where it finds a breach of the law, the matter shall be dealt with by recourse to the judiciary, which holds the first and final competence.

e. The right of every society to obtain domestic and foreign funding, provided that it announces the amounts of funding it receives and the sources of such funding and the manner in which it is used, accurately, and that all of this be supported by documentary evidence, and that it undertakes to publish its annual budgets in the daily newspapers, in addition to making them available to its General Assembly.

f. No society may be dissolved except with the approval of its General Assembly or by a judicial decision; nor may any society be suspended from operating except by a judicial decision.

g. Emphasising that the term of the temporary administrative body of any society shall be sixty (60) days, during which the General Assembly of the society shall be convened to elect a new administrative body, and that this period may not be extended under any circumstances except once only in order to achieve this objective.

3. Economic, Social and Cultural Rights

The Right to Development

95. The right to development is grounded in numerous international human rights instruments. The Universal Declaration of Human Rights contained a number of principles that formed an important cornerstone of the concept of this right, which was subsequently developed in the two International Covenants of 1966. In 1986, the United Nations General Assembly adopted the Declaration on the Right to Development, which affirmed that the human person is, on the one hand, the means and the end of development⁹⁴, and linked development with the rights set out in the International Covenant on Economic, Social and Cultural Rights, describing it, that is, development, as a sustainable economic and social process aimed at advancing human well-being and enhancing the active and free participation of the human person in the fair distribution of resources, on the other hand. The right to development is thus embodied in the achievement of equality and of opportunities for empowerment in the fields of work, education, health, an adequate standard of living and housing, as well as in the equitable and just distribution of income. Although the Jordanian Constitution does not refer directly to the right to development, Paragraph 2 of Article 6 thereof affirms that the State shall guarantee work and education within the limits of its means and shall guarantee tranquillity and equal opportunities to all Jordanians. Article 22 thereof further refers to the right of Jordanians to hold public office on the basis of competence and qualifications, while Article 23 refers to the obligation of the State to direct the economy in a manner that ensures the provision of employment opportunities for Jordanians, which may be classed under the two principles of participation and equity referred to in the Declaration on the Right to Development.

96. With regard to **combating poverty**, the most significant effects of the global financial and economic crisis on the Jordanian economy were the increased caution of banks and financial institutions in limiting financing; the decline in the value of exports and in the prices of raw materials exported abroad; the decline in domestic revenues from taxes and various fees; and the decline in financial remittances of Jordanians working outside the Kingdom. This led to a decline in Gross Domestic Product (GDP) growth during 2009 to (2.7%), compared with a growth rate of (7.9%) during 2008⁹⁵. The economic downturn and the aggravation of the general budget deficit,

⁹⁴ Article 1 thereof provides that: “The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realised.” Article 2 further provides that: “1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development. 2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development. 3. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.”

⁹⁵ The decline in the economic growth rate led to the aggravation of the budget deficit, which reached JOD 1,179 million after foreign grants, at a rate of 7.3%, against the backdrop of a decline in domestic revenues, particularly tax revenues, in addition to a decline in foreign grants and aid. See the draft 2010 budget published in Al-Rai newspaper on 6/12/2009,

which reached (7.3%) of GDP, during 2009 affected the two phenomena of poverty and unemployment⁹⁶, as the poverty rate in the Kingdom still stands at approximately (14%), notwithstanding the decline in the inflation rate by (0.7%) for 2009 compared with 2008, whereas the inflation rate for 2008 was (13.9%) compared with 2007. This has caused the rising cost of living to top the concerns and priorities of citizens. The Department of Statistics indicates that the proportion of families receiving humanitarian assistance in the form of financial aid reached (7.6%). The National Aid Fund ranked first in providing such aid, at a rate of (5%), followed by other governmental bodies at a rate of (0.3%) and non-governmental bodies at a rate of (0.2%), while assistance provided by individuals accounted for (2.1%)⁹⁷.

97. The Centre affirms that poverty is a form of exclusion, marginalisation and infringement of human dignity and of the human right to enjoy a healthy life. It is therefore a violation of a fundamental human right that gives rise to numerous other violations, including violations of the right to work and to an adequate income, to a decent living, to social security, to health and other rights, all of which are fundamental economic and social rights. The Centre further considers that economic and social marginalisation leads to political and democratic marginalisation; suffice it, by way of example, to refer to the impact of poverty on the conduct of elections and to the emergence of the phenomenon of vote buying and selling that accompanied the most recent parliamentary elections⁹⁸.

98. Over the past years, the Government has worked to put in place development programmes aimed at raising the standard of living of citizens, which has led to an increase in human development rates over previous years, as shown in Table No. (16)⁹⁹. The Centre points out that the Human Development Index issued by the United Nations Development Programme for 2009 showed that Jordan dropped by one rank, placing it 96th out of 186 countries, having been ranked 95th in 2008. Although Jordan ranked 90th during the years 2004–2006, it nevertheless remained among the countries classified as having medium human development¹⁰⁰. Since the Human Development Index provides a composite global measure of three dimensions that contribute to determining the capacities of the State to ensure that individuals enjoy the right to development, it is important to compare a set of human development indicators set out in Table No. (17)¹⁰¹ that relate to the broad definition of welfare and the guarantee of human rights, namely: living a long and healthy life (measured by life expectancy at birth); acquiring knowledge (measured by literacy

http://www.alrai.com/pages.php?news_id=306343, and see the news item entitled “Budget Deficit Aggravates Indebtedness”, Al-Arab Al-Yawm, 24/12/2009, <http://petra.gov.jo/artical.aspx?lng=§ion=9&artical=83428>, and see the report of the International Monetary Fund, Jordan—Aide-Mémoire for the Staff Visit Discussions, December 13, 2009, IMF, <http://www.imf.org/external/np/ms/2009/121309.htm>

⁹⁶ The website of the Prime Ministry at the following link: http://www.pm.gov.jo/arabic/index.php?page_type=news&part=1&id=5831

⁹⁷ Department of Statistics, Household Expenditure and Income Survey for 2008, cited from the link <http://www.dos.gov.jo/>

⁹⁸ For further details, see the report of the National Centre for Human Rights on the conduct of the 2007 parliamentary elections.

⁹⁹ See the Human Development Reports issued by the United Nations.

¹⁰⁰ For further details, see the Human Development Report issued by the United Nations; see Human Development Report 2009, cited from the link http://hdrstats.undp.org/en/countries/country_fact_sheets/cty_fs_JOR.html

¹⁰¹ The Human Development Index provides variables that measure average achievements associated with the three foregoing dimensions.

and the enrolment rate at all levels of education); and access to the resources necessary for an adequate standard of living (measured by per capita share of GDP and purchasing power parity of income). These indicators confirm that the Kingdom still enjoys a number of successes in the fields of education and health; however, they draw attention to the degree of attention given to development in Jordan in view of scarce resources and the pursuit of economic reform policies¹⁰². The relative stability in the global development ranking remains evidence of a state of stability, but it may be difficult to maintain such stability in the coming years. The Centre has observed the widening gap between the rich and the poor in poverty indicators as a result of the poor distribution of resources and income, with the proportion of the population living below the poverty line reaching 14%¹⁰³. The highest rate was in Mafrq Governorate, where it reached 23% of the population, and the lowest rate was in Amman, where it reached 9.4%, with the remaining governorates ranging between the two¹⁰⁴. The steady rise in the proportion of the hungry in Jordan is considered one of the most significant consequences of poverty that have recently begun to emerge, especially given the Kingdom's almost total dependence on the import of foodstuffs, which renders it vulnerable to fluctuations in the global market and strains the general budget. Jordan also records an alarming figure in the prevalence of stunting among children under five, namely 12%, as shown in Table No. (17), which is linked to poverty and hunger.

Table No. (16): Human Development Index in Jordan

Year	Human Development Index Value
1975	0.647
1980	0.676
1985	0.699
1990	0.710
1995	0.737
2000	0.763
2005	0.773
2007	0.770

Table No. (17): Various Human Development Indicators¹⁰⁵ for 2008

¹⁰² Development rates, which have accumulated historically despite Jordan's modest capabilities compared with Arab countries possessing enormous financial capacities, reveal that, although they appear relatively high in comparison with industrialised countries, they are far better than those of most Arab countries. For example, the illiteracy rate fell in 2009 to 7.3%; the proportion of public-sector expenditure on education in Jordan reaches 20% of government expenditure, compared with 24% in Oman, 27% in Saudi Arabia, 12% in Kuwait, 27% in the Emirates and 11% in Lebanon. The proportion of underweight children under five years of age in Jordan reached only 4%, compared with 14% in Saudi Arabia, 18% in Oman, 10% in Kuwait and 6% in Qatar; this indicator is one of the most important indicators of the Millennium Development Goals. Conversely, internet penetration in Jordan still lags behind the rest of the Arab world, at 118 subscribers per thousand persons, compared with 276 in Kuwait, 308 in the Emirates, 111 in Oman, 70 in Saudi Arabia and 196 in Lebanon.

¹⁰³ According to the statistics of the Department of Statistics, interview with the research team on 24/1/2010, and the Statistical Yearbook of the Department of Statistics for 2008, issued in 2009.

¹⁰⁴ Poverty rates in the governorates range as follows: Madaba 10%, Irbid 12.1%, Ma'an 12.7%, Zarqa 14.9%, Balqa 15.3%, Aqaba 15.4%, Jerash 16.7%, Ajloun 17.7%, Karak 21.7%, Tafilah 19.1%.

¹⁰⁵ These indicators were obtained from the Human Development Report for 2009. For further details, see Human Development Report 2009, cited from the link http://hdrstats.undp.org/en/countries/country_fact_sheets/cty_fs_JOR.html

Indicator	Value
Life expectancy at birth (years)	72.4
Adult illiteracy rate	8.9
Gross Domestic Product per capita	4,901
Health expenditure as a proportion of GDP	4.7
Education expenditure as a proportion of GDP	4.9
Military expenditure as a proportion of GDP	5.3
Migration rate	11.6
Proportion of the population below the poverty line	14.2
Proportion of the population not using an improved water source	3
Proportion of the population not using improved sanitation	7
Proportion of the population suffering from undernourishment	6
Prevalence of the human immunodeficiency virus (HIV)	Less than 0.2
Primary school enrolment rate	89
Infant mortality rate per 1,000 live births	22
Mobile telephone line subscribers per 1,000 persons	304
Internet users per 1,000 persons	118
Proportion of children with low birth weight	12
Proportion of underweight children under 5 years	4
Proportion of children of short stature (stunted) under 5 years	12

99. It is well known that a rise in the growth rate does not necessarily lead to the achievement of human development unless it is accompanied by a relatively fair distribution of income and the translation of such growth into development encompassing broader segments of the population. The average per capita share of GDP reached 2,573 dinars per year, which is a low figure compared with the poverty line in the Kingdom, estimated at 556 dinars per month for 2009. The poverty line ranged between 581 dinars in Amman and 527 dinars in Mafraq, with the remaining governorates falling between these two figures. The average Jordanian household income reached 7,590.4 dinars per year, while average household expenditure reached 8,516.5 dinars, thereby producing a gap of 926.1 dinars between them. In this context, the Centre commends the raising of the minimum wage to 150 dinars per month, which led to a tangible increase in the average wages and salaries during the years 2000–2008, from 226 dinars to 305 dinars. The Centre calls for continuous reviews of the average wages and salaries so as to cover the cost of living and reduce poverty rates.

100. The Centre draws attention to the fact that Jordan relies on exporting skilled labour to countries around the world, specifically the Gulf States (brain drain), while receiving a large proportion of unskilled labour in the sectors of agriculture, construction and others. This has caused the financial remittances of Jordanian workers abroad to constitute approximately 22.3% of GDP, notwithstanding their decline in 2009. However, this high proportion constitutes a point of weakness in the national economy owing to the heightened level of its exposure to financial crises and to foreign policy, especially since the Human Development Index for 2009 considered that the countries that are advanced in development are those in which almost all activities are concentrated in the national economy and in which the proportion of foreign remittances is lowest compared with GDP.

101. The Centre draws attention to the importance of the decentralisation project in enhancing the developmental dimension in rural areas, as well as in the management of natural resources, and in a manner that enhances broad popular participation in development programmes. It recommends: (a) that economic and social development programmes ensure that citizens enjoy all their rights set out in international instruments; (b) the development of the concept of capital and the expansion of its classification into three types: developing economic capital through sound management and good governance; developing human capital by improving the conditions of education and access to knowledge and by preparing and employing human resources; and developing social capital by improving the conditions for the fair distribution of the fruits of economic growth, which leads to the achievement of comprehensive development, the elimination of poverty, and the recognition of the right to equal opportunities, so that citizens have the means that enable them to overcome the state of poverty and to escape it permanently.

The Right to an Adequate Standard of Living

102. The Jordanian Constitution does not refer clearly and explicitly to the right to an adequate standard of living, whereas the Jordanian National Charter, in Article (8) of Chapter Three thereof, provides that: “Combating poverty and addressing its effects is a strategic objective of the Jordanian State and a national responsibility which requires making employment opportunities available to those able to work and seeking it, giving priority therein to Jordanians, seeking justice in the distribution of services and development projects geographically and socially, in a manner that meets the basic needs of the citizen and limits poverty and the aggravation of its negative effects that may befall the individual and society.” Jordan has also ratified the International Covenant on Economic, Social and Cultural Rights of 1976, which provides for the right to an adequate standard of living¹⁰⁶. Although poverty was referred to in the chapter on the right to development, it will be addressed in greater detail in this chapter in view of its organic connection with the right to an adequate standard of living.

103. The Centre notes, with regard to poverty-reduction strategies, their ineffectiveness and fragmentation in proposing solutions to this problem; the duplication of the work of the official and voluntary institutions working in the field of combating poverty and unemployment, the weak coordination among them, and their failure to cover all areas of the Kingdom; in addition to the marketing problems suffered by small rural projects, which limit the achievement of their objectives. The Centre further observes the severe weakness of the private sector’s contribution to poverty-reduction programmes, whether through voluntary bodies, non-governmental organisations or individually, in addition to the inability to gain the confidence of the local community in poverty pockets¹⁰⁷. The Centre also points to a number of obstacles facing the

¹⁰⁶ The Universal Declaration of Human Rights recognised the right to an adequate standard of living in Article (25/1) thereof, which provides that: “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.” Article (11) of the International Covenant on Economic, Social and Cultural Rights reaffirmed this right, and the said Article also linked, in its second paragraph, this right with the right to freedom from hunger.

¹⁰⁷ For example, the phenomenon of poverty is increasing in the Southern Mazar District, whose population numbers approximately 64 thousand citizens, and aid and humanitarian assistance constitute the main source of income for the

Ministry of Social Development in tackling the problem of poverty in its capacity as the official body concerned therewith, the most prominent of which are: the lack of funding for most of the programmes of its strategic plans, especially since the budget of the National Aid Fund for 2009 amounted to (87) million dinars, an increase of (13) million dinars over 2008, which is insufficient for approximately (700) thousand persons living below the poverty line; and the concentration of poverty programmes on the aspect of aid and humanitarian assistance to families rather than linking them to the productive process, which reinforces a culture of dependency¹⁰⁸; the lack of sustainability of the fixed assets of most productive projects owing to their owners disposing of them; and the leakage of part of the aid to persons not entitled to it. The Centre calls upon the Government to periodically evaluate the work of the institutions concerned with tackling the problem of poverty and their programmes, so that they may fulfil the role entrusted to them, especially since addressing the problem of poverty requires approximately (250) million dinars annually according to the estimates of the International Monetary Fund¹⁰⁹. The Centre notes that the financial aid¹¹⁰ provided by the National Aid Fund, after its increase from (33) dinars to (36) dinars, does not meet the basic needs of the individual in light of the high cost of living¹¹¹.

104. The Centre considers that the Government's freezing and postponement of the implementation of a number of capital projects in order to limit the aggravation of the budget deficit should not include within its scope projects relating to school buildings, hospital buildings

majority of citizens. According to the Directorate of Social Development, it disburses monthly national aid to the poor of the District amounting to (13,756) dinars per month, distributed among 86 families in the town of Al-Tayyiba, 59 in the Al-Kharsha villages cluster and 86 families in Mahi and Al-Hamidiya, in addition to an amount of (16,000) dinars and soft loans provided by Development to empower poor families to start productive projects and benefit from their proceeds in improving their conditions in these areas. The results of the studies of the Directorate of Development indicate that numerous causes have led to the increase in the spread of poverty, the most important of which are: the remoteness of these areas from the Centre, which contributes to reducing the turnout of many to work in vacancies and available jobs owing to the magnitude of the hardship they suffer from the difficulty of transport and its rising costs; and the citizens' dependence on livestock breeding and agriculture as main sources of income in the first place, despite the clear impact of drought and poor rainy seasons, as well as the rise in the requirements of agricultural and animal production, such that many find it impossible to continue working in these sectors; and the lack of the said communities of any investment and development projects capable of changing the economic reality and employing the labour force therein. The culture of shame also constitutes one of the causes of the phenomenon of poverty in these communities, especially with regard to women's work and their contribution to driving development. Investigation by Laila Al-Tarawneh, Ibn Al-Urdun website, 3/5/2009, cited from <http://www.jordan-son.com/print.php?id=300>

¹⁰⁸ For example, the value of loans for productive family projects amounted to 3443.800 dinars for approximately 238 projects during 2009, and the value of cash and in-kind emergency assistance amounted to 409,887 dinars during the same year. Statistics of the Ministry of Social Development in its letter No. 631/Kh T dated 17/1/2010 received by the National Centre for Human Rights.

¹⁰⁹ Cited from the link <http://www.naf.gov.jo/admin/UploadImage/publication/f17.pdf>

¹¹⁰ A family consisting of two persons is granted 90 dinars, 130 dinars for a family of three members, and 160 dinars for a family of four.

¹¹¹ Statistics indicate that the National Aid Fund serves approximately 37% of the total poor only; the Fund spends 95% on heads of families unable to work, including orphans, the physically and psychologically disabled, persons with severe disabilities, and widows and divorced women. The Fund spends the equivalent of a quarter of a million dinars monthly on poor families through a monthly salary of 180 dinars to enable them to support their families, and the decision to raise the ceiling of aid is linked to the general policies of the State and the economic situation. Moreover, the Fund is pursuing a new approach of employing the sons and daughters of families receiving aid while continuing to disburse the monthly aid to them. Interview with the Director General of the Fund published in Al-Rai newspaper on 2/11/2009, cited from the link http://www.alrai.com/pages.php?news_id=300783, and interview with Al-Rai newspaper on 24/12/2009, p. 6.

or health centres, or their maintenance and keeping them operational, especially in poverty pocket areas. Furthermore, measures to reduce the budget deficit should not affect allocations for support in the field of social services and the social safety net, which constituted 7% of the total 2009 budget. The Centre further points out that successive governments have, over past years, sought to increase the tax burden on citizens with the aim of making a positive adjustment to domestic revenues in the budget in order to close its deficit, particularly with respect to the rate of general sales tax imposed on consumer goods, and foodstuffs in particular¹¹². The Centre therefore calls upon the Government not to increase the tax burden on citizens in view of the negative effects this may have on their livelihood, and instead to rely on alternative measures that ensure control of public expenditure and reform of the tax system so as to achieve the principle of tax justice commensurate with the ability of individuals to pay¹¹³.

105. With regard to **unemployment**, its rate reached (12.9) during 2009, compared with (12.7%) in 2008, and it has affected university graduates in particular, as the unemployment rate among bachelor's degree holders reached (15.7%)¹¹⁴. The Centre has also monitored numerous cases in which Jordanian workers were dismissed from industrial cities as a result of the global economic crisis, which necessitates taking measures to provide alternative employment opportunities in light of fears of the aggravation of the phenomenon of unemployment. The Centre also draws attention to the fact that Jordanian labour faces numerous challenges in the labour market, the most important of which is the intense competition from migrant workers, whose numbers have swollen considerably in recent years, and calls upon the Government to find a balanced equation to resolve the causes of this phenomenon. In this context, the Centre commends the governmental programmes aimed at addressing unemployment, in particular the training and employment of new graduates of Jordanian colleges and universities, such as the establishment of the National Company for Employment and Training in cooperation with the Armed Forces¹¹⁵, the Jordan Valley Company for the Employment and Training of Agricultural Labour¹¹⁶ and the

¹¹² The Centre has observed that the decision of the Income and Sales Tax Department to exempt meals and sales in popular restaurants from sales tax reduced their prices by rates ranging between 10–20% for citizens with middle and low incomes. It further points out that the collections of the Income and Sales Tax Department from the popular restaurants sector during 2008 amounted to 2.5 million dinars, constituting 19% of the net collections from the restaurants sector, amounting to 13.5 million dinars.

¹¹³ Jordan ranked 22nd out of 181 countries on the paying taxes indicator according to the Doing Business 2009 report issued by the International Finance Corporation of the World Bank Group. Jordan's attainment of this ranking is attributed to the efforts undertaken by the Income and Sales Tax Department in this field. See the report of Al-Ghad newspaper on 23/5/2009, cited from the link <http://www.alghad.com/index.php?news=420550>

¹¹⁴ The Annual Report of the Employment and Unemployment Survey for 2008 and 2009 issued by the Department of Statistics, cited from the link <http://www.dos.gov.jo/>

¹¹⁵ The programme of the National Company for Employment and Training aims to qualify young people in the occupations lacking in the market, such as tiling, plastering, stone construction, block-laying, painting, carpentry, electricity, air-conditioning and heating, which are occupations in rising demand with the boom in construction and building operations. The Company began its work through an alliance among the Armed Forces, the Ministry of Labour and the contractors' sector, and it provides trainees with a monthly salary, health insurance, social security, accommodation, food and clothing. The number of trainees in this programme reached (15) thousand employees, in order to reduce unemployment rates among young people in the governorates of the Kingdom.

¹¹⁶ The National Company for the Employment of Jordanian Labour in the Agricultural Sector was established to provide employment opportunities in the Jordan Valley area on a permanent or seasonal basis, whereby workers are granted a monthly income, social security and health insurance, and transport is provided for young women to the work sites. The target number for the first year is estimated at (1,000) workers.

Development and Employment Fund; the development of a plan to benefit from the Agricultural Research and Training Institute in developing the capacities of workers in agriculture; covering the cost of social security for workers, especially those working in the agricultural sector¹¹⁷; and increasing the annual financial support for the General Federation of Jordanian Trade Unions to enable it to perform its functions. The Centre calls for expanding this approach in cooperation with the private sector and with its contribution to management and financing, in order to secure skilled professional cadres for national industries, with a focus on the necessity of attracting Jordanian women into the labour market, as the participation rate of the female sector in employment remains below (14.2%) according to the information of the Department of Statistics for 2008. The Centre also commends the establishment of the Economic and Social Council, which includes representatives of the production sectors, employers and civil society, to discuss macroeconomic and social policies and make recommendations thereon to the Government, which the Centre hopes the Government will take into consideration.

106. With regard to **the cost of living**, the Centre observed that 2009 maintained the same levels of foodstuff prices witnessed in 2008, and that any decrease that occurred did not exceed (0.9%), as the rate of increase in prices reached (17.77%) over 2007, despite expectations of a decrease in response to the movement of supply and demand. The phenomenon of the high cost of goods and services may be attributed to a set of causes, the most important of which are the rise in the cost of products as a result of rising fees and taxes, and traders continuing to raise prices and increase profit margins, which contributed to the consumer price index remaining high for all items despite the decrease in some commodity groups. This year also witnessed the monopolisation of basic foodstuffs such as sugar, rice and meat¹¹⁸. It is worth noting that poverty and the rising cost of living negatively affect a number of health indicators; the results of the school health survey for 2007–2008 indicated that (14.1%) of students go to school hungry most of the time owing to the lack of food in their homes. It also showed that the rate of anaemia among students covered by the school feeding programme was (8.5%), compared with (18%) among those not covered, and the rate of iron deficiency among students covered by the programme reached 12%, compared with 21% among those not covered, noting that students from kindergarten age up to the age of 18 years constitute approximately 35% of the Kingdom's population¹¹⁹.

¹¹⁷ The Government undertook to pay the costs of social security contributions for workers holding the General Secondary Certificate (Tawjihi) or below, in full for the worker and half for the employer for a period of two years, which leads to supporting (20) thousand unemployed persons from the target group who are employed during the first year of the launch of the programme. It also undertook to cover the costs of the monthly social security contribution for the worker in the agricultural sector and the employer for a period of two years in the first phase, provided that in the second phase it pays the costs of the social security contribution for the worker in full and half of the costs incumbent on the employer for a period of three years.

¹¹⁸ The consumer price index for foodstuffs reached (131.09) in 2009, compared with (121.24) in 2006. With regard to the prices of clothing and footwear, the index reached approximately (96.62) in 2006, but in 2009 it rose to (120.64). With respect to housing, the index reached (111.58) in 2006 and was (113.87) in 2009. Whereas the prices of other goods and services (transport, communications, education, medical care, culture and recreation) recorded an index of (114.41) in 2006, they fell to (107.62) in 2009. For further details, see: Consumer Price Index Statistics, Department of Statistics.

¹¹⁹ News item on the School Health Report, Al-Arab Al-Yawm, 28/8/2009, cited from the link http://www.alarabalyawm.net/pages.php?news_id=113095, and see the statistics of the Department of Statistics for 2008, cited from the link http://www.dos.gov.jo/sdb_pop/sdb_pop_a/index3_o.htm

107. The Centre notes that the Ministry of Industry and Trade has repeatedly announced plans and measures to control prices without being able to protect consumers from their rise, which raises the question of the role of the various governmental bodies in monitoring prices and protecting consumers with limited incomes from monopoly and price increases by some major traders¹²⁰. In addition, the Centre has monitored a number of observations on guaranteeing the right to food, namely: the emergence of the phenomenon of trading in expired foodstuffs, especially in popular areas where these goods are sold at prices far lower than prevailing prices under what are known as “offers”, on the one hand; and the appearance of spoiled food, on the other. Violations relating to spoiled foods and medicines increased during 2009, with (2,228) violations recorded, compared with (914) violations during 2008. The greatest problem facing specialists in seizing such violations, other than those working in the Royal Department for Environmental Protection, is that these persons are not present to directly seize such goods when they are reported, for reasons relating to the end of official working hours or to their being otherwise occupied. This matter requires activating the supervisory role of the Ministry of Health in this field and apprehending those who tamper with the data label affixed to food commodities¹²¹.

108. With regard to the agricultural sector, it still lacks the governmental attention that would qualify it for a greater share of GDP, as the contribution of this sector, in both its animal and plant branches, does not exceed 2.3% of the value of GDP. Furthermore, agricultural areas are in continuous decline, as 25% of agricultural land has been lost¹²², which confirms the necessity of reviewing agricultural policies and providing incentives to farmers so that the performance of the sector may be raised in proportion to its capacities. Moreover, the declaration of 2009 as the Year of Agriculture did not go beyond the achievement of the limits of planning, the preparation of studies, the development of the projects of the Agricultural Document, and the establishment of a company in the Jordan Valley to employ Jordanians in the agricultural sector and provide incentives to workers and employers to increase the number of workers, with the Government covering social security costs for a period of two years in the first phase¹²³. The Centre emphasises

¹²⁰ The Ministry of Industry and Trade announced on numerous occasions the implementation of a package of measures to reduce the price of local red meat, for example by importing meat from Syria and other countries to meet market needs and selling it at moderate and reasonable prices, especially during the month of Ramadan, in order to avoid raising its prices owing to increased demand. The Minister of Industry and Trade also denied the existence of any monopoly of local meat, stating that the rise in prices is governed by market policy and by supply and demand and has no connection with the monopoly of a single company over local meat, in numerous statements from which he subsequently retracted.

¹²¹ The Food and Drug Law provides that anyone who trades in adulterated and harmful food shall be punished by imprisonment for a period of not less than three months and not more than one year, or by a fine of not less than one thousand dinars and not more than three thousand dinars, or by both penalties, and that anyone who trades in adulterated food that is harmful to health shall be punished by imprisonment for a period of not less than two months and not more than six months, or by a fine of not less than two hundred and fifty dinars and not more than one thousand dinars, or by both penalties.

¹²² The statistics of the Ministry of Agriculture indicate that the areas of agricultural holdings constitute only 3% of the area of Jordan and that 72.5% of agricultural labour is non-Jordanian labour. Statistics also indicate that the proportion of agricultural holdings whose holders practise agriculture as a main occupation amounts to 18% and that 82% of agricultural holdings are owned by non-farmers, while only 12.7% is the proportion of beneficiaries of agricultural extension.

¹²³ The Centre refers to the Agricultural Document developed by the Ministry of Agriculture, which includes a three-year plan for the years 2009–2011 addressing the enactment of legislation enhancing the role of agricultural institutions, such as the Chamber of Agriculture Law, the Risk Management Fund Law and amendments thereto, and the Farmers’ Union Law; addressing the problem of the fragmentation of agricultural holdings and the problem of marketing through cooperatives and agricultural societies; resorting to crops that do not consume large quantities of water; working to entrench the

the urgent need to activate the role of the Agricultural Risk Fund¹²⁴, which many farmers have awaited impatiently in order to confront the hardships suffered by the agricultural sector from frost, pests and other agricultural hazards, as the Fund still needs to put in place an appropriate mechanism to make its objectives known, to provide the necessary financial allocations for it, and to assess the damage to which farmers are exposed on fair and just bases, so that the damage suffered by farmers does not continue to accumulate without any compensation.

109. In the field of the **right to housing**, the number of rented dwellings in the Kingdom reached (220,546) housing units according to the indicators of the Housing and Urban Development Corporation for 2004, which also indicate that the number of these dwellings approached (300) thousand at the beginning of 2009, and that the proportion of rented dwellings amounts to approximately (25%) of total dwellings, approximately (70%) of which had their contracts concluded before the entry into force of the Landlords and Tenants Law of 2000, while (30%) of the contracts for these dwellings were concluded thereafter. Jordanian citizens occupied (84%) of the total of these dwellings, the average area of which amounts to 90 square metres¹²⁵. The proportion of dwellings connected to the public water network, electricity and sewerage for 2008 reached (97.7%), (99.9%) and (60%) respectively¹²⁶. Although the sewerage service is considered among the paid and priced services, like water and electricity, the clear deficiency in the provision of that service is considered unjustified, especially given its importance at the health and environmental levels. The Centre has monitored complaints in local media by citizens in towns and villages¹²⁷ groaning under the weight of the deficiency of infrastructure services, especially the breakdown of the drinking water network, the sewerage network¹²⁸ and the electricity network,

integrated vision for agricultural regions and diversification within a single season; adopting the Hakoura project and the programme for supporting farmers by opening up more foreign markets for their products; and training newly graduated engineers with a salary for a period of one year, in addition to increasing the area of forest wealth and protecting it by activating the Forestry Law, which limits the assault on forest wealth, and planting desert oases with six million forest trees.

¹²⁴ The special law on the Agricultural Risk Fund was adopted in order to compensate farmers for their losses in the event that their crops are exposed to major damage owing to weather conditions for which they bear no fault, ranging from frost that freezes everything to unprecedented rises in temperatures, in addition to agricultural pests that strike crops and trees of various kinds from time to time.

¹²⁵ The website of the Housing and Urban Development Corporation, <http://www.hudc.gov.jo/node/41>

¹²⁶ According to the Department of Statistics up to the end of 2008, http://www.dos.gov.jo/jorfig/2007/jor_f_a.htm

¹²⁷ A memorandum signed by 76 residents of Manshiyat Ma'in, Hay Al-Qattar and Uyoun Al-Theeb in the tourist town of Ma'in showed that they have been living in pitch darkness for many years, noting that the electricity line is between 500 and 900 metres away from their places of residence, as is the water line. The signatories to the memorandum called for consideration of the issue and the suffering of the citizens residing in these neighbourhoods, and for study of ways to resolve the problem and to work swiftly to resolve it, as they have become fed up with their conditions. It is noted that the geographical area in dispute lies outside the zoning boundaries according to the letter of the Minister of Water and Irrigation, and is an area whose ownership belongs to the State Treasury. The number of properties requiring service amounts to 45 properties.

¹²⁸ For example: citizens in Hay Al-Maslakh (east of the city of Madaba), inhabited by more than five thousand citizens, complained of the leakage of the neighbourhood's sewage into their homes, and demanded that the problem be resolved before it becomes a health nuisance and a fertile environment for the spread of epidemics and diseases. The residents of Hay Al-Buqai' in Tafilah also complained of sewage overflows.

whereby these citizens called upon the various governmental bodies for greater care and attention¹²⁹.

110. The Centre points out that governmental policies in the field of housing remain unclear, and governmental housing projects continue to suffer from a clear shortfall in providing the funding required to carry the burdens of this right. Furthermore, the involvement of the private sector (banks and lending and financing institutions) in resolving the problem of housing loans has entailed additional consequences for citizens with limited income, who allocate the greater part of their income to spending on housing at the expense of satisfying other basic needs. This once again demonstrates the connection of the right to housing with other fundamental factors, such as wage levels, interest rates and spending rates, as well as the connection of the right to housing with other rights, such as the right to food, health, work and the environment. The Centre considers that finding a vacant apartment at a rent suited to persons with limited income has become a dream accompanying every young person wishing to settle in an apartment; for, despite the existence of thousands of vacant apartments in Amman offered for rent, the annual rental rate for medium-sized residential apartments, whose areas range between (110–150) square metres, in the areas of West Amman and some areas of East Amman, has reached approximately (3000–4000) dinars per year, paid in one or two instalments, or approximately (240–350) dinars per month, without regard to the circumstances of tenants who live in difficult conditions. The Centre also monitored the demolition of sixty houses in Zarqa Governorate during 2009 that had been built on State Treasury land in the Al-Batravi area, notwithstanding that the citizens considered these lands to be tribal holdings (*wajihat ashairiyya*). It is noted that (40%) of the houses of Zarqa Governorate are built on lands belonging to the State Treasury, which necessitates resolving the problem of tribal holdings in a manner that does not harm the human right to adequate housing.

111. The Centre affirms that the Landlords and Tenants Law No. (17) of 2009 raises social and economic problems in society, particularly as it set the end of 2014 as the date for the expiry of lease contracts concluded before 2000, which account for 30% of rented houses, as mentioned above, leading to the eviction of many dwellings and the re-conclusion of contracts, with the additional costs this entails for citizens and the infringement of their rights¹³⁰, which necessitates distinguishing between residential contracts and commercial contracts in order to avoid the potential social crisis. The amended Law is criticised for not granting the tenant priority to remain,

¹²⁹ The Centre monitored complaints from beneficiaries of the dwellings of decent families in various areas, for example the dwellings of the poor in Ain Al-Baidha – Tafilah Governorate, concerning the poor implementation of infrastructure services for these dwellings, and the emergence of numerous problems relating to sewerage services, the difficulty of water delivery and poor workmanship of health installations, in addition to the lack of street lighting and the failure to pave them other than with a coarse mixture from which gravel flies off when vehicles pass.

¹³⁰ The Amended Landlords and Tenants Law of 2009 was adopted, whereby all lease contracts concluded before 31/8/2000 shall be terminated by the end of 2015 for residential leases and the end of 2014 for commercial and industrial leases, with varying periods according to the date of entry into force of the contracts, in addition to the adoption of a new litigation mechanism in the matter of the eviction of the lessee resulting from the expiry of the contract. All lease contracts signed before 1/1/1970 shall terminate on 31/12/2012. Residential lease contracts concluded during the period from 1/1/1985 to 31/12/1989 shall terminate on 31/12/2013, whereas contracts in force from 1/1/1995 to 30/8/2000 shall terminate on 31/12/2015. As regards non-residential lease contracts, contracts in force before 1/1/1980 shall terminate on 31/12/2011, and contracts concluded from 1/1/1980 to 31/12/1989 shall terminate on 31/12/2012. Non-residential lease contracts in force from 1/1/1990 to 31/12/1994 shall terminate on 31/12/2013, and contracts concluded during the period from 1/1/1995 to 30/8/2000 shall terminate on 31/12/2014. See the link: <http://www.pm.gov.jo/>

even where the tenant agrees to pay the market-equivalent rent, especially in commercial premises in which tenants have carried on their commercial activity for long periods and have acquired goodwill¹³¹. This means the eviction of many persons of limited income from their dwellings, and of most craftsmen, traders and other professionals from their workplaces, particularly small and medium-sized enterprises, which constitute (98%) of the commercial sector. The Centre considers that the principle of eviction contravenes the international standards on the right to housing, and also contravenes the rule that “the contract is the law of the contracting parties”.

112. The Centre notes that the Housing and Urban Development Corporation implemented a package of measures to facilitate citizens’¹³² benefiting from apartments under the Royal Initiative for Housing “Decent Housing for a Decent Life”. These included improving the terms of local commercial banks’ housing loans¹³³, and amending the criteria and procedures applied by the Housing and Urban Development Corporation for qualifying applications to benefit from the housing apartments, so as to be compatible with the requirements of banks and the guarantees required from citizens. In addition, the Government took a decision to subsidise loans and the Initiative in order to encourage citizens wishing to make down payments or cash payments of the prices of housing apartments under the Royal Initiative for Housing¹³⁴. The Centre commends the decision issued by the Government exempting the first (120) square metres of apartment area from registration fees and related charges, such that any Jordanian citizen may benefit from this exemption regardless of the number of times he or she benefits. Nevertheless, apartments remain high-priced for the segment of limited and low income, despite the fall in the price of steel and other building materials.

113. The Centre also monitored complaints by citizens¹³⁵ concerning public transport facilities in terms of the public safety specifications of means of transport, the level of service and the suitability of location, as well as the absence of a clear mechanism for adjusting public transport

¹³¹ A seminar entitled “The Right to Housing and the Owners and Tenants Law”, National Centre for Human Rights, dated 18-06-2009.

¹³² According to statistics of the Housing Corporation, the number of citizens who applied and who met the conditions reached 51 thousand applications out of 186 thousand.

¹³³ Additional points are awarded to heads of families and to married persons, and the years of service of public sector employees and the fact that no family member has benefited from similar housing programmes are taken into consideration. In addition, an amount equivalent to JD 241 and 310 fils is deducted for every JD (1000) paid by the beneficiary in cash towards the price of his or her housing unit, provided that the amount deducted does not exceed JD (6500), whatever the amount paid in cash.

¹³⁴ An agreement was reached with the banks under which the terms of granting loans to the beneficiary were improved. The maximum age of the beneficiary at the end of the loan was raised to 70 years, having previously been capped at 60 years only, and the maximum loan term was raised to 25 years, having previously been 20 years. The ratio of the instalment to salary was raised from 40% of the single employee’s income to 50% of the family income accepted by the banks in accordance with their credit policies, where the housewife works and wishes to participate in repayment. The amendments to the criteria and procedures for qualifying applications to benefit from housing apartments also included the calculation of additional points for the working wife’s income and the calculation of additional points for the amounts of the down payment that the beneficiary is able to provide as a first instalment. As for government support for apartment prices, the Government bore the cost of land and the cost of infrastructure, and subsidised the interest rate on the housing loan. Quoted from the following link: <http://www.hudc.gov.jo/>

¹³⁵ The Centre monitored citizens’ complaints concerning: the non-operation of taxi meters in the governorates, the expiry of the operational life of public transport vehicles, the failure to provide means of public transport for persons with special needs, and queue crises.

fares. The Centre calls on the Public Transport Regulatory Commission to expedite implementation of the five-year plan and to put in place appropriate solutions to the problems of public transport in a manner that observes the principle of integration among all modes of public transport; to provide a safe, comfortable and integrated public transport system that encourages citizens to use means of public transport; to adopt an annual mechanism for adjusting public transport fares linked to changes in fuel prices and inflation rates, and to achieve fairness between operators and users of means of public transport; and to set specifications that raise the level of public safety and road security.

114. In the field of **water**, the issue of the shortage of water resources and the deterioration of their quality is closely linked to the human right to water, which was recognised by the International Covenant on Economic, Social and Cultural Rights (ICESCR) and affirmed by the Committee on Economic, Social and Cultural Rights in its General Comment No. (15) of 2002¹³⁶. Jordan is considered one of the ten poorest countries in the world in this field¹³⁷. The per capita share of water amounts to (145) cubic metres per year for all uses, which is far below the water poverty line, estimated at around (1000) cubic metres annually according to World Bank studies. The water deficit rose to approximately 600 million cubic metres owing to scarce rainfall during 2009, compared with approximately 500 million cubic metres during 2008¹³⁸. Per capita shares of water in some governorates recorded an increase over the previous year, although there was no decrease in any governorate. The per capita share in Jerash Governorate rose to almost double that of the previous year, Jerash being among the governorates with the most complaints about water shortages. The per capita share also rose in Ajloun Governorate by about 48 litres per day over the previous year, and in Irbid by about 23 litres per person per day¹³⁹. Nevertheless, the three governorates still suffer a water deficit of up to 8 million cubic metres according to the summer 2009 water supply plan prepared by the Ministry of Water and Irrigation. The Centre points out that the water tariff in the Capital Governorate is the highest of all governorates, on the justification that incomes there are higher, which contradicts the text of the Constitution and

¹³⁶ Among the most prominent legal foundations on which the right to water rests under international standards is that “the human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses”.

¹³⁷ The Ministry of Water and Irrigation identified the challenges facing the water sector in the Kingdom as: the limited renewable water resources; the depletion of most groundwater basins; and climate change and its actual and potential harmful effects on Jordan, as the per capita share of water in Jordan is expected to fall from 150 cubic metres per year at present to 90 cubic metres per year in 2025. The challenges at the level of water supply range from the widening gap between demand for water and the water available, the low per capita share of renewable water resources at less than 15% of the global water poverty line, the weak performance of water supply and distribution systems and the high percentage of water loss, to the high rate of loss (30%) in old irrigation networks, which cover (60 thousand dunums). The Ministry also identified the financial challenges as being that current drinking water tariffs do not match operational and capital costs, in addition to the marginal cost of irrigation water being high while the irrigation water tariff is very low, the high cost of capital projects and the inability to secure the funding necessary for investment in water sector projects. Interview by Al-Rai newspaper with the Secretary General of the Ministry of Water and Irrigation on 1/12/2009, Al-Rai, p. 6.

¹³⁸ See the Ministry of Water and Irrigation: <http://www.mwi.gov.jo/English/Pages/default.aspx>

¹³⁹ The per capita share in the governorates of the Kingdom was as follows: Ma'an 257 litres per day, Tafileh 178, Karak 181, Jerash 130, Ajloun 130, Mafraq 206, Irbid 130, Madaba 152, Balqa 160, Zarqa 147 and the Capital 167 litres per day.

conflicts with the universal principle established by human rights conventions prohibiting discrimination among citizens¹⁴⁰.

115. Within the framework of addressing the water poverty from which Jordan suffers, the Ministry of Water and Irrigation resorted to providing quantities of desalinated water for drinking purposes. It worked to develop and expand water purification and treatment plants, to continue implementing dam projects, to reduce water loss by improving and replacing water networks, to halt pumping to summer crops in the Jordan Valley, and to search for new water sources. It is also working on implementing the Disi water conveyance project, which aims to reduce the water deficit by approximately 11 million cubic metres. While the Centre appreciates the plan of the Ministry of Water and Irrigation to bridge the water deficit during the summer season, it noted increasing complaints by citizens, specifically in the northern governorates, about the interruption of water supply to their homes as a result of the instability of the approved water distribution programmes due to repeated power cuts, and the reduction of water supply hours below the prescribed period.

116. In this context, the Centre calls for expediting implementation of the institutional reform plan for the water sector, which includes enacting a water law, separating production from distribution operations, activating the role of the Water Council, establishing a commission to regulate the water sector, and enacting a water court law, as well as increasing the use of information technology in the management of the water sector. The Centre also stresses the need to make comprehensive changes to the irrigation system and to reduce the waste of water, to provide sewerage services to all major cities and municipalities, to introduce new technologies in agricultural irrigation, and to increase the use of treated wastewater in agriculture and industry¹⁴¹.

117. In order to protect the right to an adequate standard of living, the Centre recommends moving towards holding a national dialogue in which political, economic and social actors in the public and private sectors take part, with a view to arriving at a balanced national formula in the area of wages and prices. The Centre considers that the newly formed Economic and Social Council should play a prominent role in this field. The Centre further recommends a number of specific measures, including:

a. Promoting the establishment of small productive projects in poor areas and stimulating investment opportunities therein, with the aim of shifting from the culture of families dependent on handouts, assistance and grants to that of productive families.

¹⁴⁰ The price per cubic metre in Amman starts from zero up to twenty cubic metres at a total value of up to JD 5 and 121 fils, including meter charges and the additional increment, in addition to the sewerage tariff and the price of water. The bill then becomes progressive after the consumption of 21 cubic metres in a single cycle (3 months), and for consumption of water exceeding 130 cubic metres the total of the bill is the quantity consumed multiplied by the price per cubic metre, which amounts to 124 piastres, plus the additional increment of JD 5 and 51 piastres and the meter fee. As for the price per cubic metre in the governorates, it remains progressive up to the consumption of 185 cubic metres, after which the price per cubic metre becomes fixed. The value of the additional increment imposed on the water bill years ago amounts to JD 5 and 150 fils in the Capital after the consumption of 40 cubic metres, while in the governorates it amounts to JD 4 and 650 fils. For further details, see the link of the Ministry of Water and Irrigation: <http://www.mwi.gov.jo/Arabic/WAJ/CitizenServices/Pages/tariff.aspx>

¹⁴¹ <http://www.mwi.gov.jo/Arabic/MWI/RCOW/Pages/Acheivement.aspx>

- b. Addressing the structural distortions in the reality of the labour market by increasing the focus on the remote governorates, supporting them with national and foreign investments and launching industrial cities therein.
- c. Emphasising the importance of cultivating land and investing it economically, preventing the fragmentation of agricultural holdings, and reviving the culture of the home garden, in order to cover the cost of the daily needs of poor families for a decent life.
- d. Strengthening national training and employment programmes aimed at providing the poor and workers with skills in the various construction sectors, and offering additional vocational, craft and technical training programmes in accordance with the needs of the national and regional labour market.
- e. Expanding the base of credit funds in charitable societies so that their loans may be used to establish small productive projects, with the aim of disseminating a culture of production among the poor.
- f. Setting salaries and wages on the basis of the cost of living, and limiting the imposition of fees and of direct and indirect taxes on goods and services.
- g. Activating the application of the Competition Law, which prohibits monopoly, and expediting the adoption of the Consumer Protection Law, in order to regulate the market with legislative tools commensurate with a market economy.
- h. Supporting the Civil and Military Consumer Corporations in their important role of providing goods, particularly basic food commodities, of good specifications and at competitive prices.
- i. Strengthening the social safety net so as to enable poor segments to cope with the burdens of living, and providing health and social care, adequate housing, decent work and unemployment insurance, so that the citizen does not become a burden instead of being driven towards production.
- j. Adopting a “low-cost” popular housing strategy that makes life more secure and stable for the various social groups, taking into account the legal standards relating to the right to housing and the standards emanating from international law and treaties, which consider security of tenure one of the fundamental elements of the right to adequate housing.
- k. Developing the exploitation of water resources in the Kingdom to the fullest extent, and adopting modern technologies for the treatment of wastewater with a view to its reuse in agriculture and industry, together with continuous efforts to halt the depletion of groundwater basins and protect them from pollution, and unifying water prices across the governorates.

The Right to Work

118. The Constitution, in Articles (6/2) and (23), guaranteed the right to work for all citizens, and obliged the State to provide it by directing and advancing the national economy. Accordingly, the Labour Law No. (8) of 1996 was enacted to regulate the bases of the contractual relationship between workers and employers, which led to workers enjoying the rights, privileges and legal measures guaranteed by this Law. The International Covenant on Economic, Social and Cultural

Rights also addressed, in Articles (6, 7 and 8), the right of individuals to enjoy just and favourable conditions of work that ensure equal employment opportunities for all workers, fair and equitable wages for all without discrimination, the securing of a decent living, working conditions in which safety and health are ensured, and the reasonable limitation of working hours with paid rest periods and leisure. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990, which entered into force on 1 July 2003, also established an adequate and comprehensive codification of all the guarantees and rights of migrant workers that must be complied with¹⁴². The International Labour Organization has issued more than (189) international conventions, of which Jordan has ratified (24), in particular the core conventions; however, Jordan has not ratified Convention No. (87) concerning Freedom of Association¹⁴³.

119. In the area of the reality of occupational health and safety for workers, the Centre notes a decline in the inspection campaigns of the Ministry of Labour compared with 2008. The Inspection Department conducted approximately (43147) inspection visits during 2009, resulting in (12586) violations of the provisions of the Labour Law being recorded¹⁴⁴. These violations relate to Articles (28) and (80) of the Law, which regulate the taking of the precautions necessary to protect the establishment and the workers therein from the risks of fire and explosion and the storage of hazardous materials within an environment that ensures public safety and occupational health. The Centre also recorded a number of violations relating to workers' rights, the most important being those relating to Article (46) concerning wages and their payment on time, and those relating to Article (12) concerning the unlawful employment of migrant workers. The Centre affirms that the reality of occupational health and safety still requires further regulation, especially in the construction sector; although the Labour Law provides for it in a manner consistent with international standards, it has been observed that the technical details in some legislation on occupational safety and health are incomplete, which makes their application subject to the discretion of the inspector. Local newspapers also reported that many establishments and companies dismissed workers on the pretext of restructuring under the provisions of Article (31) of the Labour Law, despite not having submitted any application for restructuring purposes.

¹⁴² Among the most important matters addressed by this Convention for the protection of migrant workers and members of their families are the following: (the right to work and to receive a fair and adequate wage; non-discrimination; equality before the law and legal protection; freedom from forced labour; protection from arbitrary measures; the right to an adequate standard of living; the right to work in safe conditions; the right to rest; the right to appropriate working hours; freedom from sexual harassment; the right to form trade unions; and the right to freedom of religious belief and freedom of opinion and expression).

¹⁴³ These are: ILO Convention No. (98) concerning the Right to Organise and Collective Bargaining; ILO Convention No. (29) concerning Forced Labour; ILO Convention No. (105) concerning the Abolition of Forced Labour; ILO Convention No. (138) concerning Minimum Age; ILO Convention No. (182) concerning the Worst Forms of Child Labour; ILO Convention No. (100) concerning Equal Remuneration; and ILO Convention No. (111) concerning Discrimination in Employment and Occupation.

¹⁴⁴ The Ministry of Labour / Directorate of Inspection and Occupational Health and Safety conducted approximately (68899) inspection visits to various establishments during 2008, resulting in warnings to (1091) companies and commercial premises and violations recorded against (4679) companies and commercial premises.

120. With regard to agricultural workers¹⁴⁵, although the Government amended Article (3) of the Labour Law and subjected agricultural workers to its provisions as of 2008, the regulations governing the rights of this category have not been issued to date, which affects them adversely. The Centre monitored the circumstances and conditions of this category during 2009, and found that workers in the agricultural sector are not covered by health insurance and social security on the one hand, and suffer from long working hours and the failure of employers to abide by the provisions of the employment contract on the other.

121. In the area of domestic workers, the Centre monitored during 2009 a number of measures taken by the Ministry of Labour which contributed to reducing their problems, including: (a) the issuance of Regulation No. (89) of 2009 on the Regulation of Private Offices for the Recruitment and Employment of Non-Jordanian Domestic Workers, among the most prominent provisions of which is the inclusion of penalties of closing the office without warning, or of cancelling its licence if the violations committed are of a kind that constitutes a serious violation of human rights; and (b) the formation of a committee to resolve the problems of live-in domestic workers, whose membership includes representatives of the Ministry, the Public Security Directorate and Foreigners' Affairs, the Ministry of Interior, the Syndicate of Owners of Domestic Worker Recruitment Offices, and lawyers of the embassies of the countries sending domestic workers. The committee succeeded in settling the situation of (524) domestic workers of Indonesian and Filipino nationality.

122. The Centre received (71) complaints and (37) requests for assistance relating to the recruitment and employment of domestic workers. It also monitored the phenomenon of the breach of contracts signed between the workers and the owners of recruitment offices, as between the wage conditions and the nature of the work agreed upon before the workers travelled and left their countries, and the working and wage conditions upon their arrival in Jordan. The Centre notes that the Ministry of Labour closed (3) offices for committing such violations. Despite the issues raised in the Centre's 2008 report concerning the problems facing domestic workers, regrettably no noticeable progress has occurred, which calls for reaffirming a number of these problems, namely¹⁴⁶: (a) a number of domestic workers still work in markets, shopping centres (malls), schools, nurseries, beauty salons, restaurants, hotels and other places, in violation of the applicable laws and regulations; (b) the lack of health insurance for domestic workers, and their not being covered by social security; (c) these workers not receiving the wages agreed upon in the contract, and sponsors deporting some of them without their having received their wages before leaving the country; (d) some sponsors accusing domestic workers of theft out of a desire to have them deported by way of removal based on a decision of the administrative governor; (e) some domestic workers being subjected to verbal violence and physical harm, and at times to sexual

¹⁴⁵ On 17/8/2008, the Law Amending the Labour Law No. (8) of 1996 was enacted, Article (3) of which provides for subjecting workers in the agricultural sector to the provisions of the Labour Law under a special regulation to be issued for this purpose; however, no such regulation has been issued to date.

¹⁴⁶ The figures issued by the Ministry of Labour indicate that the number of domestic workers who obtained a work permit and a residence permit reached 27344, whereas the number of domestic workers in 2008 was (48) thousand who obtained a work permit and a residence permit. However, the figures of the Syndicate of Owners of Offices for the Recruitment and Employment of Non-Jordanian Workers indicate that there are more than (75) thousand domestic workers, male and female, in homes.

assault, with a number of reports of sexual assault having reached the Family Protection Department of the Public Security Directorate as the body competent to investigate such cases before referring them to the competent court; (f) long working hours, exceeding (18) hours a day in some cases, the failure to grant these workers a weekly rest day, and obliging them to work in more than one house in many cases; (g) the deprivation of liberty of these workers and the restriction of their movement, by keeping them in the sponsors' houses or withholding their passports, on the pretext of the sponsors' fear of their escape or of their breaching residence conditions; (h) some recruitment offices employing minor girls as domestic workers; (i) domestic workers who violate the Residence and Foreigners' Affairs Law being detained and held by the Public Security Directorate in the Juweideh Correction and Rehabilitation Centre for Women for periods that may extend to one month before their return to their countries; and (j) a number of sponsors failing to repatriate domestic workers after the expiry of the employment contract, which forces the worker to escape.

123. In the area of workers in the Qualifying Industrial Zones, the Centre carried out field visits to these zones during 2009, and found that there are (27) inspectors distributed over (80) companies employing (8153) Jordanian workers and (25571) foreign workers. For the third year running, the Centre noted a number of problems, including: the absence of night inspection; the increase in workers' sit-ins; the failure to comply with occupational health and safety in factories and the failure to provide health insurance for workers; the instability of employment in companies; and migrant workers absconding from the companies in which they work and working for other parties illegally. The Centre also recorded cases of workers, whether Jordanian or migrant, lacking awareness of the Jordanian Labour Law, in addition to a number of investors absconding and failing to pay their workers' wages after closing their factories, which compelled the Ministry to intervene to transfer the workers to other factories and to follow up their claims for their labour rights.

124. In the area of child labour, the Centre carried out field visits during 2009 to a number of areas in Amman, Irbid, Al-Jafr, the Jordan Valley, Zarqa, Russeifa, Anjara, Madaba and Salt, and prepared a detailed report¹⁴⁷ on child labour, which revealed the violations to which these children are exposed, the most prominent being: (a) child workers being subjected at workplaces to many harsh practices, mostly including beating, verbal abuse and other forms of inhuman treatment; (b) the existence of certain sexual and immoral practices against children during work; (c) long working hours, and low wages that do not reach the minimum wage; and (d) working children suffering from various diseases as a result of inhaling gases and fumes and/or being exposed to occupational hazards such as falling from scaffolding or being exposed to traffic accidents. These children remain outside legal protection and the legislative framework of the Labour Law and social security, among other matters that may be classified among the worst forms of child labour under international conventions¹⁴⁸.

¹⁴⁷ All figures and percentages in the observations item were compiled by the monitoring team deployed by the National Centre for Human Rights, covering a sample of (200) children in various areas of the Kingdom.

¹⁴⁸ Jordan ratified the Convention on the Rights of the Child and ILO Convention No. (138) of 1973 concerning Minimum Age for Admission to Employment, and the Labour Law was brought into line with this Convention, Article (73) thereof providing that "Subject to the provisions relating to vocational training, a juvenile who has not completed sixteen years of age may not be employed in any manner whatsoever". ILO Convention No. (182) of 1999 concerning the Worst Forms of

125. The Centre considers that the governmental efforts exerted to reduce child labour remain insufficient to curb the exacerbation of this phenomenon. The Ministry of Labour did not play the role required of it in this field during 2009, nor did it respond to the Centre's recommendations set out in its previous reports in this regard, as confirmed by the study prepared by the Department of Statistics and the International Labour Organization, which indicated that the number of working children in the Kingdom is approximately 32 thousand children in the 15–17 age group. Nevertheless, the Centre positively records the measures of the Ministry of Labour represented in the following: (a) the appointment of ten liaison officers from among labour inspectors in ten governorates characterised by a high density of child labour, to undertake the rehabilitation of children who have dropped out of school into work; and (b) the signing of a memorandum of understanding with the United Nations Children's Fund (UNICEF) at the end of May 2009, under which UNICEF provides technical assistance to establish the Child Labour Unit and to provide it with the resources required for it to operate appropriately.

126. As for combating trafficking in persons, the daily newspapers published a number of cases during 2009, and the Centre also noted that public prosecutors and the concerned bodies pursued and punished the perpetrators of these crimes, and that (11) cases were referred to the judiciary. The Centre commends the Government's decision to accede to the United Nations Convention against Transnational Organized Crime of 2000 and its supplementary Protocols, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, on 30/4/2009, in addition to its enactment of the Prevention of Trafficking in Persons Law No. (9) of 2009, which covers protection, prevention and prosecution. The Centre participated during 2008 and 2009 in the preparation of the Law through its membership of the committee that drafted the Law, in addition to its participation in the technical committee for the preparation of a draft special regulation for the shelter centre, in cooperation with the Anti-Trafficking in Persons Unit formed of the Ministry of Labour, the Public Security Directorate and the Ministry of Justice. However, many obstacles still prevent the achievement of effective results in combating trafficking in persons, including: (a) the Prevention of Trafficking in Persons Law still faces obstacles in the implementation of its legal provisions, as a shelter house has not been prepared and the persons concerned with implementing the provisions of this Law have not been trained¹⁴⁹; (b) the need to conduct a number of workshops to train the persons concerned with implementing the provisions of the Law, including judges, public prosecutors, labour inspectors, Public Security Directorate personnel and the owners of recruitment offices; and (c) the need to conclude agreements with the concerned states to combat this crime, particularly as it is of a transnational nature.

Child Labour, which aims to eliminate the worst forms of child labour, classified the worst forms of child labour as follows: all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; and work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. In addition, the Convention on the Rights of the Child prohibits the exploitation of children in work in general through Article (32), which urges the protection of the child from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's physical, mental, spiritual or social development.

¹⁴⁹ The National Strategy to Combat Trafficking in Persons was adopted in mid-February 2010.

127. The Centre affirms that the right to work is still exposed to many obstacles and violations. Despite the Centre's repetition of its recommendations over the past five years with a view to promoting and protecting this right, the Government has not responded to them in a manner consistent with the provisions of the Constitution and the relevant international standards. The Centre therefore reiterates its emphasis on all the recommendations set out in its previous reports, and affirms the following:

- a. Adopting a modern labour law that is consistent with Jordan's international obligations and ensures the realisation of the basic principles set out in the international conventions ratified by Jordan, the most important of which are: the principle of freedom of association, the principle of equal wages, the principle of non-discrimination in employment, and the principle of eliminating the worst forms of child labour; and providing legal solutions to limit the violations that harm Jordan's reputation in the Arab world and internationally.
- b. Acceding to the 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and ratifying Convention No. (87) concerning Freedom of Association.
- c. Covering workers in the agricultural sector and domestic workers with health insurance and social security.
- d. Abiding by the provisions of the law on returning working children to school, and activating Article (389) of the Penal Code concerning begging offences.
- e. Taking the measures necessary to activate the text of Article (74) of the Labour Law concerning the prohibition of the employment of juveniles in hazardous work and work harmful to health.
- f. Qualifying and training labour inspectors so that they are able to perform their duties efficiently and competently, expanding their powers and providing them with the capabilities necessary to monitor the owners of domestic worker recruitment offices, so as to limit the violations to which workers are exposed.
- g. The necessity of night inspection of factories in the Qualifying Industrial Zones to ascertain their compliance with the provisions of the Labour Law.
- h. Activating the provisions of Article (18) of the Temporary Passports Law and its amendments No. 5 of 2003, concerning the impermissibility of withholding passports administratively.

The Right to Education

128. The right to education is one of the fundamental human rights to which the International Covenant on Economic, Social and Cultural Rights has given special attention. Articles (13 and 14) thereof affirm that education is a right guaranteed to every individual, and that it must be directed to the full development of the human personality and to strengthening respect for human rights. The Covenant also obliged States to make primary education compulsory and available free of charge to all, to make secondary education in its various forms generally available and accessible, and to make higher education accessible on the basis of equality in accordance with capacity, with the progressive introduction of the principle of free secondary and higher education.

The Constitution also guaranteed the right to education within the limits of the State's capacities, and provided for the right to establish private schools and for compulsory education in Articles (6/2 and 19)¹⁵⁰; the Education Law likewise provided for free compulsory education.

129. With regard to school education, the statistics of the Ministry of Education for the academic year 2007–2008, set out in the attached Table No. (17), indicate that the number of students in all schools of the Kingdom reached (1,622,264) male and female students¹⁵¹, an annual increase of (1.5%) over the previous year, while the number of schools reached (5670). Schools belonging to the Ministry of Education and other governmental bodies constitute approximately (58.6%), an increase of (0.2%) over the previous year, and are attended by (1,130,174) students, an increase in the number of students of (3330), i.e. an increase rate of (0.29%). Private sector schools constitute (38%) and are attended by (366206) students, an increase of (5.9%) over the previous year. Schools belonging to UNRWA constitute (3.1%) and are attended by (125,884) students. It is evident to the Centre that the increase in the number of students is not commensurate with the increase in the number of schools, which leads to overcrowding of classes with students, as the figures reveal that the ratio of students per class section and per teacher falls short of the approved international standards¹⁵², particularly in UNRWA schools, according to Table No. (18)¹⁵³. There is also growth in the number of private schools and of the students attending them in comparison with the number of governmental schools and the students attending them, which raises questions about the State's duty to provide educational opportunities in terms of the quality of education on the one hand, and the extent of people's satisfaction with it on the other. The Centre therefore affirms the pressing need to intensify efforts to build new schools belonging to the Ministry of Education and UNRWA. Although the aforementioned figures and percentages give an indication of the level of access to education in Jordan and of its consistency with the natural annual population increase, and despite the increase in the budget of the Ministry of Education for 2009 over the previous year at a rate of (9.06%) of the volume of the general budget, its share is declining in comparison with previous years. The Centre also notes the imposition of sales tax on the stationery needed by students, ranging between (4–16%); although education is free of charge in governmental schools, this tax is considered an indirect cost borne by parents, which is inconsistent with free education.

¹⁵⁰ As follows: "The State shall ensure work and education within the limits of its capacities, and shall ensure tranquillity and equal opportunities to all Jordanians" and "Congregations shall have the right to establish and maintain their own schools for the education of their own members, provided that they comply with the general provisions of the law and are subject to the control of the Government in matters relating to their curricula and orientation". Article 20 thereof provides: "Elementary education shall be compulsory for Jordanians and free of charge in Government schools".

¹⁵¹ The proportion of females among them is 49.15%, which indicates equality in the overall total of the numbers of females and males.

¹⁵² The international standard for the ratio of students per class section is 25, and the average ratio of students per teacher is 14 at the level of developed countries, 28 in developing countries and 22 in Arab countries.

¹⁵³ The general average is 26.9%, while urban schools are more crowded than rural ones. The ratio of students per class section reached (31.4) in urban schools belonging to the Ministry of Education and (27.1) in other governmental urban schools, while it reached (22.9) in rural schools belonging to the Ministry of Education and (20.3) in other governmental rural schools. As for UNRWA schools, the ratio of students reached (37.9) in urban schools and (27.3) in rural schools, while the ratio in private schools reached (23) in cities and (21.4) in villages.

Table No. (17): Comparison of Certain Indicators between Governmental and Private Education

Indicator	Value
Number of schools in the Kingdom	5670
Proportion of Ministry of Education and governmental schools	58.6%
Rate of increase in the number of governmental schools	0.2%
Number of students in governmental schools	1,130,174
Increase in the number of students in governmental schools	3330
Rate of increase in the number of students in governmental schools	0.29%
Proportion of private sector schools	38%
Number of students attending private sector schools	366206
Rate of increase in the number of private sector students	5.9%
Proportion of UNRWA schools	3.1%
Rate of increase in the number of students in UNRWA schools	0.27%
Number of students attending UNRWA schools	125884

Table No. (18): Ratio of Students per Class Section and per Teacher

Supervising Authority	Ratio of Students per Class Section	Ratio of Students per Teacher
Overall total	26.9	17.6
Ministry of Education	27.7	17.5
Other governmental bodies	24.3	12.9
UNRWA	37.5	29.2
Private education	22.9	16

130. With regard to kindergartens, which have received considerable attention in recent years, the Centre noted an increase in the number of governmental kindergartens at a rate of (18.8%) for the academic year 2009–2010 over the previous year, and (1327) kindergartens belonging to the private sector were opened in the academic year 2008–2009. It should be noted, however, that although kindergartens in governmental schools are free of charge, they are not compulsory and most of them lack the required equipment, which calls for completing their equipment on the one hand, and for opening more of them throughout the Kingdom on the other.

131. As for non-formal education, the illiteracy rate fell this year to its lowest level in Jordan's history (7.3%)¹⁵⁴, which places Jordan among the countries exerting noticeable efforts in this field, the illiteracy rate in the Arab world being as high as (25%). The "Education for All Global Monitoring Report" issued by UNESCO also indicated that Jordan has a likelihood high likelihood of achieving the Millennium Goal of eradicating illiteracy, in addition to its expansion to include non-Jordanian students, particularly given the presence of large numbers of Iraqi children who have dropped out of school. The Centre further stresses the need to continue the efforts being made to reduce the illiteracy rate, to expand non-formal education to include non-Jordanians, to address the problem of dropout, albeit low, and to adopt more motivating measures for enrolees, such as the distribution of in-kind assistance to enrolees, particularly as most of them

¹⁵⁴ (3.5% males and 11.1% females).

are persons of limited income. In this context, the Centre points out that the remuneration granted to the teacher in Correction and Rehabilitation Centres is very low,¹⁵⁵ which affects the teacher's motivation, particularly in light of their claim that the remuneration they receive is far lower than many of the allowances, amounting to (15) Jordanian Dinars per month, in addition to the absence of incentives for inmates who enrol in study.

132. In the field of human rights education, the Ministry of Education continued to promote human rights concepts in school curricula and textbooks and in certain other educational practices; however, the integration of human rights into certain subjects still needs to be completed. In this context, the National Centre for Human Rights and the Ministry of Education signed a Memorandum of Understanding on 8/4/2009 and developed action plans for the integration of human rights into the school system. The Centre hopes that implementation of the provisions of this Memorandum will commence and that the necessary funding will be provided for it.

133. The Centre observed the persistence of the phenomenon of school violence and an increase in cases of violence among students themselves, on the one hand, and between students and teachers, on the other, notwithstanding the establishment by the Ministry of a hotline to receive complaints about cases of violence against students, the number of complaints having reached (177) during 2009. The Centre considers that the number of cases of abuse may far exceed this figure, owing to the poor awareness of students and parents of the hotline, in addition to the resolution of many cases of abuse by amicable means, and the absence of deterrent measures against teachers and administrations who resort to violence. The Centre notes that the Ministry has taken a series of measures to curb the abuse of students: it has tightened the instructions issued to teachers and principals to curb this; a Protection from Abuse Section was established within the Directorate of General Education and Student Affairs to provide protection for children from exposure to abuse; a preventive guide for the protection of students from violence and abuse, targeting counsellors and teachers, was issued, as well as a guide for educational counsellors in Jordanian schools on child protection (8–12) from abuse; and the Civil Service Regulation was amended in the direction of tightening the penalty imposed on teachers and principals who resort to violence and physical assault against students. The Ministry also prepared a study on “School Violence in Government Schools: Its Forms and Causes”,¹⁵⁶ which produced a set of recommendations, including the implementation of the project “Together Towards a Safe School Environment” in cooperation with UNICEF, to curb violence by teachers when imposing punishment on a student for any infraction noted by the teacher, whereby slogans are applied (we stop, to converse, to discuss, to take the decision collectively and peacefully). The idea, however, faces challenges such as: a lack of clarity among some and, at times, a lack of acceptance on the part of teachers.¹⁵⁷

¹⁵⁵ It should be noted that teachers receive limited financial remuneration: a teacher in the Adult Education and Literacy Programme receives JD 1.600 per teaching hour, at a rate of 3 hours per day at most.

¹⁵⁶ Student-to-student violence ranked first in average prevalence, followed by teacher-to-student violence and, lastly, student-to-teacher violence.

¹⁵⁷ The Centre monitored an assault committed by a teacher against his student at school which reached such a degree of gravity that it resulted in the student losing one of his eyes, which requires the adoption of deterrent measures to prevent the recurrence of such conduct. For further details, see Al-Ghad newspaper: <http://www.alghad.com/index.php?news=487680>

134. Educational counselling services reach (77%) of students in government schools, with one educational counsellor for every (519) students in government schools. These ratios indicate the shortage of male and female counsellors in the Kingdom's schools. The Centre stresses the importance of the role of counsellors in curbing school violence and guiding students, and points in particular to the absence of a requirement to appoint counsellors in private schools, where the number of counsellors in private schools did not exceed (170), which calls for the adoption of measures requiring them to do so.

135. With regard to improving the conditions of teachers, the Ministry made numerous efforts and projects to improve their conditions, such as: the Housing Fund projects, the Education Loan Guarantee Fund through the granting of loans, and the granting of a remoteness allowance to teachers to improve their salaries, whereby a teacher is granted JD (50) per month if working in a district other than his or her place of residence, JD (100) per month if working in another governorate, and JD (150) per month if in another region, in addition to the application of a new additional allowances system as follows: (10%) for a teacher holding the ICDL and granted the rank of teacher; (25%) for a teacher who has received more than 60 training hours, provided that he or she holds a higher diploma; (50%) for a teacher who has received 160 training hours in addition to holding a master's degree as a minimum, (200) points for publishing individual research in a peer-reviewed journal or for receiving the Queen Rania Award for Excellence in Education, and attaining the rank of expert.

136. The Centre received (12) complaints relating to school education during 2009, and a violation of the right to education was established in (8) of them. It was observed that most of them related to the imposition of a residency requirement for the education of non-Jordanians. The Centre emphasises that the absence of a teachers' syndicate is considered a violation of the right to trade-union organisation guaranteed by the International Covenant on Economic, Social and Cultural Rights and by the Jordanian Constitution, which provides in Article (23/2) that the State shall protect labour and enact legislation therefor based on a number of principles, the most important of which is the existence of free trade-union organisation within the limits of the law, which calls for a reconsideration of this matter by the Government. The Centre also points to the recurring occurrence of shortages of teachers specialised in the natural sciences in some schools at the beginning of the school year, which calls for the adoption of special measures to address this phenomenon.

137. In the field of **higher education**, the Higher Education and Scientific Research Law No. (23) of 2009 and its amendments regulate higher education policies and objectives.¹⁵⁸ There are (24) universities in the Kingdom distributed across its various regions, of which (10) are public universities and (14) are private universities, in which a total of (220838) male and female students study in various specialisations and academic degrees and of various nationalities; the proportion of female students among them is (50.7%). These statistics indicate the wide extent of the

¹⁵⁸ Higher education aims to foster and promote the democratic approach in a manner that guarantees academic freedom, the right of expression, respect for the opinion of others, teamwork, the assumption of responsibility and the use of critical scientific thinking; to provide a supportive academic, psychological and social environment for creativity, excellence and innovation and the refinement of talents; and to encourage, support and raise the standard of scientific research, particularly applied scientific research directed at the service and development of society.

availability of higher education in the Kingdom in general, as a number of universities are available in which various specialisations are taught, in addition to the existence of two universities under establishment in the Governorates of Ajloun and Madaba, the existence of two regional universities, namely the Arab Open University and the Arab Academy for Banking and Financial Sciences, and an international university, namely the World Islamic Sciences University.

138. The Centre observes the persistence of certain phenomena to which it drew attention in its previous report and in which no progress has been made, most of which fall within the field of the right to equal treatment in university admission, high university fees and their variation for the same specialisation, the persistence of the phenomenon of university violence alongside the absence of adequate and appropriate human rights education, the inadequacy of student representation and of student participation in taking the decisions that concern them, the ineffectiveness of student councils, and the absence of a syndicate for teaching staff and employees at universities.

139. With regard to support for scientific research, the Centre records the allocation by the Board of Directors of the Scientific Research Support Fund of JD (11) million for scientific research support for 2009, of which JD (8.5) million was spent on scientific research projects, national conferences, specialised Jordanian peer-reviewed journals, and scholarships for academically outstanding postgraduate students at Jordanian universities. The Centre also records the notable increase in the scholarships offered by the Ministry of Higher Education and other funds compared with previous years, with 1992 male and female students benefiting from these scholarships, and the number of beneficiaries of the Student Support Fund reaching (18075) male and female students in the academic year, compared with (15419) beneficiaries in the year 2007–2008.

140. While the Centre appreciates the efforts made by the Ministry of Education in the field of the right to education and the progress achieved in more than one area, and for the sake of further progress, it recommends the following, in addition to the recommendations contained in its previous report for 2008:

- a. Intensifying efforts to address the phenomenon of school violence, through the further activation of follow-up, monitoring and educational counselling procedures, and promoting a culture of human rights and the peaceful resolution of disputes.
- b. The need to expedite the development of a classification for private schools, while emphasising commitment to educational standards, particularly with regard to the appointment of educational supervisors and social counsellors and respect for the minimum wage.

141. With regard to the higher education sector, the Centre points out that it has adopted several recommendations in previous years, but these have not been dealt with seriously, and it stresses the need for their adoption at the earliest possible opportunity, as follows:

- a. Reconsidering the admission criteria for all levels of university study (bachelor's and postgraduate studies) in a manner consistent with international human rights standards and in a manner that guarantees the availability of education to all on the basis of competence and equality, and reducing exceptions to the narrowest limits for marginalised groups.

- b. Emphasising equality in university fees and abolishing the parallel education programme, while emphasising that university fees should not be raised and working on gradual progression towards free higher education.
- c. Calling upon universities to promote extracurricular programmes that reinforce the values of voluntary social work and tolerance, and to promote the establishment of student clubs and their support by the university and the opening up of civil society to them, and, in particular, the need to establish human rights clubs.
- d. Teaching human rights and democracy through the introduction of a course for university students or its integration into existing courses.
- e. Conducting scientific studies and research on the phenomenon of violence at universities, while emphasising the distinction between university violence and freedom of student activity, and providing social and psychological counselling to serve university students regarding the negative phenomena from which students suffer, in particular the phenomenon of student violence.
- f. Opening wider channels of dialogue between students and student, teaching and administrative bodies.
- g. The proper application of student disciplinary regulations in a manner consistent with international human rights standards, while emphasising the need for disciplinary penalties to be proportionate to the violations, provided that the application of these penalties does not prevent students from expressing their opinions and exercising their activities in an atmosphere of freedom, and such that the measures taken to curb the phenomenon of university violence do not become a reason preventing students from exercising freedom of student activity.
- h. Enacting legislation for the establishment of a general union of the students of Jordan on the basis of independence and full direct election, in a manner that guarantees equality among students and promotes a culture of democracy and participation, and establishing a syndicate for teaching staff and employees at universities.
- i. Continuing the Student Support Fund programme and increasing its allocations, particularly in light of the difficult economic conditions.
- j. Emphasising the implementation of the National Strategy for Higher Education and Scientific Research 2007–2012, taking into account the recommendations contained in this report.

The Right to Health

142. The Jordanian Constitution contains no reference to the right to health; however, international instruments have accorded this right special attention owing to its importance for human life, as it is guaranteed by Article (25) of the Universal Declaration of Human Rights of

1948¹⁵⁹ and Article (12) of the International Covenant on Economic, Social and Cultural Rights.¹⁶⁰ Notwithstanding the absence from national legislation of any provision on the responsibility of the State for securing the objective conditions for the exercise of this right, the amended Public Health Law No. (47) of 2008 contains provisions affirming the responsibility of the State for the provision of health care in its various forms.

143. The number of beds in Jordanian hospitals in 2009 reached (11200) beds, i.e. a rate of (19.1) beds per 10000 of the population, and this ratio is considered acceptable in comparison with the relevant international standards. The number of physicians in the Kingdom also reached (14576) physicians, i.e. a rate of (24.9) physicians per 10000 of the population, and this rate is likewise considered acceptable according to international standards.¹⁶¹ It is noteworthy that the number of persons admitted to Ministry of Health hospitals during 2009 reached (326730) persons; surgical operations were performed for approximately (86329) persons of them, while the number of visitors to the emergency and accident departments of Ministry of Health hospitals reached (2718650) persons, to outpatient clinics (3159200) persons, to health centres (10229787) persons, and to maternity and childhood centres (1185498) persons.¹⁶²

144. Notwithstanding the efforts made by the Ministry of Health to develop and improve the health and medical services provided to citizens, the Centre observed the persistence of certain disturbing matters that were set out in the Centre's report for 2008, including: (a) the shortage of the necessary medical staff and equipment in some of the hospitals and health centres spread throughout all parts of the Kingdom;¹⁶³ (b) the lack of cleanliness and other services in some government hospitals; (c) the shortage of some essential medicines, in particular medicines for chronic diseases such as blood pressure, diabetes and heart disease in some hospitals, which compels patients to purchase them at their own expense from private pharmacies; (d) the expiry of certain medical vaccines for diseases, specifically the measles vaccine provided free of charge by the Ministry of Health to children up to the age of one and a half years;¹⁶⁴ (e) the seizure of spoiled medicines in some health centres.¹⁶⁵ It was observed that the Ministry of Health did not deny these matters. Lastly, the absence of quality control in the services of some hospitals was observed, despite many of them having obtained degrees from the ISO system or similar systems; however, these degrees and certificates relate to the structure of hospital buildings and their administration, and have no connection with control of the quality of the care provided by the physician, whether an examination, a procedure, a diagnosis or a medicine.

¹⁵⁹ Article (25) of the Universal Declaration of Human Rights provides that: "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".

¹⁶⁰ Article (12) of the International Covenant on Economic, Social and Cultural Rights provides that: "The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health".

¹⁶¹ Ministry of Health – Directorate of Information and Studies.

¹⁶² Ministry of Health – Directorate of Information and Studies.

¹⁶³ Al-Rai newspaper, 23/7/2009.

¹⁶⁴ Al-Ghad newspaper, 20/10/2009.

¹⁶⁵ Al-Dustour newspaper, 3/11/2009.

145. With regard to mental health care, the Centre considers that it has not received sufficient attention,¹⁶⁶ as the National Centre for Mental Health of the Ministry of Health, to which both the Psychological Rehabilitation Centre (Karama) and the National Centre for the Rehabilitation of Addicts are affiliated, is the sole principal body providing therapeutic, awareness, supervisory and training mental health services, in addition to its judicial activity relating to the issuance of forensic reports for cases referred from all civil, military and Sharia courts. Mental health therapeutic services are also provided at the Ministry of Health through (34) outpatient clinics distributed across all the cities of the Kingdom, including the clinics of the Correction and Rehabilitation Centres. Among the shortcomings that the Centre also records against the Public Health Law is that it did not give mental health the same attention as other diseases. It also observed that no practical measures were issued during 2009 by the National Committee that was formed, in cooperation with the World Health Organization, to develop national policies aimed at integrating mental health services into primary health care services, and the adoption of international standards in the provision of health services to mental health patients outside the framework of hospitals (out patient services).

146. During 2009, the Centre conducted three field visits to the National Centre for Mental Health Hospital and its affiliated centres to monitor the conditions of the inmates of these centres and the nature of the services provided to them. Through those visits, it observed a number of problems that impede the work of some of those centres, as follows: (a) the acute shortage of medical, technical and administrative staff, specifically at the Psychological Rehabilitation Centre (Karama), which suffers from the absence of rehabilitation programmes for the rehabilitation of patients and their reintegration into society, the obsolescence of the furniture and particularly of household necessities, and the obsolescence of the laundry, as it has been in use since the date of the Centre's establishment in 1982; the absence of a (grocery shop) inside the Centre; the absence of an independent room for receiving visitors so as to preserve the privacy of patients and their families; and the unavailability of means of communication (telephone booths). (b) The need to construct a modern building for the Judicial Detention Centre at the National Centre for Mental Health Hospital commensurate with the number of mental health patients referred from Correction and Rehabilitation Centres and the courts, particularly as the current capacity is only (60) beds. (c) The failure to grant those working in the field of mental health the necessary medical incentives, particularly given that before 1988 they received an allowance of between 20%–25% of the total monthly salary.

147. During 2009, the Centre also received a communication from the Jordanian Forum for Health Culture on the occasion of the celebration of the Universal Declaration of Human Rights, to the effect that work must be done to improve the health services provided to thalassaemia patients in Jordan, whose number is (1300) patients. The Centre had previously, during 2008, received a complaint from thalassaemia patients, and the Ministry of Health was addressed at that time, but the Centre has not received a reply to date. Their previous and current demands consist of the following: demanding the provision of the necessary treatments; increasing the number of bone

¹⁶⁶ In 2009, the National Centre for Human Rights conducted three field visits to the National Centre for Mental Health Hospital and its affiliated centres to monitor the conditions of the inmates of these centres and the nature of the services provided to them, and the Centre addressed an official letter to the Ministry of Health on 5/1/2010 regarding the above-mentioned observations.

marrow transplant operations at the King Hussein Cancer Centre; non-discrimination in the provision of health services to persons holding temporary passports; establishing a centre for blood diseases dedicated to thalassaemia patients at Prince Hamzah Hospital; and, lastly, providing specialised medical staff to deliver medical services to thalassaemia patients.

148. In the field of health insurance, 2009 witnessed a slight increase in the proportion of persons with health insurance, which reached (0.24%). Table No. (21) shows the proportion of insured persons and the insurance sectors. The Centre, however, followed with concern the decision taken by the Government in 2008 to restrict the exemption of cancer patients, all patients at the Royal Court and the Children's Unit to the King Hussein Cancer Centre, and to transfer other cancer patients with health insurance to other hospitals according to their health insurance. The Ministry of Health justified the Government's decision on the ground of easing the financial burdens on the budget, which led these patients and other popular bodies to stage sit-ins and protests at the time, considering it a decision that relieves the Government of providing the minimum of medical care to citizens and leaves them as victims of the privatisation of the medical sector and its health services.

Table No. (21) Showing Health Insurance Sectors and the Proportion of Insured Persons as at 12/10/2009¹⁶⁷

Insuring Body	Population Coverage by Health Insurance
Civil Health Insurance	40.29%
Military Health Insurance	27.15%
University Health Insurance	1.30%
Insurance Companies	6%
Funds and Syndicates	3%
UNRWA Insurance	8.50%
Total	86.24%

149. With regard to medical liability,¹⁶⁸ the Centre received two complaints during 2009: the first related to a newborn suffering a permanent disability as a result of a medical error during delivery, and the other related to injury to the left eye of the complainant owing to contamination resulting from the use of unclean medical instruments by the supervising physician. During the same year, the Centre also monitored the death of a 21-year-old Jordanian girl as a result of negligence and dereliction in the provision of medical service by certain medical staff, which is what was concluded by the decision of the committee formed by the Minister of Health.¹⁶⁹ It should be noted that the Ministry of Health withdrew the draft Medical Liability Law from the Legislation and Opinion Bureau during 2009 for further study and discussion of all its provisions, with a view

¹⁶⁷ Ministry of Health / Health Insurance Directorate.

¹⁶⁸ There is no specific definition of the term "medical errors", but it may be said that it means a patient's exposure to harm or death as a result of the shortcoming or negligence of the medical therapeutic staff and assistants, or deficiency in performance and conduct, or as a direct consequence of the physician's failure to follow the rules of safety and professionally recognised practice, or as a result of the physician displaying a lack of the recognised knowledge and skill, or of his or her failure to provide the recognised care and attention that another physician would have been able to provide to help the patient recover.

¹⁶⁹ Al-Dustour newspaper, dated 30/6/2009.

to arriving at a law that guarantees the rights of patients and physicians alike. It should also be noted that the Centre held a symposium on medical errors this year, at which most participants agreed on the need to enact a law on medical accountability that guarantees the rights of both patient and physician, and the participants called for the establishment of a database and a clear methodology for monitoring medical errors, setting out their causes and distinguishing between medical errors and medical complications.¹⁷⁰ On a related subject, the Centre observed that certain physicians and hospitals mistreat Arab and foreign patients and burden them with exorbitant treatment costs, which is inconsistent with ethical and professional responsibility and which, on the one hand, harms the reputation of the Kingdom as a destination for medical tourism; on the other hand, the Ministry of Health, to its credit, rectified a number of cases.

150. With regard to food safety, 2009 witnessed the closure of numerous food establishments and factories, and the issuance of warnings and violations to them by the Jordan Food and Drug Administration, as a result of the seizure of quantities of spoiled and expired foodstuffs, in addition to the failure of those establishments and factories to comply with health and public safety requirements. Table No. (22) shows the number of visits and food control procedures carried out by the Jordan Food and Drug Administration for the various regions of the Kingdom during 2009.¹⁷¹

Table No. (22) Showing the Number of Visits and Procedures for Food Control Work Carried Out by the Jordan Food and Drug Administration for the Various Regions of the Kingdom during 2009

Office/Directorate	Number of Visits	Warning	Violation	Closure
Total for 2009	222256	27892	2228	795
Total for 2008	274804	23408	2720	1039

151. With regard to medicines and their safety, the Jordan Food and Drug Administration reduced the prices of certain medicines during 2009; the reduction covered antibiotics and medicines for chronic diseases (such as heart disease, blood pressure, diabetes and cholesterol), in addition to ulcer medicines.¹⁷² The Centre also monitored the Jordan Food and Drug Administration's closure during 2009 of (75) pharmacies out of (1635) pharmacies operating in the Kingdom, including (15) pharmacies in whose possession counterfeit medicines were seized and (60) pharmacies in whose possession smuggled medicines were seized, in addition to the closure of (3) medicine warehouses owing to the import of medicines in an unlawful manner, meaning that those medicines were not subjected to examination and verification of their validity by the competent authorities, as well as the closure of one medicine factory. It is worth mentioning that the Jordan Food and Drug Administration closed (140) pharmacies in 2008.¹⁷³

¹⁷⁰ A study prepared by the Directorate of Control and Internal Audit at the Ministry of Health stated that 2009 witnessed 40 cases of assault on medical staff in government hospitals, compared with 30 cases in 2008. Al-Dustour newspaper, 2/12/2009.

¹⁷¹ The Jordan Food and Drug Administration.

¹⁷² The Jordan Food and Drug Administration.

¹⁷³ The Jordan Food and Drug Administration.

152. For the protection of the right to health, the Centre reiterates its recommendations contained in its previous reports concerning the right to health, and stresses the following:

- a. Expediting the construction of the Judicial Detention Centre building at the National Centre for Mental Health Hospital, and likewise working to restructure the Psychological Rehabilitation Centre (Karama) and to transfer the mentally disabled patients therein to the Ministry of Social Development, as it is the body competent for the care of this category of patients.
- b. Working to reduce the prices of medicines in accordance with pricing criteria so as to provide medicine to citizens at the lowest possible prices.
- c. Working to expand the umbrella of health insurance in its various types to the remaining citizens who are not covered by any other insurance.
- d. Taking deterrent legal measures against physicians (or those claiming that capacity) who exploit patients by using herbs remote from sound scientific methods and receiving exorbitant sums in return.
- e. Expediting the study of the subject of medical liability in all its aspects, in preparation for the enactment of a law that takes into account the protection of the rights of patients and of health and medical service providers, in a manner that does not affect the increase of their costs, as well as taking firm measures against physicians and hospitals that mistreat patients, particularly Arab and foreign patients.
- f. Striving towards the comprehensiveness of primary health care services so that they include care for chronic diseases and the provision of medical consultations.

The Right to a Healthy Environment

153. Environmental degradation in its various forms has become a common denominator uniting the efforts of the countries of the world to confront its effects. The most prominent two environmental problems which Jordan shares with others at the regional and global levels are: desertification and water scarcity. In addition, like many countries of the world, it is exposed to a major environmental challenge represented by the gradual depletion of renewable and non-renewable natural resources as a result of the irrational exploitation of natural resources and rapid haphazard urban sprawl, and the shrinkage of the area of forest land on the side of populated areas, while in areas adjacent to the desert the fertile areas have begun to shrink owing to desert encroachment resulting from the low quantities of rainfall and their fluctuation. The latest studies indicate that the area of desertified land in Jordan amounts to (75) thousand km² of Jordan's total area, estimated at (89287) km², i.e. a proportion of (84%) of its land. Since Jordan is considered one of the relatively environmentally clean countries, whether at the level of air, water, soil or plants, an appropriate level of protection of the environment, natural resources and biodiversity should be maintained, and economic growth based on the sustainability of a healthy environment must be achieved.

154. The Kingdom has ratified numerous international conventions on curbing environmental degradation and protecting the elements of the environment.¹⁷⁴ In the national legislative field, in 2009 the Government adopted numerous regulations and instructions, including: the Environmental Control and Inspection Regulation No. (65) of 2009, issued pursuant to Paragraph (a) of Article (25) of the Environmental Protection Law No. (52) of 2006. This Regulation aims to control establishments in order to verify the extent of their compliance with the provisions of the Law and the regulations and instructions issued thereunder, in a manner that limits environmental pollution, and to regulate environmental inspection procedures. The Centre's criticism of this Regulation is that it entrusts the task of inspection to the Directorate of Inspection and Environmental Control at the Ministry of Environment alone, without the inspectors of the Royal Department for Environmental Protection. However, it records for this Regulation the clarity of its definitions, particularly with regard to the definition of an establishment, which came comprehensive and specific to bodies whose activities are liable to cause environmental pollution; with regard to the definition of the owner of an establishment, which it defined as the natural or legal person who owns the establishment, whether responsible for it directly or indirectly; and with regard to the definition of environmental inspection, which covered any activity liable to cause environmental pollution. The Environmental Protection Fund Regulation No. 66 of 2009, the Environmental Inspection and Control Regulation No. (65) of 2009, the Instructions for Regulating the Storage, Transport, Treatment of and Trade in Organic Fertiliser of 2009, and the Biosafety Instructions for Genetically Modified Organisms Resulting from Modern Biotechnology and Their Products of 2009 were also adopted.

155. On the other hand, the Centre makes a number of observations on the Environmental Protection Law No. (52) of 2006, the most prominent of which are: (a) the Law is devoid of any provision permitting the Minister of Environment to bind violators by financial or in-kind bonds or personal undertakings, as circumstances require, with a view to exerting legal pressure on violators to comply with the rectification of situations, and particularly as environmental protection requires preventive measures that ensure that environmental violations are not committed, rather than waiting for them to be committed in order for the violators to be punished; (b) the Law is devoid of any provisions criminalising the emission of foul odours, despite the fact that these acts may be more serious than many acts criminalised therein; (c) the Law is devoid of any provisions criminalising random burning in its various types, despite random burning being

¹⁷⁴ Including: the Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat – 1971; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons – 1972; the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972, and the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships; the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water; the Montreal Protocol on Substances that Deplete the Ozone Layer; the United Nations Framework Convention on Climate Change – 1993; the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal – 1992; the Convention on Biological Diversity – 1994; the United Nations Convention to Combat Desertification 1996 (UNCCD); the Cartagena Protocol on Biosafety – 2000; the Convention on the Conservation of Migratory Species of Wild Animals – 1979; the Agreement on the Conservation of African-Eurasian Migratory Waterbirds; the Convention concerning the Protection of the World Cultural and Natural Heritage – 1975; the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade – 1999; the Kyoto Protocol to the United Nations Framework Convention on Climate Change – 2003; and the Stockholm Convention on Persistent Organic Pollutants (POPs) – 2004.

a widespread phenomenon in our communities that causes severe harm and damage to the environment; (d) the Law is devoid of explicit provisions criminalising the random dumping of waste of various types and of debris in any place, despite such violations being committed continuously and causing the most severe harm and damage to the environment; (e) Article 19 of the Law equated emissions of environmental pollutants from factories, vehicles and workshops, whereas it should have distinguished between them and prescribed a penalty for each of them commensurate with the gravity of the resulting harm; (f) Paragraph (b) of Article (19) of the Law penalised factory owners and neglected to penalise the owners of vehicles and workshops, given that the obligation set out in Paragraph (a) of the same Article covered them as well; (g) the Law also did not address in any way the regulation of the provisions of civil liability for environmental damage, leaving it to the general rules despite the specificity of this liability; (h) there is no legislation guaranteeing the protection of persons from noise, as this matter is currently left to personal discretion owing to the absence of genuine measurement tools to monitor this phenomenon.

156. In the field of institutional organisation, the cadre of the Royal Department for Environmental Protection was increased from (497) to (510) police officers during 2009, and the Centre commends the effective role played by the Royal Department for Environmental Protection as the executive arm of many ministries in monitoring compliance with legislation relating to the preservation of the environment. Nevertheless, the Centre considers that there are several obstacles that weaken the efficiency and competence of the work of this Department in curbing attacks on the components of nature, the most prominent of which are: (a) the duality of the laws concerned with environmental protection; (b) the breadth of the geographical jurisdiction of some branches and stations, which constitutes an obstacle to the speed of dealing with complaints; (c) the lack of clarity of the mechanism for applying environmental laws among the bodies concerned therewith, which leads to conflicts of jurisdiction between those bodies; (d) the deficiency in environmental culture and environmental awareness among a large segment of citizens, which leads to an increase in the burdens on the work of the Department; (e) the institutional obstacles represented by the failure to delegate certain powers from the bodies concerned to the Royal Department, given that the violations it deals with fall within the competences of several other bodies,¹⁷⁵ and that there are violations which may be detected yet fall under special regulations and laws and within the purview of other bodies.¹⁷⁶

¹⁷⁵ Including: the Ministry of Health, the Ministry of Agriculture, the Jordan Food and Drug Administration, the Ministry of Municipal Affairs, the Greater Amman Municipality, the Aqaba Special Economic Zone Authority, the Natural Resources Authority, and the Water Authority.

¹⁷⁶

- The Ministry of Health: delegation may be granted pursuant to Article 69 of the Public Health Law. - The Ministry of Agriculture: delegation may be granted pursuant to Article 64 of the Agriculture Law. - The Water Authority: the law does not grant the Minister of Water the right to delegate his powers. - Municipalities, including the Greater Amman Municipality: the law does not grant the Minister of Municipal Affairs the right to delegate his powers. - The Natural Resources Authority: the law does not grant the Minister of Energy the right to delegate his powers. - The Aqaba Special Economic Zone Authority: Article 6 of the Zone Law provides that the provisions of the legislation in force in the

157. In the area of strengthening oversight and inspection, 2009 witnessed the Central Licensing Committee granting (670) licences, compared with (640) licences in 2008. Conversely, the Committee rejected (285) applications for the licensing of industrial, agricultural and craft projects out of a total of (955) applications, compared with (234) applications for the licensing of industrial, agricultural and craft projects out of a total of (874) applications in 2008, for their non-compliance with the environmental conditions for licensing investment projects. The Ministry of Environment also closed (12) establishments during 2009, distributed as shown in Table No. (23). Likewise, the Royal Department received (1554) complaints during 2009, the number of complaints having increased by (150) complaints over 2008. The number of environmental violations also rose considerably and markedly during 2009, with (51869) violations recorded, compared with 2008, in which (17648) violations were recorded. Table No. (24) shows the types and numbers of violations for the years 2009 and 2008.

Table No. (23): Number of Closures by Type of Establishment

Type of Establishment	Number of Closures in 2008	Number of Closures in 2009
Craft	54	6
Agricultural	19	0
Industrial	9	5
Service	3	1

Table No. (24): Numbers of Environmental Violations

Type of Violation	2008	2009
Plant resources	637	247
Animal resources	256	513
Marine environment	2	7
Water resources	1407	2981
Factories/industrial workshops/commercial premises	5804	15467
Public health	8393	25096
Vehicles	1144	7558
Total	17643	51869

158. In the area of air pollution, Jordan is concerned with climate change despite not contributing to emissions: Jordan's carbon dioxide emissions amount to (20) million tonnes annually, a very

Kingdom shall apply to the Zone, and that the provisions of this Law shall prevail in the event of conflict with any provision of such legislation. - The Jordan Food and Drug Administration Law/the Minister of Health: the Law does not grant the Minister of Health the right to delegate his powers; however, Article (16) thereof empowers the Minister of Health, upon the recommendation of the Director General, to assign any of the health directors in the governorates to carry out the tasks of oversight and inspection in accordance with the provisions of this Law. - The Groundwater Control Regulation: delegation from the Minister of Agriculture is required with regard to Article (19) of the Regulation. - The Crafts and Industries Law: delegation from the Minister of Health is required with regard to the provisions of Article (9) concerning contaminated foodstuffs.

small quantity compared with global emissions, and Jordan ranks (81) worldwide in terms of the volume of emissions. The Centre commends the Government's commitment to cease completely the use of ozone-depleting substances by the end of 2009. Nevertheless, the Centre recorded complaints from citizens living near the Fuhais cement factory concerning the resulting pollution at night and its effects on human health and the environment. It also noted a marked increase in the number of environmental violations relating to smoke emissions from vehicle exhaust, with (7028) violations recorded in 2009 compared with (648) violations in 2008. In addition, some factories, industrial workshops and commercial premises continue to pollute the air: in 2009 some (1236) violations were recorded for dumping waste or burning tyres by factories, industrial workshops and commercial premises. Table No. (25), prepared by the Royal Department for Environmental Protection, shows the types and numbers of violations relating to air pollution for the years 2008 and 2009. Furthermore, the Centre points out that, according to some scientific studies, the use of MTBE, a substance added to gasoline as an enhancer of the combustion process inside vehicle engines, poses a real danger to all components of the environment, including humans, as it has been established that this substance dissolves in water, is difficult to biodegrade, and requires special extinguishing agents should it ignite.

Table No. (25): Types and Numbers of Violations Relating to Air Pollution for the Years 2008 and 2009

Type of Violation	2008	2009
Noise from vehicles	31	34
Noise from (factories/industrial workshops/commercial premises)	28	16
Gases, vapours and dust emitted from factories/industrial workshops/commercial premises	27	27
Sandblasting	49	30
Smoke emissions from vehicles	648	7028
Dumping waste and burning tyres (factories/industrial workshops/commercial premises)	1231	1236
Dumping waste and smoking (vehicles)	14	17

159. With regard to waste and its management, the task of solid waste management is entrusted to the municipalities and the Greater Amman Municipality¹⁷⁷ under various regulations. In addition, Instructions regulating the transport, storage, manufacture, use of and trade in organic fertiliser of 2003 were published in the Official Gazette, originally issued under the Environmental Protection Law. The Ministry of Environment, in cooperation with the Dar Al-Handasah consultancy, also prepared unified specifications for the separation of solid waste, and concluded with the Ministry of Municipal Affairs and the Fertile Valley Municipal Cooperative Society an agreement to implement a project to support municipalities and joint services councils, with the aim of improving waste management and combating flies in the Jordan Valley. The Centre nevertheless points out that the problem of the house fly in the Jordan Valley persists despite the measures taken by the Ministry of Environment, namely: (a) prohibiting the entry of untreated organic fertiliser into the Jordan Valley region as of 15/8/2009, in cooperation with the Ministry

¹⁷⁷ Pursuant to the Regulation on the Prevention of Nuisances within Municipal Areas No. (89), amending Regulation No. (1) of 1978, the Joint Services Council Regulation No. (17) of 1983, and the Solid Waste Management Regulation No. (27) of 2005.

of Agriculture and the Royal Department for Environmental Protection; and (b) implementing the national plan to address the house fly problem in the Jordan Valley in cooperation with the Ministry of Agriculture, the Fertile Crescent Society and the private sector.

160. In the water and sanitation sector, the Centre observed the aggravation of environmental problems during 2009 in this sector, the most prominent of which were: (a) the failure of the Ministry of Water and Irrigation to achieve integrated management of the sanitation sector, such that wastewater treatment plants and the inadequacy of sanitation infrastructure have become a source of pollution of river and dam waters, possibly posing a danger to agriculture; (b) the continued lack of coordination between the ministries concerned with protecting infrastructure¹⁷⁸ and maintaining it, and with reducing the waste of large quantities of water and the pollution of some of it during the opening and paving of roads and the construction of development projects, in addition to the failure to upgrade wastewater treatment plants and the emission of offensive odours from them, which threatens public health; (c) the Ministry of Water and Irrigation incurred, from the beginning of March 2008 until September 2009, financial losses estimated at more than (1.5) million dinars paid to the Khirbet Al-Samra company for halting the pumping of part of the sewage water to the new plant, noting that the pipeline conveying treated water at the new plant, which cost approximately one million dinars, has not been operated since the beginning of 2009 up to the time of preparing this report, although it could supply treated water to fodder farms without the Ministry having to pay the monthly sum to the company. The Centre considers that the new plant, which it was said would be able to absorb (260) thousand cubic metres daily, has failed to receive (200) thousand cubic metres, which prompted the Ministry of Water to divert part of the wastewater to the old plant and the side valleys in order to avoid the overflow of the treatment basins at the new plant, under the pretext of enabling (32) farmers to irrigate fodder farms by pumping (70) thousand cubic metres of water daily instead of the (6) thousand cubic metres per day share stipulated in their contracts concluded with the Water Authority. Consequently, the Ministry of Water and Irrigation provided a thousand litres of insecticide to the municipalities of Al-Hashimiyya and Bal'ama, which neighbour the plant, at the price of (30) dinars per litre (i.e. the equivalent of 30 thousand dinars), in order to combat the insects that spread widely in the area during the summer of 2009, owing to the presence of (15) open basins, each with an area of approximately (20) dunums, in which “putrefied matter” has accumulated since 1985 to a height reaching up to (4) metres in some of them, which necessitates the burial of those basins; (d) the decision of the Greater Amman Municipality not to allow the Khirbet Al-Samra company to dump (15) tonnes of the “sludge” that the plant collects daily at the Al-Ghabawi landfill, despite the company’s intention to bear the costs of transporting that sludge,¹⁷⁹ and the Water Authority’s discharge of (500) cubic metres daily of sludge generated by the treatment plants spread around the outskirts of the capital into the Khirbet Al-Samra plant,¹⁸⁰ leading to the accumulation of these residues, which have come to “self-ignite” owing to chemical factors and

¹⁷⁸ For example: the Ministry of Environment, the Ministry of Water and Irrigation, the Ministry of Agriculture, the Ministry of Public Works, the Ministry of Municipal Affairs and the Greater Amman Municipality.

¹⁷⁹ The Khirbet Al-Samra plant was designed and constructed without accounting for the residues of the Amman slaughterhouse, which places a load on the new plant of 10% of its capacity; however, the Municipality has continued to discharge the slaughterhouse residues into the sewerage system and has not allowed the company to dump the “sludge” at its landfill.

¹⁸⁰ As a result of these plants’ inability to treat these residues.

also cause the emission of offensive odours, which prompted the Ministry of Environment to grant the Khirbet Al-Samra company a licence to establish a “landfill” within the plant’s perimeter, which may result in a genuine environmental disaster in the area; (e) the spread of the (*Culex*) mosquito in the village of Al-Mazra’a/Mafraq Governorate owing to the farmers’ use of wastewater before it reaches the Khirbet Al-Samra treatment plant,¹⁸¹ the number of cases of injury from the bites of that mosquito having reached some (300) cases from the beginning of 2005 up to the date of the team’s visit, which resulted in severe injuries leading to a child losing his sight for a period of two weeks and to the incapacitation of the limbs of many other children. It is worth noting that citizens in that area submitted many complaints and grievances to the Ministries of Water and Irrigation, Agriculture and Health since the establishment of the Khirbet Al-Samra plant, but these ministries took no decision prohibiting the use of untreated wastewater to irrigate the lands of the village of Al-Mazra’a, owing to the interference of certain influential persons and vested interests. A team from the Centre visited the village and inspected its conditions; the Prime Ministry was addressed and briefed on the conditions of the citizens in that area and their complaints, but no response has been received from the Government regarding the treatment of this phenomenon up to the date of preparing this report; (f) the emergence of the phenomenon of “self-igniting land” in the Irmimin area/Balqa Governorate, where on 1/10/2009 grass caught fire over an area of a dunum on a plot of land through which runs a valley carrying water and sediment from the Zay Water Treatment Plant. This is scientifically attributed to the stream water containing activated carbon, which is black in colour and accumulates along the edges of the stream, becoming a combustible material once dry. Moreover, the water coming from the plant constitutes an environmental blight on all the areas through which it passes until it flows into the King Talal Dam.¹⁸²

161. With regard to groundwater, the Centre notes that the Fourth Assessment Report warns of a decline in rainfall rates of (20%) together with an increase in temperatures of (2.5) degrees Celsius over the next fifty years, which will add to the burden of meeting the challenge of water resources management in Jordan, particularly in light of a harsh natural environment characterised by limited surface water quantities and the speed of evaporation, and the weakness of financial capacities for water desalination. The Centre also notes the deterioration in the quality of groundwater and surface water as a result of the depletion of groundwater aquifers for domestic, agricultural and industrial purposes. Moreover, the quantities of groundwater extracted have far exceeded safe limits, which has led to the pollution and salinisation of groundwater (rising salinity levels) and a drop in groundwater levels, particularly in the Zarqa area. As regards the Zarqa River Basin,¹⁸³ the Centre records the unjust exploitation of the river bed and the deterioration of the

¹⁸¹ On 28/10/2009, the Centre’s team carried out a visit to the village of Al-Mazra’a/Mafraq Governorate and met its inhabitants, and observed that large quantities of wastewater, (25000) m3 daily, drawn from the drying basins, irrigate approximately (4000) dunums of agricultural land planted with crops (alfalfa and maize), whose production reaches 50–100 tonnes daily.

¹⁸² On 8/10/2009, the Centre’s team carried out a visit to that area and met many of those concerned with that phenomenon, and concluded that the Zay plant discharges sediment-laden water amounting to approximately (200) cubic metres daily.

¹⁸³ The Zarqa River Basin is considered one of the most important water basins in Jordan, inhabited by more than 70% of the Kingdom’s population. The total area of the Zarqa Basin is (3150) km², and the length of the Zarqa stream, starting from the Ras Al-Ain area in Amman and ending at the King Talal Dam in Jerash, is approximately 73 km. The area of the lands surrounding the branches of the stream within the boundaries of Zarqa Governorate amounts to approximately ten

quality of its water, as industrial, commercial and agricultural development activities are concentrated on both of its banks, in addition to residential communities, which has led to a number of environmental problems, the most important of which are: the overflow of wastewater from sewerage lines owing to

their passage through the stream bed, the lack of continuity of water flow along the stream's length, the irregularity of the stream's width, the haphazard presence and overlapping of various development activities, and the dumping of various kinds of waste into the stream bed. As a result, the King Talal Dam is being polluted, and the prevalence of flies and insects on the banks of the stream and in the areas adjacent to it is increasing.

162. As regards attacks on forest resources and woodlands for the purpose of illegally trading in their timber, the Royal Department for Environmental Protection issued (247) violations in 2009, compared with (256) environmental violations in 2008. The number of violations relating to the burning of forests also rose in 2009, reaching (56) violations compared with (22) violations in 2008.

163. In light of all the foregoing, the Centre recommends the adoption of a set of measures that would provide protection for the right to a healthy environment, the most prominent of which are the following:

- a. Activating the provisions of the 1992 Climate Change Convention and the 1997 Kyoto Protocol concerning the principle of shared responsibility and cooperation, which requires developed States to assist Jordan in environmental matters.
- b. Amending the Environmental Protection Law so as to criminalise the emission of offensive odours and to punish the owners of emission sources with deterrent penalties, on the one hand, and so as to criminalise random burning of all kinds and to establish deterrent penalties for such violations, on the other.
- c. Strengthening the role of the environmental factor in building Jordan's international relations, in such a way as to lead to urging the developed States responsible for the phenomenon of global warming to provide financial and technical assistance to Jordan, particularly the International Adaptation Fund, in order to increase its capacity to adapt to the phenomenon of climate change and its consequences.
- d. Delegating certain powers of the bodies concerned with environmental protection (for example: the Ministry of Health, the Ministry of Agriculture, the Jordan Food and Drug Administration, the Ministry of Municipal Affairs, the Greater Amman Municipality, the Aqaba Special Economic Zone Authority, the Natural Resources Authority, and the Water Authority) to the Royal Department for Environmental Protection, given that the violations it deals with ought to fall within its powers, in such a way as to lead to the creation of a unified umbrella for environmental protection.

thousand dunums, of which 4,950 dunums are cultivated, i.e. approximately 50% of the area of the agricultural lands surrounding the stream.

- e. Involving the Royal Department for Environmental Protection in the Central Licensing Committees and in environmental impact assessment.
- f. Amending the Environmental Monitoring and Inspection Regulation No. (65) of 2009 so that the task of inspection is also entrusted to the inspectors of the Royal Department for Environmental Protection.
- g. Expediting the preparation of a specialised annual report on the state of the Jordanian environment.
- h. Developing and upgrading wastewater treatment plants in a manner that responds to population growth in cities and villages, particularly those discharging into the Zarqa stream, which has come to feed the King Talal Dam with polluted water.
- i. Expanding the drying basins inside the Zay plant, and establishing a joint mechanism for the disposal of the carbon materials accumulated on the edges of the valley into which the water of the drying basins flows, through cooperation between the municipalities of those areas, the Ministry of Public Works, the Ministry of Environment, the Ministry of Water and Irrigation, and the owners of the affected lands.
- j. The need to stop using MTBE, which is added to gasoline, and to replace it with other safe substances such as ethanol, which has been scientifically proven to have no adverse effects on humans or the environment.

Cultural Rights

164. The Constitution contains no explicit provision concerning cultural rights; however, under Article (15/1) thereof, “The State shall guarantee freedom of opinion; every Jordanian shall freely express his opinion by speech, writing, photographic representation and other means of expression, provided that he does not exceed the limits of the law.” Chapter Six of the Jordanian National Charter also sets out clear determinants of cultural rights, the most important of which are those set out in Paragraph (4) of the same Chapter: “Attention to raising the cultural level of Jordanian citizens in all regions of the Kingdom, and working to develop their national culture and advance it by all possible means, so as to achieve their participation in comprehensive cultural development”, and Paragraph (6), which recognises cultural pluralism: “Attention to the various patterns of Jordanian folk heritage, as creative tributaries enriching the national culture, and working to develop them in a manner consistent with the spirit of the age and reinforcing the unity of the nation’s cultural fabric.” As for the international human rights instruments, they include provisions that address cultural rights clearly, the most prominent of which are the Universal Declaration of Human Rights (Article 27) and the International Covenant on Economic, Social and Cultural Rights (Article 15).¹⁸⁴ This Covenant has become part of the Jordanian legal system

¹⁸⁴ Article 15 provides that: “1. The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. 2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture. 3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity. 4. The States Parties

following its publication in the Official Gazette, which renders the State bound to respect freedom of cultural rights. Pursuant to the Culture Promotion Law No. (25) of 2008 and its amendments, the Ministry of Culture is the body mandated to support the cultural process and its development.¹⁸⁵ There is also a set of regulations issued under this Law which regulate cultural rights, including the Regulation of the Fund for Supporting the Cultural and Artistic Movement of 2008, the Creative Sabbatical Regulation of 2007, and the Regulation on the Publication of Culture and Heritage of 2007, in addition to a set of instructions, the most important of which are those relating to cities of culture, artistic and cultural festivals, and the Theatre Festival and theatre season.

165. The Ministry of Culture¹⁸⁶ supports the creative and intellectual output of Jordanian writers, as it bears in full the cost of printing and distributing books, while granting the author a financial award and a number of copies of the book.¹⁸⁷ Book publication is also supported by fully covering the printing budget in return for the Ministry receiving (200) copies. Table No. (19) shows the number of publications supported during 2009 compared with 2008; regrettably, the number of fully supported publications fell by half. The Ministry also implemented the Family Library project, under which (100) books were printed in 2009, compared with (75) books in 2008, at a rate of (5000) copies per book and at nominal prices.¹⁸⁸ In addition, the Ministry continued implementing the Cities of Culture project,¹⁸⁹ and the city of Karak was chosen as the City of Culture for 2009.¹⁹⁰ In 2009, the Ministry of Culture also continued implementing the Mobile Children's Library and the Jordan Festival, with the aim of delivering cultural and artistic output to the various segments of society.

Table No. (19): Number of Publications Supported by the Ministry of Culture

to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.”

¹⁸⁵ See Article (3) of this Law on the Ministry of Culture link: http://www.culture.gov.jo/index.php?option=com_content&view=article&id=141&Itemid=141&lang=ar

¹⁸⁶ Interview by the research team with the Ministry of Culture, dated 16/12/2009.

¹⁸⁷ The creative book award amounts to (750) dinars in addition to (100) copies; the study award amounts to (1000) dinars in addition to (100) copies; and the children's book award amounts to (500) dinars in addition to (100) copies.

¹⁸⁸ The Jordanian Family Library project represents the first building block in the cultural development plan that the Ministry of Culture has pursued since 2006, and aims to establish “a library in every Jordanian home”. Through this project, the Ministry of Culture addresses Jordanian society as a whole, in order to contribute to providing a greater opportunity for knowledge for all the nation's citizens, taking into account the rising cost of living and the high price of paper, which make the purchase of printed books a financial burden on the family, as well as the decline in the rate of visits to public libraries, particularly in the governorates. The Ministry has therefore worked to provide books of the highest technical specifications at a price within everyone's reach (25 piastres for children's books and 35 piastres for other books), which contributes to providing greater knowledge to all citizens. The sales venues witnessed heavy crowding by citizens during the days of the festival, and a large number of the titles offered for sale sold out.

¹⁸⁹ Work on the Jordanian Cities of Culture project began in 2007. It mainly aims at the equitable distribution of the gains of cultural development across the regions and cities of the Kingdom, and at reducing the centralisation of the cultural and artistic movement in the capital, Amman, as well as at establishing sustainable cultural development in the Kingdom's governorates and cities. These objectives have been achieved to a large extent and have left a clear impact on the local communities in the cities chosen for the previous years, the current year and the coming year (Irbid, Salt, Karak and Zarqa).

¹⁹⁰ Forty works were printed and published as part of the Karak cultural activities.

Year	2008	2009
Fully supported publications	30	15
Partially supported publications	170	184

166. Although the Ministry of Culture drew up a Cultural Development Plan for the years 2009–2011 to accelerate the pace of cultural activity in the Kingdom¹⁹¹ and to provide the infrastructure necessary for such activity, whether that infrastructure relates to people or to place, the Centre considers that many of the challenges identified by the plan still impede the protection and enjoyment of cultural rights, the most important of which are: weak and inadequate financial allocations; weak coordination between the bodies in charge of cultural development, whether official, civil-society¹⁹² or private-sector; the absence of clear national policies and strategies; the incompatibility of certain legislation and regulations in force in the cultural field with the requirements of the age; the deteriorating economic conditions of intellectuals, creators and artists; the centralisation of decision-making in the organisational structure of the Ministry of Culture; the weakness of the cultural sector's infrastructure in most of the Kingdom's governorates; the concentration of cultural activity in the capital, Amman, despite its extension to some governorates through the Cities of Culture programme; the lack of a cultural database by type of cultural output and the body producing it; the weakness of the staff of the Ministry of Culture; and the marginalisation by the media of local culture and of the Jordanian creator.¹⁹³

167. The Centre also notes that the budget of the Ministry of Culture remains modest, not to mention its decrease during 2009 by (5.26%) compared with 2008, as shown in Table No. (20), which limits its capacity to support publishing and encourage creativity, especially as the financial sums allocated to the implementation of the various cultural programmes amount to only (36%) of the budget, despite the establishment of the Culture Support Fund. The Centre calls upon the private sector, particularly the banking, construction, real estate, telecommunications, advertising and media sectors, to support cultural and artistic products such as books, art exhibitions, short films and other activities that drive the Jordanian cultural industry, in particular supporting the printing and marketing of books at nominal prices, so that Jordanian readers, especially children

¹⁹¹ The Ministry of Culture had previously drawn up a Cultural Development Plan for the years 2006–2008 on the basis of the recommendations of the National Cultural Conference held in June 2004, and of the provisions of the National Agenda for the years 2005–2010 on the education, higher education and creativity pillar. In order to provide an environment conducive to cultural and artistic creativity, the Ministry adopted thirty-one programmes, which can be classified under seven pillars, namely: awareness and enlightenment programmes; programmes for creating an environment that stimulates creativity; programmes to support and market Jordanian cultural and artistic output; programmes to achieve the equitable distribution of the gains of cultural development; and programmes aimed at communicating with other States.

¹⁹² For the patronage of literary affairs, there are two institutions under whose umbrella all writers, men of letters and intellectuals fall, namely: the Jordanian Writers Association and the Union of Jordanian Writers and Men of Letters. Every Jordanian writer must choose between the one and the other. The existence of these two institutions has been historically linked to the political events that Jordan underwent in the wake of the martial laws that prevailed until before the 1990s, after which the dispute over precedence emerged, the features of which are still clearly apparent between them: the Association is historically the older, and considers that the right to continue belongs to it and not to any other, and that its stance opposing government policies led to its closure by decision of the Military Governor in the late 1980s, and to the establishment of the Union of Jordanian Writers, which was viewed as a spokesman for the Government. Amid this dual existence of the two institutions, another problem confronts the writer, namely the prohibition of dual membership.

¹⁹³ Interview by the research team with the Ministry of Culture on 2/12/2009, and with the Jordanian Writers Association on 3/12/2009.

and young people, are able to acquire books within their financial means, which would contribute to improving the quality of the Jordanian cultural product, on the one hand, and to providing incentives for Jordanian creators and increasing the movement of publishing and culture in Jordan, particularly reading, which has come to face the threat of extinction as a result of rising paper and book prices, on the other.

Table No. (20): Size of the Ministry of Culture's Budget

Year	Budget Amount
2008	12973600
2009	11675000

168. As regards the protection of the right to intellectual property and the enjoyment of scientific and intellectual creativity, Jordan has enacted a number of pieces of legislation regulating intellectual property, the most important of which is the Copyright Protection Law No. (22) of 1992¹⁹⁴ and its amendments, which addressed the protection of original works in literature, the arts and sciences in a manner consistent with international conventions,¹⁹⁵ irrespective of their value, type, the purpose of their authorship, or the manner or form of their expression. A specialised committee was also formed in the National Library Department for the purpose of enforcing the Copyright Protection Law by government and public institutions.¹⁹⁶ This legislation has contributed seriously to the protection of copyright, as

¹⁹⁴ Article (3) provides that: "B. Original works in literature, the arts and sciences shall be protected under this Law, whatever the type, importance or purpose of production of such works. C. This protection shall include works whose form of expression is writing, sound, drawing, photography or movement, and in particular: 1. Books, booklets and other written materials. 2. Works delivered orally, such as lectures, speeches and sermons. 3. Dramatic works, musical plays and pantomime. 4. Musical works, whether numbered or not, and whether or not accompanied by words. 5. Cinematographic, broadcast, audio or visual works. 6. Works of drawing, painting, sculpture, engraving, architecture and applied and decorative arts. 7. Illustrations, maps, designs, sketches and three-dimensional works relating to geography and topographic maps of the earth. 8. Computer programmes, whether in source language or machine language. D. Protection shall include the title of the work, unless the title is a word in current use to denote the subject of the work. E. 'Collections of literary or artistic works', such as encyclopaedias, selections and compiled data, whether machine-readable or in any other form, shall also be protected where, by reason of the selection or arrangement of their contents, they constitute original intellectual works; collections comprising selected extracts of poetry, prose, music or otherwise shall likewise be protected, provided that the source of the extracts and their authors are mentioned in such collections, without prejudice to the copyright of the authors with respect to each work forming part of such collections."

¹⁹⁵ Jordan ratified the "1886" Berne Convention for the Protection of Literary and Artistic Works and its 1971 Paris amendments, and acceded to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961). Moreover, Jordanian law is bound by the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which is one of the annexes to the Agreement Establishing the World Trade Organization (WTO) signed in Geneva in 1994, which replaced the General Agreement known as (GATT). In the amendment published in Official Gazette No. (4702) dated 31/3/2005, Jordanian law drew on the two World Intellectual Property Organization (WIPO) treaties in the field of copyright (WCT) and the protection of performances and phonograms (WPPT) (1996), to which Jordan became a party (2004), and which are referred to as the "Internet treaties", since they regulate copyright and related rights connected with the use of computer networks and the Internet. Jordan also ratified the Arab Convention for the Protection of Copyright and Related Rights and published it in the Official Gazette on 16/7/2007; it concerns the protection of folk heritage and folklore.

¹⁹⁶ The Committee aimed to oblige government institutions to use original computer software, in compliance with the international convention concluded.

(536) cases of infringement of intellectual property rights were referred to the judiciary by the Copyright Protection Office¹⁹⁷ in 2009, compared with (354) cases in 2008. An increase in the number of deposits with the National Library was also noted, reaching (2367) printed works in 2009, whereas in 2008 they amounted to some (1984), which contributes to the process of prior protection.¹⁹⁸ The National Centre for Human Rights records the weakness of the material and human resources of the National Library Department in enforcing the law, as only (6) persons are responsible for pursuing infringements of intellectual property rights throughout the Kingdom, in addition to the legal penalties being insufficiently deterrent for those infringing property rights. The Centre further records the absence of a law for the preservation of national documents, which leads to the destruction of many of them without their being deposited with the National Library.

169. Conversely, the Centre noted the continuation of the censorial role of the Press and Publications Department in prosecuting before the judiciary books issued by local publishing houses, and the continuation of cases in which books are banned from entering the Kingdom on the grounds of protecting “morals, values, principles and religion”, with all the material and moral harm this ban entails for writers and publishers, the harm it causes to the values of literary creativity, and the blow it deals to the cultural industry.¹⁹⁹ Some (58) books were impounded upon entry into the Kingdom in 2009 for political, religious and legal reasons, compared with (134) books in 2008;²⁰⁰ one lawsuit was also filed before the courts against an author over a work issued by internal printing presses in the Kingdom, whereas (5) lawsuits were filed in 2008.²⁰¹ This is inconsistent with the freedom of thought and expression and the freedom of scientific research and creative activity guaranteed by the Constitution and affirmed by Article 19 of the International

¹⁹⁷ Interview by the research team with the National Library on 3/12/2009. The team noted an increase in the number of referrals of cases of infringement of intellectual property to 2883 since the establishment of this Office, the reason being attributable to increased strictness in the application of the law and the signing of the relevant international conventions, in addition to the spread of awareness among rights holders and their submission of complaints.

¹⁹⁸ It is worth noting that the materials that obtained deposit numbers in 2008 numbered 4166, while the materials that obtained deposit numbers in 2009 numbered 4400. As for the number of books that obtained an International Standard Book Number (ISBN), it was 2101 in 2008 compared with 2593 in 2009. Interview by the research team with the National Library on 16/12/2009.

¹⁹⁹ On 1/1/2009, the Press and Publications Department instructed the Amman Public Prosecutor to prosecute the owners of five new publications on display in the local book market, and to work to prevent their distribution and circulation locally. These publications are: “Vanilla Samra” (Brown Vanilla) by the Moroccan writer Mona Wafiq, published by Dar Azmina for Publishing and Distribution; “Inthiyal Al-Thakira” (The Flow of Memory) by the writer Fathi Al-Bis, published by Dar Al-Shorouk for Publishing and Distribution; “Hissat Adam” (Adam’s Share) by the Saudi poet Ziad Salem; “Yantiqu ’an Al-Hawa” (He Speaks of Passion) by the poet Taher Riyad, also published by Dar Azmina before the poet was compelled to re-print its local copies in Beirut following the subsequent censorial rejection thereof; and “Ilayka Sayyidati Baghdad” (To You, My Lady Baghdad) by the writer Widad Al-Jourani.

²⁰⁰ The Jordanian Writers Association estimates the number of book titles banned at 1248, including the works of 31 members of the Association, and 59 books since the issuance of the new Press and Publications Law in 2007. Examples include: “Al-Buka’ ’ala Sadr Al-Habib” (Weeping on the Beloved’s Chest) by Rashad Abu Shawer; the memoirs of Bahjat Abu Gharbiyya; “Mudun Al-Milh” (Cities of Salt) by Abdul Rahman Munif in its five parts; “Waqi’ Al-Iqtisad Al-Urduni wa Afaquh” (The Reality and Prospects of the Jordanian Economy) by Wahib Al-Sha’er; and “Inthiyal Al-Thakira” (The Flow of Memory) by the publisher Fathi Al-Bis. Interview with the Jordanian Writers Association on 3/12/2009.

²⁰¹ These figures represent official statistics of the Press and Publications Department, according to its letter addressed to the National Centre for Human Rights on 17/12/2009.

Covenant on Civil and Political Rights, which has become part of the domestic legislative system, particularly since the ban can easily be circumvented through electronic publishing, which renders any book capable of distribution, publication, cutting and pasting, scanning, photocopying and storage. The Centre considers that the Press and Publications Department's formation, on 21/8/2009, of an advisory committee of creators and academics, entrusted with providing advice on the decisions of the Press and Publications Department relating to the distribution of books, newspapers and magazines, constitutes a step towards taking censorship decisions outside administrative frameworks, particularly in light of the prevalence of modern means of communication, which have provided readers with everything they need to read. It is therefore appropriate to leave the matter of censorship of books to readers themselves, so that they accept what is consistent with their views and tastes and reject what they consider to be contrary thereto.²⁰²

170. The Centre also records in 2009 a number of practices and shortcomings that do not permit individuals' full enjoyment of cultural rights, the most prominent of which are: (a) the Press and Publications Law still grants the Director of the Press and Publications Department the right to suspend the entry of publications issued abroad, to prevent their distribution, and to limit the number of copies whose distribution is permitted, on a temporary basis, provided that the Director of the Press and Publications Department applies to the court on an urgent basis requesting the issuance of an interim decision prohibiting their entry or distribution or limiting the number of copies distributed, pending the issuance of a final decision in that regard.²⁰³ In this regard, the Centre points out that it received a complaint from a Jordanian writer on 14/12/2009 concerning the Military Censorship at the Customs Department having transferred (100) copies of his book to the Press and Publications Department nearly two months earlier, and having held them in the customs warehouses without any decision being taken thereon; (b) the Press and Publications Law grants the Director of the Press and Publications Department the power of prior approval of publications imported by government institutions, universities and scientific research centres, such that no publications may be brought in for these institutions except after the prior approval of the Director, and they must be placed in special locations for use in scientific research. This constitutes a restriction on the freedom of scientific research and deprives scientific institutions of the right of recourse to the judiciary.

171. The Centre further points to a number of problems facing both scientific research and the protection of intellectual property, relating to the issue of forged university degrees obtained by official employees in the Ministry of Education, the Ministry of Health, universities and other public institutions, in addition to the suspected existence of university offices selling scientific

²⁰² The Jordanian Writers Association held several meetings as part of a campaign aimed at abolishing the Press and Publications Department and transforming it into a department friendly to culture and intellectuals and a centre for information. The general idea is based on refuting the claims of the Press and Publications Department through "carrying out a set of activities, seminars, lectures and readings of the books referred to the judiciary, in addition to activating the role of quasi-civil-society institutions so that they stand in solidarity with one another, so that it becomes a matter of public opinion; thus the issue becomes not confined to writers alone but rather encompasses all members of society."

²⁰³ The Press and Publications Department permits the entry of foreign books into the Kingdom in general: some (8000) books entered the Kingdom during the years 1999–2008; however, a limited number of them were prevented from entering on the basis of the prohibitions set out in Jordanian laws, which are often for political or religious reasons or relate to public morals.

research papers and university theses,²⁰⁴ which affects the quality of scientific research, the deterioration of its standard and the absence of its impact on the reality of the life of Jordanian society.

172. In this context, and in order to protect cultural rights, the Centre submits a number of recommendations to develop individuals' enjoyment of cultural rights, namely:

- a. Issuing a law for the preservation of national documents in order to protect them from destruction.
- b. Including Jordanian cultural output in school and university curricula and in the media.
- c. Studying the possibility of abolishing taxes on inputs into the book industry and other cultural products.
- d. Studying ways of encouraging the private sector and civil society to support culture and to promote Jordanian intellectuals, and supporting cultural bodies financially and technically, including exempting the sums donated to them from income tax.
- e. Disseminating a culture of intellectual property rights through various means, including the issuance of a specialised periodical.
- f. Investigating the suspicion that certain offices are selling scientific research papers, and toughening the penalties on those involved in this matter should it be proven.
- g. Calling upon the Ministries of Tourism and Culture to incorporate cultural elements into the Jordanian tourism product, and encouraging the creation of the post of cultural attachés.

²⁰⁴ The Centre observed the spread of offices preparing research papers and university theses near a number of the various Jordanian universities in return for sums of money, and heard a number of cases concerning this matter.

4. Rights of the Groups Most Vulnerable to Violations

Women's Rights

173. In response to the provisions of Article (18) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which was published in the Official Gazette on 1/8/2007, the Jordanian National Commission for Women — in cooperation with the National Centre for Human Rights and numerous governmental and non-governmental bodies concerned with women's affairs — prepared the Fifth Report on Jordan's implementation of its obligations under the Convention on the Elimination of All Forms of Discrimination against Women.²⁰⁵ The report addressed the developments relating to the extent and nature of the progress achieved for women through the implementation of the provisions of the Convention in all fields, including education, health, labour and economic development. The report recorded noticeable progress in a number of the areas addressed by the Convention, whether at the level of legislation or at the level of the measures taken to achieve equality between the sexes and to advance the status of women in accordance with the Constitution and the frames of reference adopted for the State and its public policies. It also pointed to the challenges and difficulties that still stand in the way of the full realisation of women's rights and the elimination of all forms of discrimination against them. In addition, the report shed light on the activities of the bodies working on women's affairs, and measured the extent of the response on certain indicators and recommendations contained in the concluding observations of the Committee on the Elimination of Discrimination against Women upon its consideration of Jordan's third and fourth reports on 2/8/2007, and in the general recommendations of that Committee, in the presence of the official Jordanian delegation.

174. The Centre observed that 2009 witnessed several positive developments in the field of protecting women's rights and supporting their participation in public life, as follows: (a) the issuance by the Council of Ministers of Decision No. (3951) dated 27/1/2009 to withdraw the reservation to Article (15/4) of the Convention on the Elimination of All Forms of Discrimination against Women, which grants women a right equal to that of men with regard to the movement of persons and the freedom to choose their residence and domicile, thereby responding to one of the recommendations made jointly by the Centre and the Jordanian National Commission for Women; (b) Jordan ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime of 2009; (c) women's participation in the judiciary witnessed a noticeable development, as the proportion of female judges rose in 2009 compared with previous years, as shown in the attached chart. It is worth mentioning that the number of female judges rose in 2009 to (48) judges, having been (42) in 2008; a female judge was appointed to the post of President of the Amman Court of First Instance, and others were appointed as members of panels of the Court of Appeal; (e) the Grand Criminal Court allocated, as of August 2009, a single panel presided over by the President of the Court to hear the so-called "honour cases" from various parts of the Kingdom, in order to expedite their adjudication and to unify judicial jurisprudence. It is hoped

²⁰⁵ The report covered the period from July 2005 until the end of November 2009.

that this measure will lead to a reduction in the number of instances of recourse to the mitigation of sentences handed down in respect of this crime.

Percentage of Female Judges in the Judiciary

Year	2007	2008	2009
Percentage	5.3	6.3	7.1

175. On the other hand, the Centre records a number of shortcomings that impede women's enjoyment of their rights and their participation in public life, the most important of which are: (a) the Government's continued reservation to Article (9/2), which grants women a right equal to that of men with regard to granting their nationality to their children, contrary to the first paragraph of Article (6) of the Jordanian Constitution, which provides that Jordanians shall be equal before the law, with no discrimination between them as regards their rights and duties, even if they differ in race, language or religion, and to Article (9) of the Nationality Law and its amendments No. (6) of 1954, which affirms that "the children of a Jordanian man are Jordanians wherever they are born". The sound interpretation of these two provisions, in accordance with the well-known rules of interpretation, indicates that the children of a Jordanian mother enjoy Jordanian nationality; according to the literal meaning of the provision "the children of a Jordanian are Jordanians", the masculine term, wherever it appears in a general and unqualified form, denotes both male and female equally; (b) the continued reservation to Paragraphs (c, d and g) of Article (16) relating to marriage and family relations; (c) the Government's failure to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, despite the Centre's recommendation to that effect in its previous report; (d) the continued low rate of women's participation in the labour market, as the data of the Department of Statistics for 2008 show that their rate of participation in the labour market amounts to (14.2%); (e) no female judge has been appointed to the Sharia judiciary, despite the existence of qualified women holding high academic degrees in the fields of Sharia and law, and the Sharia courts are devoid of female employees working in them.

176. Among the national legislation that underwent a positive change relating to women's rights are the following: (a) the amendment of the Criminal Procedure Code No. (19) of 2009, which provides: "In misdemeanour cases, the defendant may appoint a lawyer as his agent to represent him in attending the trial, unless the court decides that his attendance in person is necessary to achieve justice." The importance of this amendment for women lies in the fact that they are no longer compelled to appear in person before the court in order to follow trial sessions in criminal cases; (b) the Temporary Social Security Law of 2009, which expands the application of social protection to cover all workers, especially non-working housewives employed for a wage. It also included the application of new types of insurance, such as unemployment insurance and health insurance, in addition to incorporating into the Law an amendment that does not distinguish between the entitled person and the person entitled to pensions. The Law also included a provision enabling a wife to combine her retirement pension and her income from work, and it includes the advantage of paying the pension to the mother of the deceased insured person, his widow, his daughters, and his unmarried, widowed or divorced sisters upon death. However, the Centre noted that the Civil Retirement Law suspends payment of the pension upon the marriage of any of these women and reinstates it in the event of her divorce or widowhood, which reinforces the concept

of the dependent woman; this calls for amending this Law so that a woman's marriage has no effect on retirement entitlements.

177. Among the draft national laws that underwent a positive change relating to women's rights and that are awaiting completion of the constitutional procedures are the following: (a) the Draft Law Amending the Penal Code of 2009, prepared by the Ministry of Justice in cooperation with the National Centre for Human Rights, which includes amending the provisions relating to crimes of indecent assault and the penalties imposed thereon, increasing the aggravating circumstance associated with the age of the victim, and raising the protection of girls up to the age of (18) years in line with international conventions;²⁰⁶ (b) the Draft Law Amending the Personal Status Law, which was submitted to the Prime Ministry after the Chief Justice's Department (Sharia judiciary) completed its preparation. It includes numerous amendments that adhere to the provisions of Islamic Sharia without being bound by a particular school of jurisprudence, adopting the principle of selecting among juristic opinions according to what serves the public interest. Among the most important provisions amended are raising the age of custody to (18) years and granting the custodian the right to claim maintenance for the child in custody so that the child in custody does not go to court, in order not to place children in an embarrassing position. With regard to the right of visitation, the proposed Law granted both parents the right to visit the young child and to take the child on outings, to see the child and to sit with the child without resorting to places designated by the court for viewing the child, and to set two hours for seeing the child; rather, it granted them a longer period than that. The draft also included narrowing the scope of *khul'* (wife-initiated divorce), since it was more detrimental to women from a financial standpoint, as it expanded the

²⁰⁶ Among the most important of these amendments: - Article (279), to punish by imprisonment anyone who conducts marriage ceremonies or is a party to the conduct of such ceremonies in a manner inconsistent with the provisions of the Personal Status Law or the provisions of any other law or religious law applicable to the wife or the husband, given that, prior to the amendment, the Article did not punish anyone who married a person who had completed (15) years of age, which contradicted the Personal Status Law that set the minimum age of marriage at (18) years. On the other hand, a penalty was imposed on anyone who marries a person under (18) years of age even with the consent of the guardian, and the penalty for this offence was increased, whereas the law [previously] permitted this. - Article (304) of the Penal Code: whoever has sexual intercourse with a female who has not exceeded (18) years of age upon a promise of marriage shall be deemed to have committed a felony; likewise, deflowering a female who has exceeded (18) years of age upon a promise of marriage has become an offence punishable by law. The scope of admissible evidence was expanded to include correspondence by electronic means, in addition to increasing the penalty. An article was also added to the Law providing that the use of mitigating circumstances or the suspension of the execution of the penalty shall not be permitted in crimes of indecent assault where the victim is a male or a female who has not completed (18) years of age. - Article (62), concerning the Law's permission of forms of discipline, whereby the amendment stipulated that discipline shall not constitute any offence punishable by law, given that the Law punishes any harm, which will afford protection to female children against exposure to the harsh forms of discipline that were based on custom. The new amendment also tends to increase the penalties for each of the following offences: in the crime of rape, the penalty has become hard labour for life if the female has not completed (18) years of age, and a paragraph was added whereby the intercourse with a female under (12) years of age, without assault upon her consent, shall be deemed rape, as shall be the case of intercourse with, or indecent assault upon, a female other than the offender's wife who is unable to resist owing to physical, psychological or mental weakness. The amendment also increased the penalty for the aforementioned felonies where the offence is accompanied by a sexual assault inside the body of the victim. In addition, the amendment included increasing the penalty for the offence of intercourse with a female (other than the offender's wife) who has completed (15) years and has not completed (18) years of age, so that it becomes hard labour for a term of not less than (7) years. A provision was also added on the penalty of hard labour for a term of not less than (10) years for the offence of intercourse if committed against a female who has completed (12) years of age and has not completed (15) years, in addition to increasing the penalty for indecent fondling and the exposure of an indecent act.

proof of discord and dispute prior to the granting of *khul'*, so that the woman obtains part of her rights instead of waiving all her rights; (c) the Draft Law on Advance Payment of Maintenance (Alimony), in the preparation of which the Centre cooperated with the Jordanian National Commission for Women and women's organisations, with the aim of alleviating the suffering of those entitled to maintenance, namely wives, divorced women, widows and parents. It ensures the enforcement of maintenance judgments whose execution is impossible owing to the absence of the judgment debtor, the unknown whereabouts of his residence, or the absence of property capable of satisfying the maintenance judgment. Article (11) of the proposed draft provides for granting the Fund's management the power to have recourse against the judgment debtor and to recover the amount of maintenance and the costs incurred by the Fund in collecting it from him, while Article (9) thereof affirms that the amount awarded shall be disbursed within a maximum period of (15) days from the completion of the required documents. The Centre hopes that Parliament will pass this draft as soon as possible.

178. In the field of violence against women, the Centre found an increase in the registration of cases of violence against women, which is attributable to the increased awareness of Jordanian society of the importance of addressing cases of violence and not remaining silent about them. The statistics of the Family Protection Department for 2009 show that there were (1764) cases and incidents of violence, of which (794) cases were referred to the judiciary, including (731) cases of sexual assault and (63) cases of physical assault. Among the most important efforts made to protect women from violence during 2009 were the following: (a) the Women's Office of the Jordanian National Commission for Women began receiving complaints relating to violations of women's rights; (b) the Integrated Services Centre for Women Victims of Violence (Dar Al-Wifaq Al-Usari — Family Reconciliation House) was accredited as a centre for family justice²⁰⁷ in November 2009, to shelter women exposed to domestic violence together with their accompanying children, and to restore family ties, without an age limit for female children and up to the age of five years for male children. Those working at the House provide family and psychological counselling to battered women and to abusers, whether husbands, fathers or relatives, and facilitate the process of receiving victims of violence and providing services to them; (c) the establishment of a special ward at the Umm Al-Hussein Centre to hold juvenile girls in conflict with the law for a period of (24) hours, with the aim of preventing their mixing with others and the transmission of criminal contagion among them.

179. In order to enhance and protect women's rights, the Centre recommends the necessity of taking a number of legal and practical measures, including:

- a. Ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
- b. Withdrawing the reservation to Article (9/2) of the Convention concerning the nationality of the children of a woman married to a foreigner, in harmony with the principles contained in the relevant international conventions and the principles of justice and human rights.

²⁰⁷ The Centre brings together all the services needed by women exposed to violence in one place, such as medical care, psychological counselling services, and social and legal services. It is worth mentioning that this Centre accommodates up to 50 women and 35 children, and the number of cases that it received this year reached 505 cases.

c. Adopting a plan contributing to the appointment of female judges in the Sharia judiciary and the appointment of female employees in the Sharia courts.

Children's Rights

180. Jordan has committed itself to the protection of children's rights through the ratification of the International Convention on the Rights of the Child by Law No. (50) of 2006; however, it entered reservations to Article (14) concerning the right to freedom of thought, conscience and religion, and to Articles (20) and (21) concerning the system of adoption and alternative care for children permanently or temporarily deprived of their family environment. It is noteworthy that the Jordanian National Committee that prepared the parallel report to Jordan's third report called for the withdrawal of the reservation to the latter two Articles, particularly since the Convention expressly permits the adoption of the *kafala* system, which is a system recognised in Islam.

181. The year 2009 witnessed a number of measures that contributed to the development of legal and preventive protection for children, including: (a) the preparation of a draft Regulation on Protection from Domestic Violence, on the initiative of the Ministry of Social Development and with the participation of both the National Centre for Human Rights and the National Council for Family Affairs, for the purpose of issuing implementing provisions for the enforcement of the Protection from Domestic Violence Law No. (6) of 2008, since children are among the groups targeted for protection under this Law; (b) the Council of Ministers' approval on 17/11/2009 of a Regulation Amending the Civil Service Regulation of 2009, with the aim of increasing the disciplinary penalties against anyone who causes the infliction of physical punishment, in any form whatsoever, upon any of the children present in governmental institutions, including educational, rehabilitative or training institutions, or care or protection homes, in order to avoid violence in dealing with children; (c) the National Council for Family Affairs assumed the task of monitoring the efforts made by the ministries, institutions and bodies connected with the protection of the family and the child, and the establishment of a team tasked with investigating cases of child deaths and following them up with the relevant bodies, such as the Family Protection Department / Public Security Directorate or any other body, for the purposes of raising the level of prevention; (d) in January 2009, the Ministry of Education created the Section for Protection from Abuse, with the aim of stopping abuse by those working in the field of education, and included concepts of the protection of children from abuse in the curricula of the first three grades, as well as incorporating them into the kindergarten curricula; (e) the Ministry of Social Development and the Public Security Directorate equipped a shelter home for the care of the children of mothers who are inmates of the Correction and Rehabilitation Centres for women.

182. On the other hand, the Centre monitored cases of violence against, and the disappearance of, children that occurred this year, such as: the incident of the torture of the child "Yazan", who was admitted to hospital in a state of coma on 8/4/2009 and died on 28/4/2009; the report of the forensic medicine physician attributed the cause of death to the head of the child striking a sharp object, in addition to his diagnosis of traces of burns and branding with cigarette butts and a sharp knife. It also emerged that the child's father and mother had criminal records and ethical [misconduct], which led the Family Protection Department to transfer his elder brother to one of the protection and care homes of the Ministry of Social Development. The Centre also monitored the case of the loss of the child "Ward", aged five years, who has been missing since 26/4/2009.

The Centre prepared a detailed report on the subject and made several recommendations, including: that the reporting of the child's loss came only after the passage of (5) hours following his disappearance, which is sufficient time to take the child outside the Jordanian borders, and that the photographs of children accompanying their parents in their passports must be renewed annually for fear of misleading the security personnel by claiming that they are other children. The Centre likewise monitored the conditions of 200 working children, and it emerged that (10) of them had been exposed to immoral sexual practices to which they were subjected during work, in addition to (32%) of these children being exposed to beating, insults and verbal abuse in their work environment.

183. The Centre received a complaint stating that a (16)-year-old child had been subjected to torture and severe beating by members of the Criminal Investigation Department following a verbal altercation with one of them in which he was forced to sell him a shaver at a price lower than its price, without knowing who the buyer was until after he was beaten and transferred to the detention facility, which led to a serious wound to the child's head requiring his transfer to hospital, and he was subsequently transferred to the Al-Rusaifa Juvenile Home on a charge of slander, defamation and contempt. The Centre carried out a field visit to the said child and followed up his complaint with the officials. The Centre also monitored (1949) cases of violation of children's rights, in cooperation with civil society organisations within the work of the "Shabaket Aydak Ma'na" network ["Your Hand with Us" Network], of which (441) were cases of violation of the right to education, (590) cases of violation of the right to health care, (301) cases of violation of the right to play and recreation, (120) cases of violation of the right to participation, (223) cases of violation of the right to life, survival and development, and (123) cases of violation of the right to a name and nationality.

184. In light of this reality, the Centre recommends the necessity of completing the legal and administrative measures relating to the activation of the Protection from Domestic Violence Law and the issuance of the necessary Regulations and Instructions thereto. It also affirms the recommendations recorded by the Arab Children and Adolescents Forum in Amman, the most important of which are:

- a. Calling upon the Ministry of Education and the Ministry of Social Development to involve children in the formulation of the policies and plans relating to them.
- b. Raising the competence of those working in media institutions, in their various forms, in order to activate their role in issues concerning the child and the family.
- c. Establishing a national observatory to monitor the implementation of the Convention on the Rights of the Child.
- d. Using modern and child-friendly tools to increase children's awareness and educate them in order to confront the violence to which they may potentially be exposed.
- e. Continuous qualification of those working with children in the areas of addressing child abuse, in order to provide appropriate services to them.

f. Enabling children, through education programmes, to know and understand their rights and to possess the mechanisms for expressing them, in a manner that guarantees that their opinions reach those concerned.

g. Establishing and supporting methods of reporting abuse in order to support the child through children's centres, the Internet, hotlines and other methods.

Rights of Persons with Disabilities

185. In harmony with Jordan's international obligations to protect the rights of persons with disabilities, the Council of Ministers entrusted the task of following up the implementation of the provisions of the International Convention on the Rights of Persons with Disabilities to the Higher Council for the Affairs of Persons with Disabilities,²⁰⁸ pursuant to Article (33/1), including the submission of the governmental report in accordance with Article (35) of this Convention. At the same time, the Centre formed a national monitoring committee in implementation of Article (33/2) of the Convention, and is preparing to submit the parallel report to the governmental report.

186. The year 2009 witnessed a number of positive developments in the protection of the rights of persons with disabilities, the most prominent of which were: (a) the holding, on 23–24/11/2009, of a national conference to review the National Strategy for Persons with Disabilities for the years 2007–2009; an executive plan was also developed for the years 2010–2015 with the participation of all relevant official and national institutions and bodies and civil society organisations. The plan focuses on the awareness aspect and on unifying databases in order to address the disparity in disability rates in the Kingdom, and on attention to the environmental, educational and health aspects; (b) the development of standards for the accreditation of special education centres and institutions, with the aim of raising the quality of the services provided to persons with disabilities; (c) the employment of (130) persons with disabilities in the public and private sectors out of (825) applications submitted to the Council; (d) support for students with disabilities in official and private universities and community colleges, from which (750) students benefited; programmes of inclusive education and private education were also supported, and (22) special education classes were established in remote areas; (e) the formation of a network of media professionals concerned with disability issues; (f) the establishment of a committee for the rights of women with disabilities, entrusted with the task of raising the awareness of women with disabilities and empowering them; among its most prominent activities in 2009 was the implementation of an awareness programme to prohibit hysterectomy for girls with intellectual disabilities.

187. The Ministry of Social Development also undertakes the task of supervising the centres and institutions specialised in disability and following up and evaluating their work. Their number reached (258) centres and institutions, of which (42) are affiliated to the private sector, (119) to the voluntary sector and (13) to the international sector, in addition to (19) governmental centres providing a variety of diagnostic and rehabilitative services. The number of beneficiaries of the services of the governmental sector reached (4288) cases in 2009, while the number of

²⁰⁸ The Higher Council for the Affairs of Persons with Disabilities, established pursuant to Article (6) of the Law on the Rights of Persons with Disabilities No. (31) of 2007, is considered an independent governmental institution; it is the institutional umbrella of the disability movement in the Kingdom, and its frame of reference is the Prime Ministry.

beneficiaries of the other sectors mentioned above reached (20684) beneficiaries in the same year. The Ministry also provides educational services through the Al-Manar Centres for Intellectual Development, numbering (11) centres in the various governorates, and the number of beneficiaries reached (623) students among children with mild and moderate intellectual disabilities from the age of 6 up to the age of 16.

188. On the other hand, the Centre monitored a number of the violations to which persons with disabilities are exposed, as the Centre received (14) complaints and (8) requests for assistance. It also monitored, in cooperation with civil society organisations, (156) cases of violation²⁰⁹ affecting their right to personal liberty, the right to freedom of opinion and expression, the right not to be subjected to violence and exploitation, the right to legal capacity and equality before the law, the right to an adequate standard of living, the right to education, the right to work, and the right to health care and rehabilitation. The Centre found that the highest percentage of violations falls in the field of the right to health care at a rate of (16.66%), followed by the right to education at a rate of (16.02%), followed by the right to work at a rate of (10.89%).

189. Among the most important challenges in the field of the right to education is the weak awareness of the rights of persons with disabilities among members of the teaching staff and students in general, the absence of programmes to train teachers of regular classes to adapt the content of the curriculum and teaching methods, and the adaptation of examinations for students with disabilities, the absence of General Secondary Examination instructions covering all categories of disability, and the leakage of those working in the field of special education abroad or to the private sector. As for the most important challenges of the right to work, they lie in the low level of wages paid to persons with disabilities compared with others, the failure to prepare the physical environment (the premises) for work, the lack of availability of the minimum public safety requirements for persons with disabilities, and the difficulty of transportation. Added to this is the fear of employers of employing them. A person with a disability submitted a complaint to the Centre stating that he had applied for a certain job and, after fulfilling the conditions for obtaining the job, given that he possessed the academic qualifications and experience, the official noticed that he had a motor disability and asked him verbatim, “Is this a disability or an injury?” He informed him that it was a disability, whereupon the employer’s answer was: “Forget about it.” With regard to the challenges of the right to health care, these are: the absence of standards and fixed criteria for the adoption of medical diagnosis; the scarcity of physiotherapy centres for the rehabilitation of persons with disabilities outside the capital, Amman; the weak and diligent follow-up by the existing centres owing to the shortage of physiotherapists; in addition to the non-acceptance by the families of children with disabilities of the idea that their child has a disability and is in need of early diagnosis and follow-up.

190. In light of the foregoing, and in order to guarantee the rights of persons with disabilities, the Centre recommends the following:

a. Providing an inclusive educational environment for students with disabilities of the various categories of disability.

²⁰⁹ Through interviews conducted with the persons affected, or through field monitoring, or the questioning of witnesses and interviews with officials in the various regions of the Kingdom.

- b. Applying the text of Article (4/e) of the Law on the Rights of Persons with Disabilities No. (31) of 2007 relating to the application of the Building Code, since the absence of a supervisory body to apply the Law by the Jordan Engineers Association and the Greater Amman Municipality has been noted in respect of newly constructed buildings open to the public, and rehabilitating existing buildings as far as possible and adopting ramps on pavements.
- c. Activating the text of Article (12) of the Law on the Rights of Persons with Disabilities, which imposes penal sanctions on employers in the event of their refusal to employ persons with disabilities.
- d. Amending the text of Article (4/3) of the Law on the Rights of Persons with Disabilities, which allows the employer to invoke the nature of the work in order not to employ persons with disabilities, which is considered a legal loophole and a pretext for not employing them.
- e. Urging the Civil Service Bureau to employ persons with disabilities in the public sector in activation of the text of Article 4/c/3 of the Law on the Rights of Persons with Disabilities, as a right of theirs and not within humanitarian cases.
- f. Adopting unified standards for the medical diagnosis of disability and early diagnosis, provided that the evaluation committee includes experts who are persons with disabilities themselves.
- g. Establishing a mechanism for the early reporting of cases of disability and applying this mechanism by the maternity and childhood centres in the Kingdom.
- h. Criminalising and prohibiting hysterectomy for girls with intellectual disabilities and holding accountable whoever does so.

Rights of Older Persons

191. The United Nations has paid particular attention to policies concerning older persons since the mid-1970s. In 1978, the General Assembly adopted Resolution No. (33/52) on the organisation of the World Assembly on Ageing, with a view to developing an international plan of action aimed at meeting the needs and requirements of ageing. On the basis of this resolution, the World Assembly on Ageing held its first meeting in Vienna in 1982 and adopted the Vienna International Plan of Action on Ageing as the first international instrument concerned with older persons.

192. The Ministry of Social Development, in coordination with associations and specialised bodies, provides institutional care and social services for older persons. The Ministry also establishes, finances and manages any institution whose objectives are consistent with the objectives of the Ministry,²¹⁰ pursuant to Article (4/13) of the Ministry of Social Affairs and Labour Law and its amendments No. (14) of 1956. The number of older persons benefiting from

²¹⁰ The Ministry of Social Affairs and Labour Law and its amendments of 1956, Article (4/13): the establishment, financing and management of any institution that achieves any of the objectives of the Ministry of Social Affairs and Labour, such as homes for persons with impairments, homes for the blind, homes for the elderly, orphanages, childhood homes, girls' clubs, juvenile clubs, reform schools, houses of detention and custody, shelters for beggars and vagrants, social centres and the like.

these services reached (302) older persons in 2009, compared with (231) older persons in 2008 and (231) older persons in 2007. Those who benefited from these services in 2009 also included about (74) older persons with motor disabilities, (10) older persons with visual disabilities, (3) older persons with hearing disabilities and (6) older persons with intellectual disabilities. The National Council for Family Affairs also adopted the National Strategy for Older Persons, which is the first of its kind in Jordan for the care of older persons and which is scheduled to be launched during 2010, with the aim of enabling older persons to participate in society, eliminating all forms of violence and discrimination against them, in addition to improving the quality of their lives and enabling them to live independently. The Council also distributed a booklet assisting in how to deal with older persons in various circumstances.

193. The Centre monitored a number of violations against older persons through the visits it carried out to homes for older persons and the complaints received by the Centre, which are represented by the following: (a) the presence of some elderly women residing in homes for older persons without anyone visiting them or enquiring about them, which causes them moral and psychological violence; (b) the exposure of some older persons to economic and moral exploitation by their relatives and children, represented in the relinquishment of all the property they own, in addition to the possibility of circumventing the older person to obtain a court decision of guardianship in order to combine the inheritance; (c) the inadequacy of the monthly financial assistance²¹¹ to meet the older person's need for food and drink. The Centre received a complaint from an older person over (80) years of age, who is the sole breadwinner for a family of 14 members, and they are without shelter or family income; (d) elderly women suffer from discriminatory treatment, which is attributable to their inability to enter the fields of work, which led to the deterioration of their economic and social conditions and drove them to rely on low-income activities in the informal sector, such as selling fabrics and vegetables, collecting waste and raising livestock in rural areas. The Centre received a complaint from an elderly woman aged over (84) years who lives alone and has no breadwinner after the death of her husband and the abandonment of her children, in addition to her inability to move from one place to another. The Centre addressed the Ministry of Social Development requesting that she be sheltered in one of the homes for the care of older persons; however, the Ministry and the Family Protection Department were unable to provide this service because the Law requires the consent of the older person's family, and this woman's children did not agree to her admission on the pretext of their difficult living circumstances. The Centre considers that this case represents one of the cases that lead to the violation of the rights of older persons by their families, which is attributable to the absence of legislation holding accountable persons who fail in their duties towards their elderly relatives.

²¹¹ The Instructions on Financial Assistance No. "4" of 2007, Article (10): a- The Director General, or whomever he delegates, may disburse recurring monthly financial assistance to needy poor families falling below the poverty line who have no source of income equal to or exceeding the amount of assistance due to them, at the rate of (36) dinars per individual, provided that the number of members entitled to assistance does not exceed (5) persons, where their need for assistance is established, for the following categories: 1- families of orphans; 2- older persons and their families; 3- persons permanently incapacitated for work and their families; 4- families of prisoners and detainees; 5- the alternative family, provided that the beneficiary has no fixed source of income equal to or exceeding the amount of assistance due; 6- a woman without a breadwinner, in which case a family consisting of more than one woman shall be treated as a single beneficiary family; 7- families of absent and missing persons whose absence is continuous.

194. With regard to the environment of homes for older persons, the Centre recorded the following observations: (a) the poor geographical distribution of the locations of homes for older persons in the Kingdom, since they are concentrated in the Central Region only, “eight of them in the capital, Amman, one in Zarqa and one in the Fuhais area”; (b) the disparity in the distribution of the number of older persons residing in these homes, as the number of older persons in some homes reaches more than (100) older persons, while in others it does not exceed (6) older persons, which is attributable to the high financial cost of private-sector homes, which ranges between (200–1000) dinars per month for the private sector and (120–170) dinars per month for the voluntary sector; (c) the lack of open areas or gardens for sunbathing in most of them, and where available their use is almost non-existent; (d) the failure to prepare the premises to provide ease of use and living, such as: the absence of handrails for older persons in the corridors to avoid the risk of slipping, and the absence of medical beds in most of the homes; (e) it emerged to the monitoring team that one of the homes for older persons was not committed to the conditions and Instructions of homes for older persons, whereupon the Ministry of Social Development was addressed on 26/7/2008, and it followed up its conditions and closed it in accordance with the Law.

195. The Centre issued the First Report on the Conditions of Older Persons in Care Homes for 2009. It addressed the topic of ageing in national legislation and international standards, and reviewed the services provided to older persons and their quality,²¹² and the admission mechanism and the environment of homes for older persons. It also addressed the staff working in homes for older persons. As for the mechanism for admitting older persons to the homes affiliated to the Ministry of Social Development, it depends on the type of home, as follows: (a) the older person is received through his family in the private sector; (b) the older person is received in the voluntary sector through any person who reports the existence of an older person in need of residential care, or through his referral by the Ministry of Social Development, which covers the residence expenses amounting to “170” dinars per month, provided that the older person has no relatives and is not afflicted with infectious diseases or mental illnesses that render him a danger to others.

196. The Centre received three requests for assistance relating to matters of health, living at a decent standard, and the right to adequate housing from older persons, and considers that the weakness of reporting violations is attributable to the following reasons: (a) the older person’s lack of knowledge of his legal rights guaranteed to him by international standards, in addition to his financial and physical inability to travel to the bodies concerned in order to submit the complaint; (b) the older person’s relatives not permitting him to go to any body concerned with complaints; (c) the absence of an appropriate mechanism assisting older persons to claim their human rights, since the greatest burden falls on those working in homes for the care of older persons; (d) the failure of the media, in all its forms, in media coverage of the rights of older persons.

²¹² The Centre observed that all the homes provide residential care services (food, drink and clothing for those unable [to afford them]). As for health services, they are available in most of these homes, but they suffer from a shortage in the nursing staff working therein. With regard to recreational and social services, they are confined to watching television and conversing in the sunbathing areas, or going out on a recreational trip or shopping, in addition to the unavailability of libraries in the homes.

197. In order to preserve the rights of older persons, the Centre reiterates the recommendations it made in its previous reports in this regard, and stresses the necessity of the following:

- a. Granting the legal power to the bodies concerned with law enforcement to be able to intervene in the protection and care of older persons in the event of their neglect by children and relatives.
- b. Legal accountability for anyone who commits violence against older persons, whether they are children or persons responsible for their care.
- c. Developing the services provided to older persons in care homes, whether relating to physiotherapy, psychological counselling or sports activities.
- d. Calling upon the Ministry of Social Development to conduct awareness campaigns to familiarise society with the needs and rights of older persons and the nature of the health and psychological problems to which they may be exposed and how to deal with them.
- e. Training those working in the field of the care of older persons on human rights in general and the rights of older persons in particular.
- f. Encouraging the establishment of recreational, cultural and social clubs for older persons and supporting them by the Government and the private sector within the framework of corporate social responsibility.
- g. Encouraging the establishment of voluntary bodies and associations aimed at the care of older persons, and strengthening the relationship between them and their families as far as possible.

5. Complaints and Requests for Assistance Submitted to the Centre

Complaints Received by the Centre during 2009

Total Number of Complaints Received by the National Centre for Human Rights, by the Rights Allegedly Violated, 2009

196. The total number of complaints received by the Centre this year was (573) complaints, compared with a total of (373) complaints in 2008. The number of complaints relating to civil and political rights was (322) complaints, while the number of complaints relating to economic, social and cultural rights was (145) complaints, and the number of complaints relating to the rights of vulnerable groups was (106) complaints. A total of (181) complaints, i.e. (32%), were closed successfully, while the number of complaints still under follow-up was (212) complaints, i.e. (37%). Notably, the Centre received (50) complaints falling outside its mandate, i.e. (9%) of the total number of complaints. Furthermore, (37) complaints were closed because no violation of human rights was established, i.e. (6%), while (65) complaints, i.e. (11%), were closed without a satisfactory outcome being reached. The reasons for closing a number of cases without a satisfactory outcome are attributable to the complainant's lack of cooperation or unwillingness to follow up the complaint, or to the failure of the body complained against to respond positively to the Centre's recommendations and requests, in addition to the absence of a clear legal cover for halting and remedying certain violations, and the absence of a provision in the Centre's Law obliging bodies to respond to the Centre's requests within a specified period.

Right Subject of the Complaints	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	Under Follow-up	Complainant's Non-cooperation	Violation Not Established
Recognition of legal personality (nationality)	34	2	12		19		1
The right to physical integrity	52	19	5	5	17	2	4
The right to freedom of residence and movement	60	22	7	5	19	3	4
The right to asylum	1				1		
The right to life	4				2		2
The right to liberty and security of person	51	16	3	6	21		5
The right to humane treatment	48	10	3	3	24	8	
The right to work	74	33	5	3	25	5	3
The right to social security	3	2		1			
The right to hold public office	9	2	2	3	2		
Prisoners' rights	17	6		1	9		1

Right Subject of the Complaints	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	Under Follow-up	Complainant's Non-cooperation	Violation Not Established
The right to health	14	7	2	1	4		
The right to education	10	4		1	5		
The right to equality and non-discrimination	2	1			1		
The right to a fair trial	53	8	10	9	14	5	7
Women's rights	21	9	2	2	8		
Children's rights	49	19	5	3	18	2	2
Rights of persons with disabilities	14	5	2	3	2		2
Family rights	15	5	3	1	4	1	1
Juveniles' rights	5	1	1		2		1
The right to an adequate standard of living	17	2	3	1	5	2	4
The right to housing	5	3			2		
The right to freedom of opinion and expression	4	1		1	2		
The right to property	3	1		1	1		
The right to a healthy environment	4	1			3		
The right to join trade unions	4	2			2		
Grand total	573	181	65	50	212	28	37
Percentage	100%	32%	11%	9%	37%	5%	6%

Requests for Assistance Received by the Centre during 2009

Total Number of Requests for Assistance Received by the National Centre for Human Rights, by the Rights Allegedly Violated, 2009

197. The total number of requests for assistance received by the Centre this year was (301) requests, compared with (244) requests in 2008 and (288) requests in 2007. The number of requests for assistance relating to civil and political rights was (175) requests, while the number of requests relating to economic, social and cultural rights was (101) requests, and the number of requests for assistance relating to the rights of vulnerable groups was (25) requests. A total of (54) requests, i.e. (18%), were closed successfully, while the number of requests closed without a satisfactory outcome was (52) requests, i.e. (17%). The number of requests still under follow-up was (170) requests, i.e. (57%). The Centre also received (25) requests falling outside its mandate, i.e. (8%). The reasons for closing a number of cases without a satisfactory outcome are attributable to the lack of cooperation of the person requesting assistance or his unwillingness to follow up the request for assistance, or to the failure of the body from which assistance was requested to

respond positively to the Centre's recommendations and requests, in addition to the absence of a provision in the Centre's Law obliging bodies to respond to the Centre's requests within a specified period.

Right Subject of the Complaint	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	Under Follow-up	Complainant's Non-cooperation	Violation Not Established
Recognition of legal personality (nationality)	19	1	1		15		2
The right to freedom of residence and movement	74	16	13	5	36	2	2
The right to humane treatment	24	1	2	1	18	2	
The right to liberty and security of person	27	2	3	2	18	1	1
The right to health	30	1	7	3	16	2	1
The right to work	37	9	5	3	19		1
The right to social security	7		1	1	5		
The right to property	5	1	2		1		1
The right to housing	2			1	1		
The right to an adequate standard of living	8		2		6		
The right to a healthy environment	1				1		
Women's rights	6	1			5		
Children's rights	4				4		
Rights of persons with disabilities	11	2	1		7		1
The right to education	4	1	1		2		
Prisoners' rights	4	3			1		
The right to compensation	3	1		1	1		
The right to found a family	4			1	3		

Right Subject of the Complaint	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	Under Follow-up	Complainant's Non-cooperation	Violation Not Established
The right to hold public office	4				4		
The right to form trade unions	1				1		
The right to a fair trial	26	4	5	7	6	2	2
Grand total	301	43	43	25	170	9	11
Percentages	100%	14%	14%	8%	57%	3%	4%

198. A continued increase is observed in the number of complaints and requests for assistance received by the Centre during 2009 compared with previous years, as shown in the following chart, the rate of increase reaching (53%) for complaints and (24%) for requests for assistance in 2009 compared with 2008. This may be attributed to the following reasons: 1- citizens' awareness of the services provided by the Centre as a result of the media campaigns it carries out; 2- the Centre's implementation of a number of activities outside the capital and its receipt of complaints and requests for assistance directly from citizens where they are located; 3- the professional conduct with which the Centre's staff deal, and the courtesy with which they receive and handle citizens' requests; 4- the operation of the hotline service to receive complaints and requests for assistance around the clock, in addition to the multiplicity of methods of receiving them, as shown in the chart; 5- citizens' confidence in the services provided by the Centre, based on the positive results achieved in handling previous complaints.

Chart: Numbers of Complaints and Requests for Assistance for the Years 2003–2009

Year	Requests for Assistance	Complaints
2003–2004	152	209
2005	177	192
2006	162	147
2007	288	422
2008	244	373
2009	301	573

199. Receipt of complaints and requests for assistance orally and in person ranked first among the various means, as (74.49%) of the total complaints and requests for assistance were made orally, by the complainants attending the Centre in person and explaining their complaints before the Centre's staff. The submission of complaints and requests for assistance by fax ranked second, accounting for (9.95%) of the total complaints and requests for assistance. Submission of complaints and requests for assistance in writing ranked third, accounting for (8.81%) of the total complaints and requests for assistance. Fourth place was occupied by electronic mail, at a rate of (4.46%); the low rate is attributable to the fact that internet service is not universally available in all areas of the Kingdom, and that most of those who use this method reside outside the Kingdom and are unable to attend the Centre in person. Finally, the proportion of complaints and requests

for assistance submitted via the hotline was (2.29%) of the total complaints and requests for assistance.

Chart: Percentages of Complaints and Requests for Assistance by Method of Submission

Method of Submission	Complaints	Requests for Assistance
Hotline	3.10%	0.70%
Fax	97.70%	10.30%
Electronic mail	4.20%	5.00%
In writing	9.90%	6.60%
In person	72.90%	77.40%

Complaints and Requests for Assistance Received by the Centre during 2009

Number of Complaints and Requests for Assistance Submitted to the Centre, by Governorate

200. As regards the distribution of complaints among the various governorates of the Kingdom, the following chart shows that (62.30%) of the complainants reside in the Capital Governorate. This is attributable to the absence of branches of the Centre in the other governorates of the Kingdom, the high population of the Governorate, and the Centre's proximity to citizens residing in the Capital Governorate. Complaints received from the three largest governorates in terms of population also accounted for the highest proportion, with Zarqa Governorate ranking second, the number of complaints there accounting for (7.33%); Balqa Governorate ranking third, the number of complaints accounting for (5.76%); and Irbid Governorate ranking fourth, the number of complaints accounting for (5.58%). As for requests for assistance, the Capital Governorate ranked first at (63.8%), Zarqa Governorate second at (7.6%), Jerash Governorate third at (6.6%), and Irbid Governorate fourth at (5.3%). Desiring to reach citizens in all areas of the Kingdom, the Centre will work to establish a network of volunteer lawyers in all governorates of the Kingdom to receive complaints, and will also activate the postal service for receiving complaints from the governorates.

Chart: Percentages of Complaints and Requests for Assistance by Governorate

[Bar chart without printed values, showing complaints and requests for assistance as percentages (scale 0–70%) for: Amman, Zarqa, Balqa, Jerash, Irbid, Ajloun, Aqaba, Mafraq, Karak, Madaba, Tafileh, Ma'an and Outside Jordan; Amman accounts for just over 60% in both series, all other governorates below 10%.]

201. As regards the body complained against, the chart shows the percentage of complaints by the governmental body against which the complaints were submitted. It is observed that the security bodies continue to account for the largest proportion of the complaints received by the Centre, their share of the total complaints reaching (58.64%), compared with (54.57%) in 2008; the proportion of complaints submitted against the Public Security Directorate was (29.32%), followed by the Ministry of Interior (23.21%), followed by the General Intelligence Directorate (6.11%). A decrease is also observed in the proportion of complaints relating to labour and recruitment offices, which reached (17.10%) compared with (25%) in 2008, the complaints against employers reaching 9.95% and the complaints against recruitment offices 4.36%. A

decrease is likewise observed in the proportion of complaints submitted against the core government ministries, such as the Ministries of Education, Health, Justice, Agriculture and Environment, which reached 6.46% compared with (11.23%) in 2008. An increase is also observed in the proportion of complaints against the judicial authority, which reached (4.54%) compared with (3.39%) in 2008. The Centre also received complaints against universities during 2009, amounting to (1.4%). These percentages indicate that the bodies accounting for the largest proportion of complaints are the same, which suggests that they have not taken the hoped-for measures to halt violations, and confirms the need for the Centre to continue to give them priority and focus in order to reduce the number of complaints and promote human rights in the Kingdom. As for the body from which assistance was requested, the chart shows that the largest proportion of those requesting assistance relate to labour and recruitment offices, at 40.20%, followed by the Ministry of Interior at 13.95%, while the following ministries accounted for a combined (17.28%) of the requests for assistance: Health, Foreign Affairs, Awqaf, Social Development, Higher Education, and Public Works and Housing, with the Ministry of Social Development being the most prominent, the proportion of requests for assistance relating to it reaching (8.31%), followed by the Ministry of Foreign Affairs at (3.65%).

Chart: Percentages of Complaints and Requests for Assistance by Body Complained Against

[Bar chart without printed values, showing complaints and requests for assistance as percentages (scale 0–35%) for: Prime Ministry; Ministry of Health; Ministry of Education; Ministry of Higher Education; Ministry of Social Development; Ministry of Municipal Affairs; Ministry of Agriculture; Ministry of Environment; Ministry of Awqaf; Ministry of Interior; Ministry of Foreign Affairs; Ministry of Justice; Ministry of Labour; Public Security Directorate; General Intelligence Directorate; recruitment offices; employers; the judicial authority; the General Command; Sharia courts; family; Customs Department; UN High Commissioner for Refugees; Greater Amman Municipality; universities; Higher Council for the Affairs of Persons with Disabilities; foreign States; other bodies. The highest complaint bars are the Public Security Directorate (approx. 29%) and the Ministry of Interior (approx. 23%).]

202. The following chart also shows the numbers of male and female complainants by nationality, from which it is evident that 82% of them are Jordanians, 64% of whom are male, while the Filipino nationality ranked second at approximately 7%, all of whom are female.

Chart: Numbers of Male and Female Complainants by Nationality

[Stacked bar chart without printed values (scale 0–500), showing males and females for: Jordanian, Filipino, Bangladeshi, Palestinian, Lebanese, Syrian, Sri Lankan, Moroccan, Indonesian, Iraqi, Tunisian, Canadian and German; the Jordanian bar reaches approx. 470 (approx. 300 males), all others below 50.]

203. As regards the nationality of those requesting assistance, the following chart shows that the Jordanian nationality accounted for the largest proportion, reaching 45% of the total number of persons requesting assistance, of whom females accounted for 60%; the Palestinian nationality ranked second at 12.6%, most of them male; and the Filipino nationality ranked third at 10%, most of them female.

Chart: Numbers of Male and Female Persons Requesting Assistance by Nationality

[Stacked bar chart without printed values (scale 0–160), showing males and females for: Jordanian, Syrian, Iraqi, Indonesian, Palestinian, Egyptian, Tunisian, Filipino, Indian, Bangladeshi, Moroccan, Sri Lankan, Emirati and Israeli; the Jordanian bar reaches approx. 135 (approx. 55 males), all others below 40.]

6. Assessment of Jordan's Fulfilment of Its Obligations under International Human Rights Covenants and Instruments

204. Since the adoption of the Universal Declaration of Human Rights in 1948 and up to the present, dozens of international instruments have been drawn up with the aim of completing the overall framework of the human rights system. Foremost among these instruments are what have come to be known today as the core international human rights conventions, namely:

- a. The International Covenant on Civil and Political Rights of 1966.
- b. The International Covenant on Economic, Social and Cultural Rights of 1966.
- c. The International Convention on the Elimination of All Forms of Racial Discrimination of 1965.
- d. The Convention on the Rights of the Child of 1989.
- e. The Convention on the Elimination of All Forms of Discrimination against Women of 1979.
- f. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984.
- g. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 2000.
- h. The International Convention for the Protection of All Persons from Enforced Disappearance of 2006.
- i. The Convention on the Rights of Persons with Disabilities of 2007.

205. Regarding the above-mentioned conventions as core conventions does not diminish the value and importance of other conventions which international organisations and agencies have sought to draw up and bring into force, such as the conventions of the International Labour Organisation, which number (184) conventions, as well as the conventions concluded within the framework of the work of the specialised organisations and agencies in the fields of education, health, justice and crime control, or even regional conventions such as the Arab Charter on Human Rights. Rather, the nine conventions referred to are regarded as the core human rights conventions because those conventions have aimed, to a large extent, at transforming the rights set out in the Universal Declaration of Human Rights of 1948 into binding rules and into firm guarantees and duties of respect on the part of every State, including its authorities, bodies, groups and individuals. Hence, the obligations of States with respect to human rights are based on a treaty/conventional basis more than on a customary basis; accordingly, ascertaining the extent of a State's commitment to human rights is achieved by identifying the conventions to which it has acceded and its position on the implementation of those conventions at the national level, without this meaning, however, that customary international law or the other sources of international human rights law are disregarded.

206. International conventions, foremost among them the two Covenants, have left to the State Party the freedom to choose the appropriate means, as well as to take any of the measures possible at the national level to give effect to the recognised rights and render them capable of actual

enjoyment by individuals, and to protect them from any infringement or violation. This choice may be reinforced by the recognition of the principle of international support and cooperation in enabling the State Party to fulfil the obligations contained in the conventions.

207. Jordan's obligations under the international human rights conventions: The Hashemite Kingdom of Jordan has acceded to numerous international human rights conventions, including the core conventions referred to at the beginning of this chapter, with the exception of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance. Over the past three decades, the Kingdom has sought to fulfil, to the extent possible, its obligations under those conventions and has taken executive, legislative and judicial measures and procedures to fulfil those obligations to varying degrees. Jordan's obligations under the international human rights conventions have been subject to reviews and assessments by numerous bodies charged with monitoring the implementation of the treaties, such as the Human Rights Committee, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and the Committee on Economic, Social and Cultural Rights. The most recent of these was Jordan's submission to the Universal Periodic Review before the Human Rights Council in February 2009, where the compilation report prepared by the Office of the High Commissioner for Human Rights shows the status of Jordan's commitment to international human rights standards, foremost among them the core conventions.

208. Discussion of the State's fulfilment of the obligations contained in the international human rights conventions to which it has acceded encompasses a number of topics and issues, including: concepts, standards, appropriate means and available resources. In this context, one may address the concept of the minimum core, the standard of the maximum that available resources and capabilities permit, as well as the authority of the two Covenants before the national judiciary, the concept of harmonising legislation and measuring the progress achieved, including the submission of reports to the treaty bodies, and the relationship between the various human rights conventions when applied at the national level. At this level, the question of the approach that must be adopted to ensure full fulfilment of all the obligations contained in the international conventions, by all appropriate means and available resources, including international cooperation and support, is examined.

209. The international human rights conventions give rise to categories of obligations incumbent upon the State upon its mere ratification of, or accession to, them. These may be either obligations of recognition of, or respect for, the rights that are the subject of the convention; or obligations to enable the actual enjoyment of the recognised rights; or obligations to protect the rights from any infringement or violation; or procedural obligations such as cooperation and support, the submission of reports to the treaty bodies, the publication of the comments (recommendations) of the treaty committees to the public, the response to the committees' requests for clarification, and reservations and declarations.

210. Recognition, enablement and protection are the core obligations of the State under the provisions of the international conventions, and those obligations require that a number of procedures and measures be undertaken to fulfil the obligations specified under the convention.

Accordingly, assessing the extent of the State's fulfilment of its treaty obligations is achieved by reviewing the measures and procedures taken by States to fulfil those obligations in accordance with the specific nature of each of the rights contained in the conventions.

211. Jordan has acceded to seven core human rights conventions, as shown in Table No. (26):

Table No. (26): Jordan's position on the core human rights conventions

Convention	Date of ratification	Date of publication in the Official Gazette	Reservation
1. International Covenant on Civil and Political Rights	28/5/1975	15/6/2006	No reservation
2. International Covenant on Economic, Social and Cultural Rights	28/5/1975	15/6/2006	No reservation
3. Convention on the Elimination of All Forms of Racial Discrimination	30/5/1974	15/6/2006	No reservation
4. Convention on the Rights of the Child	24/5/1991	16/10/2006	Article (14): the right of the child to freedom of thought, conscience and religion • Articles (20 and 21): on adoption
5. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1/7/1992	1/8/2007	Article (9/2): the right to grant her nationality to her children • Article (16/1), Paragraphs: (c) the same rights and responsibilities as parents, in matters relating to their children; (d) the same rights and responsibilities with regard to guardianship, wardship, trusteeship of children and adoption; (g) the same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation
6. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	13/11/1991	15/6/2006	No reservation
7. Convention on the Rights of Persons with Disabilities	31/3/2008	25/3/2008	No reservation

212. These conventions have placed a set of general core obligations upon Jordan. These obligations, in brief, are:

- a. To take the necessary legislative, administrative and judicial measures to ensure the actual enjoyment of the rights recognised in the convention.
- b. To provide effective remedies.
- c. To ensure the actual enjoyment of the rights recognised under the convention.
- d. To apply the conventions to citizens and non-citizens.

- e. Equality in rights between men and women.
- f. The impermissibility of restricting rights except for specific reasons, and on condition that such restrictions are prescribed by law.
- g. The impermissibility of derogating from certain fundamental restrictions even in a state of war or imminent danger threatening the life of the nation.
- h. The application of the provisions that guarantee more favourable treatment in the event of a conflict of laws (provisions).
- i. The obligation to submit reports to the treaty bodies.
- j. Cooperation with international bodies and mechanisms concerned with human rights.

213. In the field of official national measures taken to implement the obligations, international conventions mostly contain provisions setting out the measures that the State must take to give effect to the rights recognised thereunder. The measures that the State must take are, in general, of two types:

- a. (Specific and mandatory) measures, such as the legislative measures provided for in the Convention against Torture in order to criminalise torture, or in the Convention on the Elimination of All Forms of Racial Discrimination in order to prohibit discrimination for any reason, or the amendment of legislation that conflicts with the content of the convention, as set out in CEDAW. The purpose of this specification is to link the State's obligation to the means that lead directly to its realisation, which elevates these measures to the level of the core obligation, such that this obligation cannot be claimed to be implemented without the required measure being taken. The treaty committees are concerned with verifying that the State has taken the specified measures to fulfil this or that obligation, as being the essence of the obligation and the standard of its realisation.
- b. Measures that the State may take according to its own assessment of their necessity and importance in achieving the purposes of the convention and thereby implementing its obligations thereunder, the standard for choosing such a measure over another being the standard of (effectiveness); that is, the State chooses, from among the possible measures, that which is effective in achieving the purposes and fulfilling the obligations. This is expressed by the international conventions in the phrase ("all available means") ... or ("to take the necessary measures or procedures to ensure the full realisation of the rights that are the subject of the convention"). Among the most common national measures that may be taken to fulfil the State's obligations are legislative measures, executive measures or judicial measures.

214. Legislative measures include the enactment of new legislation or the amendment of existing legislation to ensure the realisation of all or some of the purposes of the convention. The past two decades have witnessed the enactment of new legislation and the amendment of existing legislation in order to meet the requirements of international human rights standards in accordance with the Kingdom's obligations under international conventions. The legislative measures required under the international human rights conventions include either regarding the international convention (in itself) as part of national legislation, or incorporating the provisions of the convention into national legislation, or harmonising national legislation with the provisions

of the convention, or any legislative measure that makes the rights contained in the convention enjoy recognition and protection to a degree not less than the protection afforded by the national legislation in force to other personal and real rights. Table No. (27) shows the most prominent Jordanian legislation enacted and/or reviewed in light of international conventions during the period 2000–2009:

Table No. (27): The most prominent legislation enacted and/or reviewed in light of international conventions during the period 2000–2009

Name of legislation	Date of issue	Relevant international instruments	Type of measure	Assessment
Public Gatherings Law	2008	International Covenant on Civil and Political Rights	Partial amendment	The amendment included an increase in the restrictions imposed on the right of assembly
Societies Law	2008		Comprehensive amendment	
Penal Code	2004 • 2008	Convention against Torture	(Article 340): abolition of the mitigating excuse in killing • (Article 208): criminalisation of torture	The amendment falls short of the standards contained in the Convention • The amendment is still a temporary law
Law on Guaranteeing the Right of Access to Information	2008	International Covenant on Civil and Political Rights	Procedural regulation to guarantee the right of access to information	This Law is no less significant in its effect than the Law on the Protection of State Secrets and Documents
Law of the National Centre for Human Rights	2002	All conventions • Vienna Declaration and Programme of Action	Enactment of a new law • Amendment	The Law needs certain amendments concerning the clarity of its legal mandate, financial independence and the membership of the Board of Trustees
Prevention of Trafficking in Persons Law	2009	The Palermo Convention and its supplementary Protocol	Enactment of a new law	Consistent with the relevant standards, while requiring certain amendments • We have not observed any judicial applications
Temporary Social Security Law	2004 • 2009	International Covenant on Economic, Social and Cultural Rights • International Labour Organisation conventions	Substantive amendments	Expansion of the scope of social security coverage • Introduction of new insurance schemes (unemployment / women working at home)
Labour Law	1996	The international labour conventions to which Jordan has acceded	Substantive amendments	Expansion of the scope of application of the Law, among other things
Press and Publications Law	1998	Universal Declaration of Human Rights • International Covenant on Civil and Political Rights	Partial amendment	Freedom of the press • Press licences and censorship

215. Executive measures include:

- a. Entrenching recognition of international human rights standards and their effect on practices and on the executive measures relating to the administration of those rights.
- b. Drawing up plans, formulating policies and evaluating practices.
- c. Allocating and spending the necessary financial appropriations.
- d. Establishing institutions and strengthening them.
- e. Providing protection, support and assistance to the most vulnerable groups.
- f. The performance of the persons charged with enforcing the law.
- g. Ensuring that perpetrators are prosecuted and punished and do not escape punishment.
- h. Compensating victims, including their rehabilitation.
- i. Accession to the international human rights conventions.
- j. Submitting reports to the treaty bodies.
- k. Cooperation with international and national bodies.
- l. Publishing the international conventions to the public and informing the public of the rights and procedures contained therein, as well as the comments and recommendations of the international bodies on the national reports.
- m. Awareness-raising and media.
- n. Education and teaching.
- o. Training and capacity-building.
- p. Assisting victims of violations and compensating them.

We shall review the most prominent executive measures taken by the various Jordanian official administrations in implementing their obligations and commitments when assessing the extent of fulfilment of the obligations.

216. Judicial measures include, at a minimum:

- a. Establishing an independent and effective judiciary to hear all cases and disputes, including those to which the State or one of its representatives is a party.
- b. Guaranteeing the right to a fair trial.
- c. Guaranteeing the protection of the right to life and to the integrity of body and mind.
- d. Guaranteeing equality and non-discrimination in all litigation procedures.
- e. Providing competent judges and administrative staff to discharge judicial duties.
- f. Ensuring the prosecution of perpetrators of human rights violations as crimes.
- g. Guaranteeing the right of judges to establish professional societies and associations.

h. Guaranteeing a judgment for fair compensation for every person any of whose rights recognised in the binding international conventions have been violated, including rehabilitation, against every person who caused or directly committed the violation, including the authorities and administrations of the State.

217. In order to ascertain the adequacy of the measures taken and the efforts made to fulfil the Kingdom's obligations, and to assess the prospects, challenges and obstacles facing full fulfilment of the obligations under the international conventions, the Kingdom has been subject to more than one international assessment through the treaty committees and the special rapporteurs who have visited the Kingdom and conducted an assessment of the subjects falling within the mandate of each of them. Jordan was also subject to the Universal Periodic Review before the Human Rights Council during 2009. In order to assess what the Government has done with regard to these obligations, it is necessary to:

- a. Monitor the Kingdom's commitment to submitting reports to the treaty monitoring bodies established under the seven conventions ratified by the Kingdom.
- b. Monitor the Kingdom's commitment to the observations, recommendations and concerns expressed by the various treaty committees.
- c. Monitor what the Government has done with regard to the recommendations and observations of the special rapporteurs.
- d. Review what the Government has done with regard to Jordan's voluntary pledges and commitments for membership of the Human Rights Council.
- e. Review what the Government has done with regard to the recommendations of States on Jordan's Universal Periodic Review report.

218. In the field of commitment to submitting reports and taking into account the observations and recommendations of the treaty committees, the Centre observed the following:

- a. The Government has submitted four reports to the Human Rights Committee under the International Covenant on Civil and Political Rights; however, it did not comply with the due dates of any of these reports, and the fourth report was delayed by approximately (12) years beyond its due date. The Committee had made a number of recommendations, the most prominent of which were: that the Constitution does not contain specific provisions clarifying the relationship between international conventions and domestic laws; the absence of a constitutional court; the failure to accede to either of the two Optional Protocols to the Covenant; and the large number of crimes punishable by death. It is observed that the Government has not acted on any of these recommendations.
- b. The Government has submitted three reports to the Committee on Economic, Social and Cultural Rights under the International Covenant on Economic, Social and Cultural Rights, and the Government did not comply with the due dates of any of these reports; nor has it submitted the third report, which has been due since (2003). The Committee expressed its concern about a number of issues, namely:

- The Covenant does not have the force of law and does not take precedence in application over all national legislation other than the Constitution.
- The meagre attention given to incorporating the provisions relating to the Covenant into national legislation.
- The scarcity of information on the effectiveness of the measures taken, including the lack of information relating to complaints of violations of economic and social rights, and the low level of awareness of the Covenant among judges, lawyers and the general public.
- Traditional and stereotyped attitudes regarding the role and responsibility of both men and women in Jordanian society.
- Violence against women, and in particular the fact that a husband's rape of his wife does not constitute a crime.
- The restrictions imposed on a Jordanian woman married to a foreigner in granting her Jordanian nationality to her children; and the crimes committed against women in the name of honour.
- The continuation of relatively high levels of unemployment and poverty.
- The exclusion of non-Jordanian workers from the minimum wage provisions and their deprivation of participation in trade union activity and social security.
- The lack of legal protection for persons working in family enterprises, domestic workers and agricultural workers.
- The right of public sector employees to participate in trade union activities, as well as concern that Article 100 of the Labour Law negates the right of workers to strike.
- Cases of forced eviction from dwellings in urban areas.

It is observed that the Government has, on the whole, not acted on any of these observations, noting that a number of them have appeared as recommendations of the Centre in its successive annual reports.

c. The Government complied with submitting its reports to the Committee on the Elimination of Racial Discrimination up to the twelfth report; however, there is no evidence that the Government has submitted its reports from the thirteenth to the seventeenth, noting that the due date of the latter was 29/6/2007.

d. The Government has submitted three reports to the Committee on the Rights of the Child, the first and second of which were in keeping with the due date; however, the third report was delayed by two years beyond its due date, noting that the due date of the fourth and fifth reports is 22/12/2011. The Committee also expressed the following observations, recommendations and concerns:

- Jordan's reservations to Articles (14), (20) and (21) of the Convention.
- The low minimum age of criminal responsibility.
- The delay in issuing the Child Rights Law and the need to include in it provisions prohibiting corporal punishment in the home and in all other institutions.

- Prohibiting the economic exploitation of children, including the worst forms of child labour.
- Prohibiting the exploitation of children in the sex trade and combating trafficking in children.

e. The Government has submitted four reports to the Committee on the Elimination of Discrimination against Women, all of which were delayed beyond their due dates; the third and fourth reports were delayed by approximately five years beyond their due date, noting that the fifth report has been prepared and will be discussed in (2010). The Committee expressed the following observations, recommendations and concerns:

- Jordan's reservations to Articles (9), (15) and (16) of the Convention.
- The failure to adopt gender equality in the Constitution.
- Reconsidering all existing policies and legislation on polygamy with a view to eliminating this practice.
- The discriminatory provisions in each of the Personal Status Law, the Penal Code and the Nationality Law.
- A recommendation to increase the representation of women in elected bodies.
- Abolishing the discriminatory classification of certain children as illegitimate.

The Government has responded to some of these observations and recommendations by withdrawing the reservation to Article (15/4) and increasing the proportion of women's representation in municipal councils and the House of Representatives.

f. The Government has submitted two reports to the Committee against Torture, namely the initial report and the fourth report; however, no information is available as to whether the Government submitted the second and third reports. In general, the submission of the fourth report was delayed by five years beyond its due date. The Committee also expressed the following observations, recommendations and concerns:

- The failure to incorporate the Convention into national legislation and to apply it immediately and effectively.
- The widespread practice of torture and the routine resort to it in certain places.
- The lack of awareness and the failure to acknowledge the occurrence of torture.
- The lack of effective legislation to prevent the occurrence of torture and to punish it, which leads to impunity.
- The failure to conduct prompt and impartial investigations into allegations and claims of torture.

It should be noted that the Centre has recently established a national team for combating torture, and that the Public Security Directorate has observer status on this committee, which may constitute an implicit acknowledgement of the occurrence of torture.

g. Finally, the due date of Jordan's national report to the Committee on the Rights of Persons with Disabilities is 3/6/2010; work is under way on preparing the report, and it is hoped that it will be submitted on its specified date.

219. The Kingdom was elected to membership of the Human Rights Council in its first session in 2006. Jordan had submitted a set of voluntary pledges and commitments pursuant to General Assembly Resolution No. 60/251, which read as follows:

“Jordan welcomes and supports the establishment of the Human Rights Council and, in presenting its candidature for membership of the Council, affirms the commitment of the Jordanian Government to work and cooperate with the other members of the Council and with other partners and the governmental and non-governmental parties concerned, in order to ensure the effectiveness and efficiency of this mechanism in promoting and protecting human rights.

Jordan considers that the Council, in the framework of its endeavour to promote the course of human rights, should address all human rights situations and violations and should serve as a tool for reducing them.

At the national level, the Jordanian Constitution attaches great importance to human rights and civil liberties, and the guarantees it provides are consistent with the provisions of the relevant international conventions. The National Centre for Human Rights is an independent national institution that works effectively to promote human rights and serves as a national monitoring mechanism that follows up on human rights violations, receives individual complaints, considers them and provides legal assistance to those in need of it.

In addition, Jordan has taken positive steps towards ensuring women's full enjoyment, on the basis of equality, of all their fundamental rights and freedoms. Jordan's commitment to supporting women and promoting equality is a priority in national policy. Of no less importance is the Government's development of national strategies to provide protection and welfare for children.

In order to enhance transparency and accountability, the Jordanian Government welcomes national and international institutions to consider any allegations of human rights violations, and is pleased to extend an open invitation to all special rapporteurs and independent experts to visit Jordan within the context of their mandates.

Jordan has borne enormous humanitarian responsibilities; over past decades, Jordan has provided a safe haven for large numbers of refugees, and Jordan, as a host country, renews its commitment to fulfilling its obligations in a manner consistent with the international standards relating to refugees as well as the international human rights standards.

Furthermore, Jordan has maintained close relations of cooperation with the Office of the United Nations High Commissioner for Refugees and other United Nations bodies concerned with refugee affairs, in an effort to find a radical solution to their suffering. In this context, Jordan has applied for membership of the Executive Committee of the Programme of the High Commissioner for Refugees and expresses its full readiness to discharge its responsibilities objectively should it be elected to membership of this Committee.

Jordan has signed and ratified a number of international human rights conventions, including:

- The Convention on the Prevention and Punishment of the Crime of Genocide.
- The International Convention on the Elimination of All Forms of Racial Discrimination.
- The International Covenant on Economic, Social and Cultural Rights.
- The International Covenant on Civil and Political Rights.
- The International Convention on the Suppression and Punishment of the Crime of Apartheid.
- The Convention on the Elimination of All Forms of Discrimination against Women.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- The International Convention against Apartheid in Sports.
- The Convention on the Rights of the Child.
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.
- The Convention on the Political Rights of Women.
- The Convention on the Nationality of Married Women.
- The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.
- The Protocol amending the Slavery Convention signed on 25 September 1926.
- The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.
- The United Nations Convention against Corruption.
- The United Nations Convention against Transnational Organized Crime.

Jordan has also signed the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

Finally, Jordan is a party to the Rome Statute establishing the International Criminal Court, and Jordan was the first Arab and Middle Eastern State to ratify the Statute of the International Criminal Court. Accordingly, Jordan is committed to achieving the aims and objectives of the Rome Statute in reducing impunity and to cooperating with the Court.”

220. In 2009, Jordan was re-elected to membership of the Human Rights Council after the Government submitted new voluntary pledges and commitments. The text of these pledges is as follows:

“The promotion and protection of human rights and fundamental freedoms for all remain an overriding priority for Jordan. The Jordanian leadership has reiterated this commitment at the highest level. Accordingly, Jordan, as it seeks re-election, wishes to affirm its commitment to the following:

First – Promoting and protecting human rights:

Since its election as a member of the Human Rights Council in 2006, Jordan has taken concrete measures to incorporate all human rights rules and principles into national laws and legislation. The following are some examples of this:

1. Amending Article 208 of the Jordanian Penal Code relating to torture so as to make it consistent with the definition of torture contained in the Convention against Torture.
2. Withdrawing the reservation to Article 15/4 of the Convention on the Elimination of All Forms of Discrimination against Women and considering, at the same time, the lifting of the reservations to some of the sub-paragraphs of Article 16.
3. Issuing the new Law of 2009 on Combating Trafficking in Persons.
4. Enacting a new law on access to information. Jordan is the first Arab State to enact such a law, which guarantees the right to obtain information while at the same time protecting the individual's right to privacy.
5. Enacting two laws relating to the right of people to peaceful assembly and the right to form societies.
6. Ratifying the Convention on the Rights of Persons with Disabilities.
7. Enacting, in 2007, the Press and Publications Law, as well as the Political Parties Law.

Second – The institutional framework:

In an effort to put these laws into effect, the authorities have established a strong institutional framework for the protection of human rights. In addition to the impartial and independent courts, human rights are monitored by a number of other institutions and agencies, such as the National for Human Rights and the Ombudsman Bureau. The latter was established in 2008 under a special law in order to deal with complaints lodged by individuals against the civil administration and the grievances that may be practised by that administration. The establishment of a High Commissioner for Human Rights is also under way in order to oversee all government activities in this field and to ensure coordination among the various departments. That office will also provide advice to the authorities on the ways and means that will ensure further promotion of human rights and fundamental freedoms.

In addition, a strong partnership has been established between the Government and civil society. Among the fruits of this partnership, Jordan has hosted numerous seminars and workshops on various human rights issues, in particular the rights of women and children, freedom of expression and other social and economic rights. Human rights education has also been incorporated into the official school curricula.

Third: Cooperation with the Human Rights Council

Jordan has remained an active founding member and an effective participant in the Human Rights Council, and throughout the first three years following the establishment of the Council it played a pioneering role in shaping its work.

During the first year following the establishment of the Council, a representative of Jordan held the office of Vice-President, as well as the office of Rapporteur. In addition, Jordan's full participation is reflected in its contribution as follows:

1. Holding the offices of President and Rapporteur of the first Social Forum convened within the framework of the Human Rights Council.
2. Holding the office of Chairperson of the Working Group on Situations of the new Council.
3. Holding the office of Chairperson of the Meeting of States Parties for the election of the members of the Committee against Torture.
4. Undertaking the role of facilitator in the establishment of the Human Rights Council Advisory Committee.

At the same time, Jordan has consistently endeavoured to achieve consensus on all the major issues considered by the Council. Moreover, Jordan attaches special importance to the activities of the Council. Jordan's quest for re-election is but additional evidence of its great interest in the work of this body and of the key role it plays as an institution responsible for the promotion and protection of human rights.

Throughout its three years of service on the Human Rights Council, Jordan has always been a participant in all the major initiatives aimed at promoting dialogue among cultures and human coexistence, and has contributed actively to encouraging cooperation among religions and cultures for the sake of peace.

Fourth: Cooperation with the Office of the United Nations High Commissioner for Human Rights

The Jordanian Government has always been keen to strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights and the High Commissioner for Human Rights. Accordingly, Jordan hosted a regional seminar on "Supporting Human Rights in the Context of Counter-Terrorism" from 27 to 29 October 2008, in addition to the Fifth Conference of Arab National Human Rights Institutions under the title "Elections in the Arab World and their Impact on Human Rights", both seminars having been held under the joint sponsorship of Jordan and the Office of the High Commissioner for Human Rights. Jordan is committed to continuing such cooperation with the Office of the High Commissioner and the High Commissioner for Human Rights. It will also host the forthcoming annual meeting of the Asia Pacific Forum of National Human Rights Institutions.

Fifth: The Universal Periodic Review

Jordan attaches great importance to the implementation of the Universal Periodic Review mechanism, and it submitted its national country report to the Human Rights Council in February 2009. The report highlighted the various initiatives and future plans at the national level in the field of human rights. Jordan has committed itself to implementing all the recommendations it accepted when it presented its report.

Jordan is committed to strengthening its relationship with the treaty monitoring bodies, and undertakes to submit its outstanding periodic reports to the relevant committees on schedule and to carry out follow-up on the recommendations arising from those discussions.

Sixth: Cooperation with the Special Procedures

Jordan remains, as in the past, committed to contributing to the work of the special procedures, and it has closely followed their activities through the work of the former Commission on Human Rights, as well as within the framework of the current Human Rights Council. In line with this, Jordan undertakes to follow up on the recommendations of the special procedures and to implement them as appropriate, and at the same time declares its readiness to cooperate with all mandate holders in the field of the promotion and protection of human rights.”

221. The Working Group on the Universal Periodic Review, established pursuant to Human Rights Council resolution No. 5/1 of 18/6/2007, held its fourth session from 2 to 13/2/2009, and the report of Jordan was reviewed on 11/2/2009. The Council adopted the report of the Working Group on the Universal Periodic Review concerning the Kingdom, which was contained in the document symbol A/HRC/WG.6/4/L.15 issued by the General Assembly on 17/2/2009.

222. The Human Rights Council had selected Burkina Faso, Japan and Mexico (the troika) to facilitate the review of Jordan’s report. The documents adopted in the review process included the national report submitted by the Government, a compilation report prepared by the Office of the High Commissioner for Human Rights, and a summary of that report likewise prepared by the Office of the High Commissioner for Human Rights, as well as a list of questions submitted in advance by the Czech Republic, Denmark, Germany, Latvia, the Netherlands, Sweden and the United Kingdom and addressed to Jordan through the above-mentioned troika. It should be noted that a representative of the National Centre for Human Rights participated in the discussion session on the Jordanian report, and that the Centre had submitted a shadow report, which was adopted as one of the official documents of the Council. Regrettably, the Government was unable to submit its report in writing by the due date, which compelled the Jordanian delegation to present the report orally, thereby limiting the effectiveness of the discussion of the report.

223. In light of the extensive discussion held in the Human Rights Council on the Jordanian report, the Council made a large number of recommendations, part of which the Jordanian Government accepted and another part of which it rejected.

224. The recommendations accepted by the Government are as follows:

1. That Jordan consider the possibility of signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, and accept the competence of the committee established under that Convention (Argentina)²¹³;
2. That it comprehensively develop criminal legislation relating to discrimination and violence against women (Finland);

²¹³ Where the name of a State is mentioned, it refers to the State that made the recommendation, as stated in the report of the Working Group on the Universal Periodic Review, A/HRC/11/29.

3. That it amend the Penal Code by introducing provisions ensuring that perpetrators of honour crimes do not benefit from reductions of penalty, and that such crimes be treated in the same manner as other crimes of violence in terms of their investigation and the prosecution of their perpetrators (Slovenia);
4. That it abolish all forms of protection for perpetrators of murder committed on grounds of honour and ensure that they do not escape punishment (Germany);
5. That it accept the visit requested by the Special Rapporteur on violence against women in 2007, and seize the opportunity to hold transparent consultations with all stakeholders (Finland);
6. That it follow up on the recommendations made by the Committee on the Elimination of Discrimination against Women concerning combating all forms of violence against women and girls, and adopt and enact legislation in this field (Slovenia and Mexico); that it redouble its efforts to combat honour crimes by raising public awareness and punishing the perpetrators; and that it guarantee the full participation of potential victims in determining protection measures (Mexico);
7. That it strengthen legislation relating to the protection of women from violence, and amend the Penal Code so as to ensure that honour crimes are dealt with in the same manner as other serious crimes of violence, and ensure that they are investigated and their perpetrators prosecuted (Canada);
8. That it continue its efforts to enhance the status of women, in particular by ensuring that perpetrators of honour crimes do not benefit from reductions of penalty; that it take into account the recommendations of the Committee on the Elimination of Discrimination against Women; and, in addition, that it make serious efforts to provide the necessary shelters for the protection of victims of honour crimes (the Netherlands);
9. That it continue the efforts it is making in the comprehensive reform process initiated by the Government to combat torture and ill-treatment, including by amending the Penal Code and by prosecuting and punishing a number of officials for practising torture and ill-treatment (Turkey);
10. That it continue to facilitate visits by non-governmental organisations to prisons, including unannounced visits (the United Kingdom);
11. That it make earnest efforts to address the concerns raised regarding the use of the administrative detention procedure by reviewing it, and ensure that current detainees have access to legal representation before the courts (Ireland);
12. That it continue to protect those who profess a religion other than their own in accordance with international human rights standards (the Netherlands);
13. That it consider the recently adopted Law on Societies and review it (Mexico and Canada) in order to ensure that the provisions of this law are consistent with international human rights standards, in particular the right to freedom of association enshrined in the International Covenant on Civil and Political Rights (Mexico); that it abolish the requirement of obtaining government approval for the work of non-governmental organisations, and take measures to ensure the application of these changes in practice in order to encourage broad participation in Jordanian civil society (Canada); and that it consider amending the legislation relating to non-governmental

organisations in order to limit the restrictions imposed on their activities and to allow them to operate with sufficient freedom (Italy);

14. That it establish an independent election commission in order to enable political parties to participate openly and to certify the objectivity of election results (Canada);

That it review the legislation applicable to terrorism offences, including the Penal Code and the Prevention of Terrorism Law, in order to ensure that such legislation is consistent with international human rights standards and the standards for combating organised crime (Mexico).

225. The recommendations that were not accepted by the Government are as follows:

1. 23(b) Withdraw all reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Finland).

2. 32(d) Consider accepting the competence of the Committee against Torture to receive individual complaints, and ratify the Optional Protocol to the Convention against Torture and Other Cruel Treatment within a reasonable period of time (Mexico).

3. 38(a) Ratify the Optional Protocol to the Convention against Torture and Other Cruel Treatment; and 38(d) consider transferring cases of torture and ill-treatment to a competent civil court (the United Kingdom).

4. 39(c) Review the Nationality Law so as to enable a Jordanian woman married to a non-Jordanian to pass her nationality to her children (Germany).

5. 43(b) Ratify the Optional Protocol to the Convention against Torture and Other Cruel Treatment, and establish an independent national mechanism to monitor and follow up on conditions in places of detention (France).

6. 48(b) Lift the reservations to the Convention on the Elimination of All Forms of Discrimination against Women so as to ensure increased participation of women in public life; 48(c) lift the reservations to the Convention on the Rights of the Child; 48(d) suspend the death penalty with a view to abolishing it in the future; 48(e) rectify practices and legislation in line with the Optional Protocol to the Convention against Torture so as to ensure the punishment of perpetrators of torture; and 48(f) ratify the two Optional Protocols to the International Covenant on Civil and Political Rights (Chile).

7. 50(b) Suspend the death penalty with a view to abolishing it in the future (Brazil).

8. 63(a) Lift the reservations to the Convention on the Elimination of All Forms of Discrimination against Women; and 63(b) amend a number of national laws containing provisions that discriminate against women, specifically the Personal Status Law, the Penal Code and the Nationality Law (Norway).

9. 66(a) Establish a national legislative framework for the protection of refugees and asylum seekers, and accede to the relevant international mechanisms; and 66(b) review the Nationality Law so as to enable a Jordanian woman married to a non-Jordanian to pass her nationality to her children (Japan).

10. 67(b) Take serious steps towards accession to the Optional Protocol to the Convention against Torture and Other Cruel Treatment (Sweden).

11. 69(a) Lift the reservations to the Convention on the Elimination of All Forms of Discrimination against Women and consider accession to its Optional Protocol (Turkey).

12. 70(a) Amend Articles 98 and 340 of the Penal Code so as to ensure the punishment of perpetrators of honour crimes (Italy).

13. 75(b) Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and facilitate the visit of the Special Rapporteur on violence against women to Jordan (Lithuania).

14. 79(a) Take the necessary measures to abolish the death penalty (Ireland).

15. 82(d) Accede to the Optional Protocol to the Convention against Torture and Other Cruel Treatment and establish preventive measures at the national level; and 82(f) ratify the 1951 Convention relating to the Status of Refugees and take the necessary measures to provide protection to refugees (the Czech Republic).

It is worth mentioning that the National Centre for Human Rights had recommended in its previous reports that the Government accept these recommendations.

226. In the context of the Centre's assessment of the extent to which Jordan has fulfilled its obligations in light of the observations and recommendations of the various international bodies (treaty bodies, special rapporteurs, specialised agencies and the outcomes of the periodic review), Tables Nos. (1, 2, 3, 4) set out the nature and content of the obligations as determined by the various bodies, together with a summary of the most prominent measures taken by the official authorities to fulfil each specific or recommended obligation, and an assessment of the degree of fulfilment of the measures taken in respect of the required obligations according to four levels of verification, as follows: (full fulfilment), (partial fulfilment), (preparatory work), (shortfall).

First: Voluntary Commitments Submitted to the Human Rights Council

Table No. (27)

Nature and Content of the Obligation	Measures Taken to Fulfil the Obligation	Assessment
1. Cooperation with mandate holders	Jordan cooperated with both the Special Rapporteur on torture and the Special Rapporteur on violence against women, as well as the Special Rapporteur on freedom of religion or belief	Partial fulfilment (torture)
2. Strengthening the relationship with the treaty bodies, submitting overdue reports and following up on recommendations	A consolidated report comprising the second, third and fourth reports was submitted in March 2009 and will be discussed in March 2010	Partial fulfilment
3. Pursuing dialogues among civilisations, cultures and religions	Jordan is an active participant in all international and regional dialogues and continues to be so	Full fulfilment
4. Cooperation with the Office of the High Commissioner for Human Rights	• The conference of the Asia Pacific Forum of National Human Rights Institutions was hosted	Partial fulfilment

Nature and Content of the Obligation	Measures Taken to Fulfil the Obligation	Assessment
	• The Fifth Conference of Arab National Human Rights Institutions was hosted	
5. Implementing the recommendations of the periodic review accepted during the review held in February 2009	Implementation of a number of the recommendations has commenced	Preparatory work
6. Reviewing the position on reservations to the conventions	Jordan's reservation to Article 15/4 of CEDAW was lifted, while Jordan still maintains its reservations to Articles (9 and 16) thereof	Partial fulfilment and preparatory work

Second: Obligations under the Conventions and in Accordance with the Recommendations of the Treaty Committees

1. The Convention on the Rights of the Child

Table No. (28)

Subject of the Obligation	Measures Taken	Level of Fulfilment
Giving effect to the Convention at the national level	The Convention on the Rights of the Child was published in the Official Gazette in June 2006	Partial fulfilment
Accession to other conventions to strengthen the protection of children's rights	The Convention concerning the Prohibition of the Worst Forms of Child Labour No. 182 of 2000 was ratified, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, of 2000 was signed	Partial fulfilment
Amending legislation in line with the rights established in the Convention	The Juveniles Law was amended three times during the past ten years to address various gaps, and it still requires further amendments	Partial fulfilment
Combating child labour	• A unit concerned with child labour was established at the Ministry of Labour in 2001 • A database on child labour was established	Partial fulfilment
Eliminating the worst forms of child labour	The National Strategy for the Elimination of the Worst Forms of Child Labour was adopted in 2003	Partial fulfilment
Substantially increasing the share of budget allocations dedicated to the realisation of children's rights, with special attention to children with disabilities from vulnerable groups	The Centre did not monitor any measures taken	Shortfall
Training professional groups working with and for children	A series of training sessions on observing human rights requirements is being conducted for those working with children; however, no assessment of the impact of the training on raising the level of performance is carried out, and receipt of the requisite training is not considered one of the conditions for appointment to posts and for promotion	Partial fulfilment
Incorporating human rights concepts into the basic and secondary education curricula	• A national plan for human rights education was adopted • Reviews of some school curricula were carried out • Teachers are being trained to teach human rights through the	Preparatory work

Subject of the Obligation	Measures Taken	Level of Fulfilment
	curricula prescribed for the various educational stages • A memorandum of understanding was signed between the Centre and the Ministry of Education	
Commitment to the minimum age of marriage	Law No. 12 of 88, which sets the minimum age of marriage for both sexes at 18 years, is still a temporary law, and the exceptions it contains are broad	Partial fulfilment
Ensuring non-discrimination between children on any ground	The position of legislation towards children born out of wedlock still involves discrimination detrimental to the best interests of this group and deprives them of many rights; moreover, the children of a Jordanian woman married to a foreign father do not enjoy the right to acquire her nationality	Shortfall
Eliminating all forms of discrimination against girls, including domestic violence and crimes committed in the name of honour	The Family Protection Department was established to provide protection to women and children in cases of domestic violence, the text of Article 340, which provided for a mitigating excuse in killing, was repealed, and a shelter for battered women was established; nevertheless, there is a shortfall in community awareness, in staff training and in care and shelter services for victims	Partial fulfilment
Reviewing and amending Nationality Law No. 7 of 1954	No review or amendment has taken place	Shortfall
Prohibiting all forms of corporal punishment within the family and in any other settings, and incorporating this prohibition into legislation	• It is included in the draft Child Rights Law • The Civil Service Regulation was amended towards tightening the penalties imposed on teachers who resort to violence against schoolchildren • Protection from Domestic Violence Law No. 6 of 2009	Preparatory work
Enacting a Child Rights Law	A draft law was prepared, but it has not yet been enacted	Shortfall
Full implementation of juvenile justice standards	More than one review of the Juveniles Law has been carried out; nevertheless, the (correctional) juvenile criminal justice system still suffers from serious gaps, the most prominent of which are the failure to designate a specialised judiciary for juveniles, the limited options of alternatives to custodial penalties, the forms of protection and care provided to juveniles, and the financial and human resources allocated for this purpose	Partial fulfilment
Ratification of the Optional Protocols to the Convention	The ratification or publication procedures have not been carried out to date	Shortfall
Lifting Jordan's reservations to Articles (14), (20) and (21) of the Convention	None of the reservations has been lifted	Shortfall

2. The Convention on the Elimination of All Forms of Discrimination against Women

Table No. (29)

Subject of the Obligation	Subject of the Obligation	Subject of the Obligation
Publication of the Convention in the Official Gazette	It was published in 2007	Full fulfilment
The need to guarantee the prohibition of discrimination between men and women in the text of the Constitution	No measures whatsoever have been taken regarding the amendment of Article 6 of the Constitution so as to include the principle of non-discrimination on the basis of sex, and many circles take the view that there is no need for such an amendment, given that the Jordanian National Charter provided a clear interpretation of Article 6 confirming that the term “Jordanians” means men and women; there is an orientation within the Jordanian National Commission for Women and a number of women’s organisations and human rights organisations to work towards drafting a proposed law guaranteeing the right to equal opportunities and prohibiting discrimination	Shortfall
Lifting Jordan’s reservations to Articles 9/2, 15/4 and 16/1 (c, d, g)	The reservation to Article 15/4 only was lifted in February 2009	Partial fulfilment

3. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Table No. (29)

Subject of the Obligation	Subject of the Obligation	Subject of the Obligation
Publication of the Convention in the Official Gazette	It was published in June 2006	Full fulfilment
Criminalisation of torture in national legislation	Article 208 of the Penal Code was amended to include the definition of torture and to criminalise it with a penalty of up to three years; the amendment did not include the criminalisation of attempt or a provision on the non-applicability of statutory limitation to the crime of torture, in addition to the disproportionality of the prescribed penalty to the gravity of the crime	Partial fulfilment
Considering the inclusion of the absolute prohibition of torture in the Constitution	Reference has repeatedly been made to the importance of introducing constitutional amendments in order to fulfil more than one obligation contained in the international human rights conventions, including Article 14, which does not include a provision on gender equality. The Constitution has not been reviewed or amended for any reasons related to human rights	Shortfall
Defining the crime of torture, as a matter of priority, in accordance with Article 1 of the Convention against Torture, provided that the penalties imposed are commensurate with the gravity of torture		Partial fulfilment

Subject of the Obligation	Subject of the Obligation	Subject of the Obligation
Abolishing the system of special courts within the security agencies, in particular the police courts and the intelligence courts, and transferring their jurisdiction to the independent ordinary prosecution bodies and the criminal courts		Shortfall
Establishing an effective and independent system for handling complaints relating to torture and forms of ill-treatment that leads to criminal investigations being conducted		Partial fulfilment
Guaranteeing fair trial safeguards for all persons from the moment of arrest and throughout the investigation and trial proceedings until the enforcement of judgments		Partial fulfilment
That victims of torture and ill-treatment receive compensation commensurate with the gravity of the physical and mental harm they have suffered, and that they also receive adequate medical treatment and rehabilitation	The possibility of suing the State or any of its public utilities over the occurrence of torture by one of its personnel is still unavailable because of the Proceedings against the Government Law, which does not permit the filing of this type of action against the State or any of its institutions; furthermore, the general rules on liability for compensation adopt personal liability rather than vicarious liability, and the public utility or its representative is not considered liable jointly and severally with the principal perpetrator except in specific circumstances stipulated by law. There are a number of judicial applications in this regard, although they are not based on the provisions of the Convention; moreover, the matter of rehabilitation is often not included among the forms of compensation awarded by the courts	Shortfall
Making the declarations envisaged under Articles 21 and 22 of the Convention against Torture, whereby the competence of the Committee against Torture to receive and consider communications submitted by individuals claiming to be victims of a violation of the provisions of the Convention is recognised	No declaration has been made in this regard, and the Kingdom rejected this recommendation when it was made during the Universal Periodic Review in February 2009	Shortfall
Separation between detained and convicted prisoners	Reforms were introduced to the administrative systems of Correction and Rehabilitation Centres so as to ensure that certain prisons are designated for convicted persons and others for detainees, and that they are separated where they are held together in the same prison, in addition to developing classification standards on the basis of the gravity of the offence; a study is also being conducted on the arrangements and possibilities for transferring supervision of Correction and Rehabilitation	Partial fulfilment • Preparatory work

Subject of the Obligation	Subject of the Obligation	Subject of the Obligation
	Centres from the Ministry of Interior to the Ministry of Justice	
Resorting to alternatives to detention and custodial penalties, especially in minor offences	A number of pieces of legislation are being amended to ensure the adoption of alternatives to custodial penalties, such as conditional release and community service, and preparations are also under way for the appointment of an enforcement judge	Preparatory work
Amending the Criminal Procedure Code to ensure that automatic recourse to pre-trial detention, which currently represents the prevailing general practice in reality, is authorised by a judge only as a measure or last resort, and that greater use is made of non-custodial measures, such as payment of bail and undertakings	The Criminal Procedure Code was amended so that detention in felonies is not mandatory, and a time limit was set on the period of detention, not exceeding two months in misdemeanours and six months in felonies	Partial fulfilment
Providing security personnel with broad and comprehensive training using a curriculum that includes human rights education in all its components, the training to cover effective interrogation methods and the proper use of the tools available to the police, and that personnel currently in service receive continuing education in this regard	Training sessions are conducted for Public Security officers and personnel inside and outside Jordan, although we have not monitored the impact of this training; the legislation governing the work of Public Security still contains no provision making the passing of this type of training a condition for appointment to posts, promotion, rewards and accountability	Partial fulfilment
The need to shelter battered women or victims of honour crimes in a private shelter and not in women's prisons	A shelter (Dar Al-Wifaq) was established for battered women; however, administrative detention of women in the relevant cases is still practised	Partial fulfilment
Ratifying the Optional Protocol to the Convention against Torture and establishing an independent monitoring mechanism with a right — to be designated in accordance with it — for members of visiting committees, for specified periods and without being subject to isolation, to visit all places in which persons are deprived of their liberty throughout the country	There has been no change in the Kingdom's position of refusing accession to the aforementioned Protocol at this stage; nevertheless, the National Centre is making strenuous efforts to persuade the Government to accede, and to this end it has commenced the establishment of a national preventive mechanism under the name (National Monitoring Team) within the (Karama Project to Combat Torture), in the framework of preparing for accession to the Protocol	Preparatory work
Undertaking training programmes and systematic awareness campaigns on the principles of the Convention against Torture targeting the general public, security personnel and those working in the legal professions and the judiciary	The official authorities play a limited role in this regard; the most prominent effort in awareness-raising and training is that undertaken by national and international human rights organisations working in Jordan, and these efforts, notwithstanding their importance, remain insufficient to achieve the desired objective for a number of reasons, the most important of which are their irregularity, the scarcity of the funding provided for them, and the failure to monitor their impact on the performance of the target groups and on the	Partial fulfilment

Subject of the Obligation	Subject of the Obligation	Subject of the Obligation
	development of their awareness of the standards established by the Convention	

7. Assessment of the Government's Response to the Recommendations Issued by the Centre

General Recommendations Contained in the Centre's Reports for the Years 2004–2008 and the Extent of the Government's Response to Them

227. This part of the Annual Report, which is the first of its kind, contains an analysis of the recommendations contained in the reports of the National Centre for Human Rights for the years 2004–2008, the measures taken in respect of these recommendations, and the Government's position on them, whether acceptance, rejection or disregard. The purpose is, on the one hand, to arrive at a clear picture of the Government's position on the Centre's reports and recommendations and, on the other hand, to set the Centre's general policy regarding the recommendations it adopts, in particular in determining the manner in which the subject should be approached with the Government.

228. The number of recommendations submitted by the Centre since its first report reached (289) recommendations, distributed over the years 2004–2008 in accordance with Table No. (30). As shown, (32) recommendations were contained in the 2004 report, (51) in the 2005 report, (70) in the 2006 report, (91) in the 2007 report and (45) in the 2008 report. It is noted that civil and political rights accounted for the largest number of all recommendations, at (149) recommendations, followed by economic, social and cultural rights with some (94) recommendations, followed by the rights of the groups most vulnerable to violations (women, children, persons with disabilities, older persons, etc.) with some (46) recommendations. It is not surprising that the number of recommendations in the field of civil and political rights is the highest, since the civil and political empowerment of citizens helps them realise their other economic, social and cultural rights.

Table No. (30): Recommendations Submitted by the Centre since Its First Report, Distributed over the Years 2004–2008

Category	2004	2005	2006	2007	2008	Total
Civil and political rights	23	24	44	39	19	149
Economic, social and cultural rights	3	18	17	44	12	94
Rights of the groups most vulnerable to violations	6	9	9	8	14	46
Total	32	51	70	91	45	289

a. A careful analysis of the official position on the recommendations submitted by the Centre leads to a clear and definite conclusion, namely that the Government disregards these recommendations without any convincing or justified reason. The number of recommendations in respect of which the Government took no action whatsoever reached (249) recommendations, i.e. (85.2%) of the total recommendations, as shown in Table No. (31), while the number of recommendations implemented fully or partially reached (40) recommendations, i.e. (14.8%) of the total recommendations, and the number of recommendations implemented fully reached only (11) recommendations, i.e. (3.8%) of the total recommendations, which is a very modest percentage. It is noteworthy that the Government does not even trouble itself to respond to the Centre's reports

and recommendations, save on rare occasions, nor does it explain the reasons preventing it from adopting the Centre's recommendations, despite the fact that it hastens immediately to respond to international reports on the human rights situation in Jordan, such as the reports of Amnesty International, the reports of Human Rights Watch, or the reports issued by the Bureau of Democracy, Human Rights and Labor of the US Department of State.

b. Table No. (31) shows that the Government's position on the Centre's recommendations varies according to the category of rights. It is noted that the highest percentage of recommendations implemented fully or partially relates to the rights of the groups most vulnerable to violations, with an implementation rate of (39%), followed by the category of civil and political rights at a rate of (10.7%), followed by the category of economic, social and cultural rights at a rate of (6.37%). It is striking that the highest rate of implementation of recommendations (if we disregard the rights of beggars, given that the number of recommendations is very small) falls within the field of the rights of persons with disabilities, which may be attributed to the special and continuous attention shown by His Highness Prince Raad bin Zeid and the Higher Council for the Affairs of Persons with Disabilities to the affairs of persons with disabilities in general and their rights in particular.

Table No. (31): Number of Recommendations Contained in the Reports of the National Centre for Human Rights for the Years 2004–2008 and the Number Implemented Partially or Fully

Right	Number of recommendations	Number of recommendations not acted upon	Percentage	Number of recommendations implemented partially or fully	Percentage
Civil and Political Rights					
The right to life and physical integrity	21	19	90.5	2	9.5
The right to liberty and security of person	17	14	82.4	3	17.6
The right to vote and stand for election	5	5	100	0	0.0
The right to freedom of opinion and expression	27	26	96.3	1	3.7
The right to nationality, residence and asylum	15	15	100	0	0.0
The right to form trade unions	5	5	100	0	0.0
The right to form political parties	20	19	95.0	1	5.0
The right to form associations	4	3	75.0	1	25.0

Right	Number of recommendations	Number of recommendations not acted upon	Percentage	Number of recommendations implemented partially or fully	Percentage
The right to the administration of justice	35	27	77.1	8	22.8
Total	149	133	89.3	16	10.7
Economic, Social and Cultural Rights					
The right to health	43	40	93.0	3	7.0
The right to housing	2	1	50.0	1	50.0
The right to a healthy environment	37	37	100	0	0.0
The right to work	8	7	87.5	1	12.5
The right to education	4	3	75.0	1	25.0
Total	94	88	93.6	6	6.37
Rights of the Groups Most Vulnerable to Violations					
Women's rights	20	15	75.0	5	25.0
Children's rights	8	5	62.5	3	37.5
Rights of persons with disabilities	11	4	36.4	7	63.6
Rights of older persons	5	4	80.0	1	20.0
Rights of beggars	2	0	0.0	2	100
Total	46	28	60.9	18	39.0
Grand total of recommendations	289	249	86.15	40	14.8

c. Just as there is variation in the rates of implementation of recommendations between the categories of rights, there is also clear variation in the rates of implementation of recommendations within the same category. In the category of civil and political rights, the right to form associations, the right to the administration of justice and the right to liberty and security of person occupied the highest rates, modest as they are, with the implementation rate of the recommendations on these rights reaching (25%), (22.8%) and (17.6%) respectively. No recommendation whatsoever was implemented among the recommendations on the right to nationality, residence and asylum and the right to form trade unions. The implementation rate of the recommendations on the right to life and physical integrity was likewise modest, at (9.5%) (two recommendations out of 21), as was that of the right to freedom of opinion and expression, at (3.7%) (one recommendation out of 27). It is therefore not surprising that Jordan's classification fell to the category of a "not free" State in the latest report of Freedom House on the state of

freedoms in the world in 2009, after it had been in the category of a “partly free” State in its previous reports.

d. As for the field of economic, social and cultural rights, the right to housing, the right to education and the right to work occupied the highest rates, with the implementation rate of the recommendations on these rights reaching (50%), (25%) and (12.5%) respectively, which may be attributed to the small number of recommendations: of the recommendations on the right to housing, which do not exceed two, one was implemented, raising the implementation rate to (50%). In the field of the right to a healthy environment, the Government did not implement any of the (37) recommendations, and the implementation rate of the recommendations on the right to health was also low, at only (7%). One of the reasons for the weak response of the Government to the Centre’s recommendations in this field may be that meeting economic, social and cultural rights is in itself costly for most countries of the developing world; for this reason, the International Covenant on these rights permits the principle of progressive realisation, provided that this does not prejudice the right itself. Taking into account that a considerable number of the recommendations relating to this field have been repeated more than once in the Centre’s recommendations, as will be seen below, together with the continued disregard of these recommendations, the Centre considers that the Government’s lack of seriousness in adopting the Centre’s recommendations is another reason for the low rates of implementation of the Centre’s recommendations in the field of economic, social and cultural rights, which may require the use of other means of communication with the Government.

e. As for the field of the rights of the groups most vulnerable to violations, although the rate of implementation of the recommendations is acceptable overall (39%), there is clear variation among them. If we set aside the implementation rate of the recommendations on the rights of beggars, which amounted to (100%), given the small number of recommendations (only two recommendations), the highest implementation rate was in the field of the rights of persons with disabilities (63.6%), followed by children’s rights (37.5%), followed by women’s rights (25%), and finally the rights of older persons (0%). It is necessary to refer in particular to women’s rights: the Centre submitted (20) recommendations on women’s rights over the past five years, of which the Government implemented, partially or fully, only five recommendations. This is a very low percentage, bearing in mind that we are speaking of half of Jordanian society in numerical terms.

f. On closer analysis, it becomes clear that the rate of the Government’s implementation of the Centre’s most important recommendations, as indicated by their repetition more than once across the various reports, is very low, as shown by Table No. (32). This table shows the number of recommendations submitted by the Centre according to three categories of repetition, and the number and percentage of recommendations implemented partially or fully. In the category of recommendations repeated four times or more (given their importance and urgency), the implementation rate reached (1.3%) for the recommendations in the category of civil and political rights, (2.13%) for the recommendations in the category of economic, social and cultural rights, and nothing (zero%) for the rights of the groups most vulnerable to violations. These rates reached, for recommendations repeated 2–3 times, (3.4%) for the recommendations in the category of civil and political rights, (2.13%) for the recommendations in the category of economic, social and cultural rights, and (13%) for the rights of the groups most vulnerable to violations. As for recommendations mentioned only once, the rates reached (6%), (2.13%) and

(26.1%) for the three categories of rights respectively, which are the highest implementation rates. In conclusion, the general pattern that may be deduced from these figures and the percentages they reflect is that the Government's response is inversely proportional to the relative importance of a recommendation as indicated by the number of times it is repeated; that is, the greater the importance of a recommendation, the lower its rate of implementation, which once again reflects the low degree of seriousness shown by the Government towards the Centre's recommendations.

g. The foregoing figures and percentages reveal a clear pattern in the Government's dealing with the Centre's recommendations, namely its failure to take them seriously. This is also evidenced by the Government's failure to respond to what is contained in the Centre's reports: the Centre received only two responses from ministries, departments and official institutions on its 2008 report, one of which was clearly hostile, while the other expressed good faith and a desire to take into account what was contained in the Centre's report. If the Centre takes into account that the Government's implementation of its recommendations is inversely proportional to the importance of the recommendation, this matter constitutes a genuine dilemma calling for a comprehensive review of the strategies of the Centre's work with the Government and of the rules of engagement with it, particularly in light of the Government's orientation towards paying great attention to international reports, which are often based in considerable part on the recommendations and analyses presented by the Centre in its annual and specialised reports.

Table No. (33): Repetition of Recommendations over the Years 2004–2008 and the Rate of Their Partial or Full Implementation

First: Civil and Political Rights:

Frequency of repetition	Number	Percentage	Recommendations implemented fully or partially	Percentage
Once	29	19.4%	9	6%
2–3 times	25	16.8%	5	3.4%
4 times or more	13	8.7%	2	1.3%
Percentage of repeated recommendations and of those implemented partially or fully to the total number of recommendations		44.9%		10.7%

Second: Economic, Social and Cultural Rights:

Frequency of repetition	Number	Percentage	Recommendations implemented fully or partially	Percentage
Once	37	39.4%	2	2.13%
2–3 times	13	13.8%	2	2.13%
4 times or more	5	5.3%	2	2.13%
Percentage of repeated recommendations and of those implemented partially or fully to the		58.5%		6.39%

Frequency of repetition	Number	Percentage	Recommendations implemented fully or partially	Percentage
total number of recommendations				

Third: Rights of the Groups Most Vulnerable to Violations:

Frequency of repetition	Number	Percentage	Recommendations implemented fully or partially	Percentage
Once	22	48%	12	26.1%
2–3 times	9	19.5%	6	13%
4 times or more	1	2.17%	Zero	0%
Percentage of repeated recommendations and of those implemented partially or fully to the total number of recommendations		69.67%		39.1%

8. Annexes

Annex No. (1): Recommendations of the Jordanian Coalition for Reforming the Legal Framework of the Electoral Process

During the second half of 2009, the National Centre for Human Rights implemented a project on reforming the legal framework of the electoral process, under which it organised more than 15 meetings for representatives of political parties, professional associations and various civil society institutions in all governorates of the Kingdom. At the final meeting, held on 22/11/2009, the representatives of the participating civil society institutions agreed on a set of recommendations necessary for reforming the legal framework of the electoral process, in a manner consistent with the provisions of the Constitution and international human rights standards in the drafting of a law regulating the electoral process, as follows:

First: The Electoral System and the Division of Constituencies

1. Amending the single-vote system and replacing it with a mixed electoral system (one vote for one of the candidates of the small electoral district and another vote for a proportional list at governorate level).
2. Reconsidering the division of electoral districts on fairer bases that ensure relative equality among those districts in terms of population, geographical area and distance from the decision-making centre in the capital, in addition to the development dimension, and that electoral districts be divided by virtue of a law and not by virtue of a regulation.
3. Increasing the quota for women by allocating one seat to women in each governorate, on a temporary basis, to be won by the woman obtaining the highest number of votes in the governorate, in addition to the seats they obtain through free competition.

Second: Universality of the Right to Vote and to Stand for Election

1. Setting the voting age such that any person who has completed eighteen solar years of age on the first day of the third month preceding the date set for holding the elections shall be entitled to exercise his or her right to vote.
2. Adherence to the text of Article 75(1)(e) of the Constitution, which permitted any person sentenced to imprisonment for a term exceeding one year for a non-political offence, and who has been pardoned, to stand for membership of the House of Representatives, without restricting this to a special pardon.
3. Enabling voters residing outside the Kingdom and persons in administrative and judicial detention to exercise their right to vote, by putting in place the arrangements necessary to guarantee integrity and impartiality.

Third: Administration of the Electoral Process

Establishing an independent and permanent supreme national commission enjoying impartiality and integrity to supervise all stages of the electoral process, provided that the judicial authority has the greatest role in its administration.

Fourth: Ensuring the Integrity of the Electoral Process and of the Polling and Counting Operations

1. The necessity of activating the principle of the secrecy of the ballot by emphasising the requirements that must be met by the voting booth, and developing the form and content of the ballot paper so that it includes the name and photograph of the candidate or a clear symbol identifying him or her, which the voter marks, in order to eliminate the phenomenon of illiterate voting, while taking the arrangements necessary to guarantee the secrecy of voting for persons with visual impairments.

2. Abolishing the voter lists that adopt the electoral district as a single unit and replacing them with sub-lists specific to the voters at each polling centre within the district, and not permitting a voter to vote except at the centre in whose list his or her name is entered, in order to prevent the possibility of voting more than once.

3. Transfer of votes:

a. Prohibiting the transfer of votes except for persons actually residing in the electoral district, including prohibiting transfers during the year preceding polling, subject to criminal liability for the voter, the person effecting the transfer and any person who assists in or participates in the transfer process contrary to the foregoing bases, all of whom shall be considered principal perpetrators.

b. Transfers shall be effected after a physical field survey and not on the basis of any fictitious documents.

c. Subjecting transfer operations to objection before the Supreme National Commission for Elections by voters, and subjecting the decisions on objections to transfer operations to judicial appeal before the Court of First Instance located in the electoral district to which the transfer was made and within whose jurisdiction it falls.

4. Laying down the legal controls necessary to guarantee equality among candidates and to protect the will of voters, by activating and toughening the penalties for offences committed during the electoral process, foremost among them vote-buying; guaranteeing the transparency of information relating to sources of funding; guaranteeing equality among all candidates in the use of the national media for sufficient, equal and free periods and at similar times; and halting campaigns and electoral propaganda forty-eight hours before the polling date, subject to criminal liability.

5. Retaining the counting of ballot boxes at polling centres and announcing the result of the count immediately upon completion of the counting of all ballot boxes at the polling centre.

6. Publishing voter lists electronically in addition to other means of publication.

Fifth: Ensuring the Integrity of Parliamentary Performance

Considering the attainment of a first university degree as a minimum basic requirement for any person wishing to stand for membership of the House of Representatives.

Sixth: General Recommendations

1. Prohibiting the granting to a Member of Parliament of any privileges beyond his or her remuneration and entitlements as determined by law.
2. Enabling civil society institutions to monitor the conduct of the electoral process without obstruction and in coordination with the Supreme National Commission for Elections.

Annex No. (2): Recommendations Issued by the National Conference “Towards Effective and Influential Societies”

On 15 June 2008, the National Centre for Human Rights held a national conference entitled “Towards Effective and Influential Societies”. The conference was attended by (130) representatives of unions and charitable societies from all governorates of the Kingdom, in addition to representatives of political parties, labour and professional unions and civil society institutions, and representatives of the Ministries of Interior, Political Development and Labour. Following extensive discussions of the Societies Law No. (51) of 2008 and the amendments proposed thereto, the participants concluded that it is necessary to enact a modern law consistent with the provisions of the Constitution and with international human rights standards, proceeding from the premise that the right to form and join societies is a fundamental right guaranteed by the Constitution, and that the role of the law is confined to regulating the manner of their formation and monitoring their resources. Moreover, the international human rights conventions which Jordan has ratified and published in the Official Gazette have affirmed the right of individuals to form and join societies, foremost among them the International Covenant on Civil and Political Rights, which stressed that no restrictions may be placed on the exercise of this right other than those which constitute necessary measures in a democratic society.

The participants in the conference stressed that any law regulating the work of societies must be based on a set of principles established in the Constitution and in international standards, the most important of which are:

- Freedom to establish and register societies by way of notification only, provided that the administration, if it has any objection to the establishment of a society, shall have the right to resort to the judiciary.
- The right of every society to freely draw up its statute, and the right of the administrative body of every society to manage its affairs without interference from any governmental body.
- The right of the general assembly of every society to freely elect its administrative body; the administration shall respect the results of the elections and shall have no right to object to the membership of any person in the society’s administrative body except by way of an action brought before the competent administrative court.
- The right of the administration to monitor the work of societies; where it finds a breach of the law, it shall be dealt with by recourse to the competent judiciary of first and last instance.
- The right of every society to obtain domestic and foreign funding, provided that it discloses the amounts of funding it receives, the sources of such funding and the manner in which it is used, with precision, all of which shall be supported by documentary

evidence, and that it undertakes to publish its annual budgets in the daily newspapers and to inform its general assembly thereof.

- The right of every society to merge or unite with any society having similar objectives, and the right of societies to establish unions as they see fit in the interest of social work and community service, while stressing that the leaderships of a union of societies may attain their positions only through elections.
- No society may be dissolved except with the approval of its general assembly or by a judicial decision, nor may any society be suspended from work except by a judicial decision.
- Affirming that the term of the **temporary administrative body** of any society shall be (60) days, during which the general assembly of the society shall be convened to elect a new administrative body, and that this period may not be extended under any circumstances.

In view of the fact that the draft law amending the Societies Law was before Parliament in its current extraordinary session, the participants decided to submit the following recommendations to the Senate and the House of Representatives:

1. Amending the text of Article (2) of the Law by adding the phrase “the competent court”, so that it is defined as the Court of First Instance within whose jurisdiction the society falls.
2. Amending the text of Article (4) of the draft law submitted by the Government to Parliament, so that the Societies Registry Board is formed as an independent body, half of whose members are representatives of the Government and the other half are elected from among the societies.
3. Amending the text of Article (6) of the Law by adding an item specific to charitable societies only, under which the minimum number of founding members of a charitable society is set at (25).
4. Amending the text of Article (7/d) by deleting the phrase “good conduct and behaviour”.
5. Affirming the repeal of the text of Article (8) of the original Law.
6. Amending the text of Article (11/a) of the draft law submitted by the Government to Parliament, so that the Board issues its decision on the registration of a society within (30) days instead of (60) days.
7. Amending the text of Article (14/c) so that the decisions of general assemblies become effective as of the date on which they are taken, provided that the supervising body is notified of such decisions.
8. Amending the text of Article (17/b) to read as follows: (Where a society wishes to obtain any donation or funding, in whatever form, from a non-Jordanian person, it shall notify the competent body thereof), instead of submitting an application to the competent Minister to obtain the approval of the Council of Ministers.
9. Amending the text of Article (17/c) so that the accounts of societies enjoy banking secrecy.

10. Amending the text of Article (19) to read as follows: (The competent Minister shall call the general assembly to convene and, where this is not possible, the Minister shall form a temporary administrative body, provided that half of its members are from the general assembly), and deleting the phrase “the regulations and instructions” contained in Paragraph (2) of the same Article.

11. Amending the text of Article (20/1) by adding the phrase “(from the date of approval of its establishment)” at the end of Paragraph (1) of Article (20), and amending Paragraph (b) of the same Article so that an appeal against the Minister’s decision is lodged before the competent court instead of the High Court of Justice, provided that the society continues to carry out its activities until a final judicial decision is issued.

12. Amending Article (25/b) so as to provide that the funds of the society devolve to the union of societies of the governorate instead of to the Fund.

13. Abolishing custodial penalties (imprisonment) and affirming the need to adopt the principle of proportionality between the violation and the amount of fines.

14. Adding a special article under which societies are exempted from taxes and fees.

The participants in the conference and the national campaign had stressed a number of general recommendations aimed at strengthening and activating the role of societies, the most important of which are:

1. Participation of societies: The participants stressed the need for the participation and consultation of societies in respect of any law, or any amendment to the Societies Law, that affects their work.

2. Exemptions: The participants called for the exemption of grants and donations provided by the private sector to societies from taxes, in order to encourage this sector to contribute to charitable work.

3. Support of the Ministry of Planning: The support of the Ministry of Planning must not be tied to prior conditions.

4. Representation of societies: Societies must be represented in the advisory councils of the districts (liwa’s) and governorates.

5. Code of conduct for societies: Societies welcomed the code of conduct positively and regarded it as an important tool for self-monitoring. Societies agreed that adherence to the principles of the code will enable societies to carry out their work and lend them credibility, and that they will thereafter no longer need prior monitoring by the authorities.

Annex No. (3): List of National Legislation Mentioned in the 2009 Annual Report Which May Require Amendment in Line with International Human Rights Standards

1. The Nationality Law No. (6) of 1954 and its amendments.

2. The Crime Prevention Law No. (7) of 1954.
3. The State Security Court Law No. (17) of 1959.
4. The Sharia Courts Procedure Law No. (31) of 1959 and its amendments.
5. The Penal Code No. (16) of 1960 and its amendments.
6. The Criminal Procedure Code No. (9) of 1961.
7. The Juveniles Law No. (24) of 1968.
8. The Law on the Protection of State Secrets and Documents No. (50) of 1971.
9. The Law on Residence and Foreigners' Affairs No. (24) of 1973 and its amendments.
10. The National Aid Fund Law No. (36) of 1986.
11. The Narcotic Drugs and Psychotropic Substances Law No. (11) of 1988 and its amendments.
12. The Unified Allowances Regulation No. (23) of 1988.
13. The General Sales Tax Law No. (6) of 1994.
14. The Labour Law No. (8) of 1996.
15. The Higher Education Law No. (6) of 1998.
16. The Press and Publications Law No. (8) of 1998 and its amendments.
17. The Customs Law No. (20) of 1998 and its amendments.
18. The Law on the Independence of the Judiciary No. (15) of 2001 and its amendments.
19. The Provisional Law on Elections to the House of Representatives No. (34) of 2001.
20. The Provisional Agriculture Law No. (44) of 2002.
21. The Provisional Audiovisual Media Law No. (71) of 2002.
22. The Correction and Rehabilitation Centres Law No. (9) of 2004 and its amendments.
23. The Environmental Protection Law No. (52) of 2006.
24. The Creative Sabbatical Regulation of 2007.
25. The Regulation on the Publication of Culture and Heritage of 2007.
26. The Political Parties Law No. (19) of 2007.
27. The Civil Service Regulation No. (30) of 2007 and its amendments.
28. The Law on the Rights of Persons with Disabilities No. (31) of 2007 and its amendments.
29. The Law on Guaranteeing the Right of Access to Information No. (47) of 2007.
30. The Regulation of the Fund for the Support of the Cultural and Artistic Movement of 2008.

31. The Culture Promotion Law No. (25) of 2008 and its amendments.
32. The Amended Public Health Law No. (47) of 2008.
33. The Societies Law No. (51) of 2008 and its amendments.
34. The Provisional Social Security Law of 2009.
35. The Prevention of Trafficking in Persons Law No. (9) of 2009.
36. The Landlords and Tenants Law No. (17) of 2009.
37. The Environmental Monitoring and Inspection Regulation No. (65) of 2009.
38. The Regulation on the Organisation of Private Agencies for the Recruitment and Employment of Non-Jordanian Domestic Workers No. (89) of 2009.

- **List of legislation whose enactment should be considered:**

1. Enacting a national asylum law.
2. Enacting a law establishing a General Union of Jordanian Students.
3. Enacting a law on the preservation of national documents.
4. Enacting a medical liability law.
5. Enacting a special law on combating torture.
6. Issuing the regulations and instructions required for the Family Violence Protection Law.
7. Issuing a special regulation for the implementation of the Statute of the International Criminal Court at the national level.

Annex No. (4): International Human Rights Conventions

First: The International Bill of Human Rights

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Universal Declaration of Human Rights	A principal international instrument containing a moral commitment represented by the recognition of the inherent dignity of the human person and the fundamental rights which human beings must enjoy irrespective of race, colour, religion, sex or other factors. It was adopted by the United Nations General			

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
		Assembly on 10 December 1948 and has since that date served as an international standard for human rights; its articles have been translated into a large number of binding international conventions.			
2	International Covenant on Economic, Social and Cultural Rights	Adopted by the United Nations General Assembly on 16/12/1966; it consists of 31 articles covering economic, social and cultural rights such as the right to work, education, health and a healthy environment, and an adequate standard of living, and it stresses the need to create the conditions necessary to enable every person to enjoy his economic, social and cultural rights as well as his civil and political rights.	Ratified without reservation • Published in Issue No. (4764) of the Official Gazette	28/1975 • 15/6/2006	
3	International Covenant on Civil and Political Rights	Adopted by the United Nations General Assembly on 16/12/1966; it consists of 53 articles divided into six parts guaranteeing the enjoyment of civil rights, such as the right to life and physical integrity and freedom from torture, and political rights, such as the right to freedom of opinion and expression, the right of peaceful assembly, political participation, access to public office, and others.	Ratified without reservation • Published in Issue No. (4764) of the Official Gazette	28/5/1975 • 15/6/2006	

Second: Conventions on the Prevention of Discrimination

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	International Convention on the Elimination of All Forms of Racial Discrimination	Adopted by the United Nations General Assembly on 21/12/1965; it affirms that all human beings are born free and equal in dignity and rights, that everyone is entitled to enjoy all the rights and freedoms set forth therein without discrimination of any kind, in particular as to race, colour or national origin, and that all human beings are equal before the law and are entitled to equal protection against any discrimination and against any incitement to discrimination; it urges States to take the measures necessary to that end.	Ratified • Published in Issue No. (4764) of the Official Gazette	30/5/1974 • 15/6/2006	
2	International Convention on the Suppression and Punishment of the Crime of Apartheid	Adopted by the United Nations General Assembly on 18/7/1976; it calls upon States Parties to prohibit and prevent all forms of apartheid and to criminalise the organisations and persons who commit this crime.	Ratified • Published in Issue No. (3829) of the Official Gazette	1/7/1992 • 1/6/1992	
3	International Convention against Apartheid in Sports	Adopted by the United Nations General Assembly on 10/12/1985; it calls for the condemnation of apartheid in sports and an undertaking to take all possible measures to prevent sporting contact with	Ratified • Not published in the Official Gazette	26/8/1987	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
		any country practising apartheid.			
4	Convention against Discrimination in Education	Adopted by the United Nations General Assembly on 14/12/1960; it calls upon States Parties to formulate, develop and apply a national policy aimed at promoting equality of opportunity and of treatment in matters of education, and in particular at making primary education free and compulsory.	Ratified • Not published in the Official Gazette	6/4/1976 ²¹⁴	

Third: Conventions on the Rights of Women

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Adopted by the United Nations General Assembly on 18/12/1979; this Convention, consisting of 30 articles, sets out the internationally accepted principles and measures for achieving equality between men and women and guaranteeing equal rights for women in all political, economic, social, cultural and civil fields, and for enacting national legislation guaranteeing non-discrimination against women.	Ratified • Published in Issue No. (4839) of the Official Gazette	1/7/1992 • 1/8/2007	Article (9/2): the right of a woman to grant her nationality to her children • Article (16/1), Paragraphs: (h) the same rights and responsibilities as parents, in matters relating to their children; (d) the same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children; (g) the same personal rights as husband and wife, including the right to choose a family

²¹⁴ Information from the Ministry of Education.

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
					name and a profession and an occupation
2	Convention on the Nationality of Married Women	Adopted by the United Nations General Assembly on 29/1/1957; it affirms the right of a woman to retain her nationality upon the celebration or dissolution of marriage or upon a change of nationality by the husband.	Ratified • Published in Issue No. (3829) of the Official Gazette	1/7/1992	
3	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	Adopted by the United Nations General Assembly on 7/11/1964; it recommends that Member States take the necessary legislative and non-legislative measures, in accordance with their constitutional systems and their traditional and religious customs, to give effect to the following principles upon marriage: full consent of both parties; a minimum age for marriage of not less than 15 years; and the registration of marriage contracts in an official register.	Ratified • Not published in the Official Gazette, and the National Centre for Human Rights called for its publication in its First Annual Report on the Situation of Human Rights in the Kingdom for 2004	1/7/1992	
4	Convention on the Political Rights of Women	Adopted by the United Nations General Assembly on 20/12/1952; it provides for the importance of	Ratified • Not published in the Official Gazette, and the National Centre for Human Rights called for its publication in its First Annual Report on the Situation of Human Rights in the Kingdom for 2004	13/4/1976	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
		equality between men and women in the enjoyment and exercise of political rights, such as the right to hold public office or the right to participate in the conduct of public affairs, whether directly or through freely chosen representatives.			

Fourth: Conventions on the Rights of the Child

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Convention on the Rights of the Child	Adopted by the United Nations General Assembly on 20/11/1989; it contains the guiding principles of the Convention: the right to non-discrimination and the commitment to work towards the best interests of the child; the right to life, survival and development; the right to protection; and the right to participation.	Ratified • Published in Issue No. (4787) of the Official Gazette	24/5/1991 • 16/10/2006	Article (14): the right of the child to freedom of thought, conscience and religion • Articles (20 and 21): on adoption
2	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	Adopted by the United Nations General Assembly on 25/5/2000; it calls upon States Parties to take the measures necessary to curb the sale of children and their exploitation in prostitution and pornography, and to criminalise and punish such acts.	Ratified	4/12/2006	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
3	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	Adopted by the United Nations General Assembly on 25/5/2000; it calls upon States Parties not to compulsorily recruit persons who have not attained the age of eighteen years into their armed forces or to involve them in hostilities, in application of the principle of the best interests of the child.	Ratified	23/5/2007	

Fifth: Protection from Torture and Other Inhuman or Degrading Treatment

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Adopted by the United Nations General Assembly on 10/12/1984; it calls upon States Parties to take effective legislative, administrative and judicial measures necessary to prevent acts of torture in any territory under their jurisdiction.	Ratified • Published in Issue No. (4764) of the Official Gazette	13/11/1991 • 15/6/2006	

Sixth: War Crimes and Crimes against Humanity, Including the Crime of Genocide

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Convention on the Prevention and Punishment of the Crime of Genocide	Adopted by the United Nations General Assembly on 9/12/1948; the States Parties thereto undertake to enact the legislative measures necessary to give effect to the provisions of the Convention and, in	Ratified • Published in Issue No. (3829) of the Official Gazette	3/4/1950 • 1/6/1992	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
		particular, to provide effective criminal penalties to be imposed on persons guilty of genocide or of any of the other acts enumerated in Article III.			
2	Rome Statute of the International Criminal Court	Adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17/7/1998; it established an International Criminal Court having the power to exercise its jurisdiction over persons accused of committing the most serious crimes, namely the crime of genocide, war crimes and crimes against humanity, and which is complementary to national criminal jurisdictions.	Ratified • Published in Issue No. (4539) of the Official Gazette	11/4/2002 • 16/4/2002	

Seventh: Slavery, Servitude and Similar Practices such as Trafficking in Persons

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
1	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	Adopted by the United Nations General Assembly on 2/12/1949; it prohibits engaging in prostitution and the exploitation of persons for such acts, whether with their consent or by coercion, and calls upon States Parties to take the measures necessary to combat and criminalise such acts.	Ratified • Not published in the Official Gazette	13/4/1976	
2	Slavery Convention	Signed in Geneva on 25/9/1926 and	Accepted	5/5/1959	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservation
		amended by the Protocol signed at the United Nations Headquarters on 7/12/1952; the Parties undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, in so far as they have not already taken the necessary steps in that regard: (a) to prevent and suppress the slave trade; (b) to bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms.			
3	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery	Adopted by a Conference of Plenipotentiaries convened pursuant to Economic and Social Council resolution 608 (XXI) of 30/4/1956, and calls upon States Parties to the adoption of all legislative and non-legislative measures to bring about the abolition of customs and practices similar to slavery, such as servitude, forced labour and others.	Ratified • Not published in the Official Gazette	27/9/1957	

Eighth: Rights of Persons with Disabilities

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
1	Convention on the Rights of Persons	Adopted by the United Nations General Assembly on 13/12/2006 with the aim of	Ratification; Published in Official Gazette Issue No. (4895)	31/3/2008; 25/3/2008	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
	with Disabilities	promoting, protecting and ensuring the full enjoyment by all persons with disabilities, on an equal basis with others, of all human rights and fundamental freedoms, and promoting respect for their inherent dignity. States Parties undertake to ensure and promote the full realisation of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability.			

Ninth: International Humanitarian Law²¹⁵

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
1	Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field	Dated 12/8/1949; its provisions apply to the wounded and sick and to the personnel of the medical and religious services attached to the armed forces of the parties to the conflict.	Ratification; Published in Official Gazette Issue No. (4815)	29/5/1951; 15/3/2007	
2	Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea	Dated 12/8/1949; the Convention sets out the basic rules that must be observed to guarantee the protection of the wounded, sick and shipwrecked members of armed forces at sea, by providing the	Ratification; Published in Official Gazette Issue No. (4815)	29/5/1951; 15/3/2007	

²¹⁵ Information on the dates of ratification was obtained from the Ministry of Foreign Affairs.

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		necessary protection and ensuring their full enjoyment of their rights and their humane treatment.			
3	Geneva Convention (III) relative to the Treatment of Prisoners of War	Dated 12/8/1949; it contains a detailed definition of prisoners of war and of their rights, which States Parties are bound to protect and not to violate, such as the right to life and physical integrity and the right to protection from killing, cruel treatment and torture...	Ratification; Published in Official Gazette Issue No. (4817)	29/5/1951; 1/4/2007	
4	Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War	Dated 12/8/1949; under it, States Parties undertake to protect persons taking no active part in hostilities, including members of armed forces who have laid down their arms and persons placed hors de combat by sickness, wounds, detention or any other cause, and to treat them humanely without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. It also addresses the nature of governance in	Ratification; Published in Official Gazette Issue No. (4815)	29/5/1951; 15/3/2007	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		occupied territories.			
5	Protocol Additional (I) to the Geneva Conventions, relating to the Protection of Victims of International Armed Conflicts	Adopted on 8/6/1977 with the aim of developing the provisions protecting victims of international armed conflicts; its most prominent feature is that it regards wars of national liberation as international armed conflicts.	Ratification; Published in Official Gazette Issue No. (4817)	1/5/1979; 1/4/2007	
6	Protocol Additional (II) to the Geneva Conventions, relating to the Protection of Victims of Non-International Armed Conflicts	Adopted on 8/7/1977; it constitutes the foundation on which respect for the human person rests in situations of armed conflict not of an international character.	Ratification; Published in Official Gazette Issue No. (4815)	1/5/1979; 15/3/2007	
7	Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, 1925	The international community has recognised that the use of such substances is a matter condemned worldwide.	Published in Official Gazette Issue No. (4815)	15/3/2007	

Tenth: Conventions of the International Labour Organisation²¹⁶ (the number of these conventions totals 184 conventions)

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
1	Convention No. 29 concerning Forced or Compulsory Labour	Adopted on 22/6/1930; States Parties undertake therein to prohibit forced or	Ratification; Published in Official Gazette Issue No. (1809)	6/6/1966; 2/12/1964	

²¹⁶ Information taken from the website of the Jordanian Ministry of Labour, www.mol.gov.jo, and the website of the International Labour Organisation.

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		compulsory labour, and the Convention sets out the measures that must be followed to curb the phenomenon of forced or compulsory labour.			
2	Convention No. 81 concerning Labour Inspection in Industry and Commerce	Adopted on 11/7/1947, whereby each Member State establishes a system of labour inspection in industrial workplaces to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers at their workplaces.	Ratification; Published in the Official Gazette	1963 ²¹⁷ ; 2/2/1963	
3	Convention No. 98 concerning the Right to Organise and Collective Bargaining	Adopted on 1/7/1949; it provides that workers shall enjoy adequate protection against any act involving anti-union discrimination in respect of their employment by reason of their trade union membership.	Ratification; Published in Official Gazette Issue No. (1629)	1963 ²¹⁸ ; 16/6/1963	
4	Convention No. 100 concerning Equal Remuneration for Men and Women	Adopted on 29/6/1951; it encourages States Parties to ensure the application of	Ratification; Published in the Official Gazette	22/9/1966; 10/7/1966	

²¹⁷ There is a discrepancy between the information of the Jordanian Ministry of Labour, which indicates that ratification took place in 1963, and the information of the International Labour Organisation, which indicates that the date of ratification is 27/3/1969.

²¹⁸ The information of the International Labour Organisation indicates that the date of ratification is 12/12/1968.

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
	Workers for Work of Equal Value	the principle of equal remuneration for men and women workers for work of equal value, whether by means of national laws or regulations, any legally established system for wage determination, collective agreements between employers and workers, or a combination of these various means.			
5	Convention No. 105 concerning the Abolition of Forced or Compulsory Labour	Adopted on 25/6/1957, whereby each State Party undertakes to prohibit any form of forced or compulsory labour and not to make use of it as a means of coercion or political education, as a method of mobilising labour, as a means of labour discipline, as a punishment for having participated in strikes, or as a means of racial, social, national or religious discrimination.	Ratification; Not published in the Official Gazette	31/3/1958	
6	Convention No. 106 concerning Weekly Rest in Commerce and Offices	Adopted on 26/6/1957; it provides that all persons to whom the provisions of this Convention apply shall be	Ratification; Not published in the Official Gazette	23/7/1979	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		entitled to an uninterrupted weekly rest period comprising not less than 24 hours in the course of each period of seven days.			
7	Convention No. 111 concerning Discrimination in respect of Employment and Occupation	Adopted on 25/6/1958; States Parties undertake to formulate and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in the field of employment.	Ratification; Published in Official Gazette Issue No. (1688)	4/7/1963; 30/5/1963	
8	Convention No. 116 concerning the Partial Revision of the Conventions Adopted by the General Conference at Its First Thirty-Two Sessions for the Purpose of Standardising the Provisions regarding the Preparation of Reports by the Governing Body on the Working of Conventions	Adopted on 26/6/1961; Member States acknowledge the obligation of the Governing Body to submit a report on the application of the conventions and to consider whether it is desirable to place on the agenda of the Conference the question of their revision in whole or in part.	Ratification; Published in the Official Gazette	4/7/1963; 1/4/1963	
9	Convention No. 117 concerning Basic Aims and Standards of Social Policy	Adopted on 22/6/1962; States Parties undertake to strive to achieve a better standard of living and to preserve family and social ties	Ratification; Not published in the Official Gazette	7/3/1963	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		when drawing up economic development plans.			
10	Convention No. 118 concerning Equality of Treatment of Nationals and Non-Nationals in Social Security	Adopted on 28/6/1962, whereby States Parties undertake to guarantee within their territory to the nationals of any other State equality of treatment with their own nationals under their legislation in respect of the right to benefits, in respect of each branch of social security for which they have accepted the obligations arising under this Convention.	Ratification; Published in the Official Gazette	7/3/1963; 1/12/1962	
11	Convention No. 119 concerning the Guarding of Machinery	Adopted on 25/6/1963; it provides that the competent authority in each State shall determine the extent of the danger which machinery poses to the worker, and also provides that the employer shall take steps to ensure that workers are informed of the national laws or regulations relating to the guarding of machinery and are instructed in the dangers arising from the use of machinery and the	Ratification; Published in the Official Gazette	4/5/1964; 14/5/1964	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		precautions to be observed when using it.			
12	Convention No. 120 concerning Hygiene in Commerce and Offices	Adopted on 9/7/1964; it contains the conditions that must be met in offices, such as adequate and suitable ventilation and lighting, and that all workplaces be designed so as to have no harmful effects on the health of the worker, in addition to the provision of drinking water, washing facilities and adequate and suitable sanitary facilities that are maintained in full repair.	Ratification; Published in the Official Gazette	11/3/1965; 2/1/1965	
13	Convention No. 122 concerning Employment Policy	Adopted on 9/7/1964; it binds States Parties to pursue a policy designed to promote full, productive and freely chosen employment, aimed at providing work for all those in need of it, ensuring freedom of choice of employment for every worker, and affording the fullest possible opportunity to obtain the job for which the worker is suited by capacities, skills and talents, irrespective of race, colour, sex,	Ratification; Published in the Official Gazette	10/3/1966; 16/12/1965	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		religion, political opinion, national extraction or social origin.			
14	Convention No. 123 concerning the Minimum Age for Admission to Employment Underground in Mines	Adopted on 22/6/1965; it provides that persons under sixteen years of age shall not be employed underground in mines, and that the competent authorities shall take all necessary measures, including the provision of appropriate penalties, to ensure the effective enforcement of the provisions of the Convention.	Ratification; Published in the Official Gazette; Denunciation	6/6/1966; 10/4/1966; 23/3/1998	
15	Convention No. 124 concerning Medical Examination of Young Persons for Employment Underground in Mines	Adopted on 23/6/1965; it contains the provisions relating to employment or work underground in mines or quarries, such as the requirement of a thorough medical examination and periodic examinations to ascertain the fitness of persons employed for the work.	Ratification; Published in the Official Gazette	6/6/1966; 10/4/1966	
16	Convention No. 135 concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking	Adopted on 23/6/1971; it provides that workers' representatives shall enjoy effective protection against any act prejudicial to them, including	Ratification; Not published in the Official Gazette	23/7/1979	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		dismissal, based on their status as workers' representatives, their union membership or their participation in union activities, in so far as they act in conformity with existing laws or collective agreements.			
17	Convention No. 138 concerning Minimum Age for Admission to Employment	Adopted on 26/6/1973, whereby each State Party undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.	Ratification; Published in Official Gazette Issue No. (4219)	23/3/1998; 16/7/1997	
18	Convention No. 142 concerning the Role of Vocational Guidance and Vocational Training in the Development of Human Resources	Adopted on 23/6/1975; it binds States Parties to develop comprehensive and co-ordinated policies and programmes of vocational guidance and vocational training that take due account of employment needs, opportunities and problems at both the regional and	Ratification; Not published in the Official Gazette	23/7/1979	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		national levels, the stage and level of economic, social and cultural development, and the relationships between human resources development and other economic, social and cultural objectives.			
19	Convention No. 144 concerning Tripartite Consultations to Promote the Implementation of International Labour Standards	Adopted on 21/6/1976, whereby Member States undertake to operate procedures which ensure effective consultations between representatives of the government, of employers and of workers to promote the implementation of international labour standards.	Ratification; Published in the Official Gazette	5/8/2003; 16/7/2003	
20	Convention No. 147 concerning Minimum Standards to be Observed in Merchant Ships	Adopted on 29/10/1976, whereby States Parties undertake to have laws or regulations ensuring the application of safety standards, competency and hours of work in order to ensure the safety of persons employed on board ships registered in their territory, as well as appropriate social security measures and shipboard conditions of employment and	Ratification; Published in the Official Gazette	1/4/2004; 16/2/2004	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		living arrangements.			
21	Convention No. 150 concerning Labour Administration	Adopted on 26/6/1978, in recognition of the need to fully respect the independence of employers' and workers' organisations, and to guarantee trade union rights, the right to organise and collective bargaining.	Ratification; Published in the Official Gazette	10/7/2003; 16/7/2003	
22	Convention No. 159 concerning Vocational Rehabilitation and Employment (Disabled Persons)	Adopted on 20/6/1983 with the aim of enabling disabled persons to secure, retain and advance in suitable employment and thereby to further their integration or reintegration into society, through a national policy on vocational rehabilitation based on the principle of equality of opportunity between disabled workers and others; its provisions apply to all categories of disabled persons.	Ratification; Not published in the Official Gazette	13/5/2003	
23	Convention No. 182 concerning the Elimination of the Worst Forms of Child Labour	Adopted on 17/6/1999; it binds States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour, including slavery or practices similar	Ratification; Published in Official Gazette Issue No. (4623)	20/4/2000; 1/10/2003	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		to slavery such as the sale of children, or their use for the purposes of prostitution, or the carrying out of illicit activities such as the production of drugs, or any work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.			
24	Convention No. 185 concerning Seafarers' Identity Documents	Adopted on 19/6/2003; it provides that each State shall issue a seafarer's identity document to seafarers, and sets out the form and content of this document, the facilities arising therefrom, and the procedures and conditions for its withdrawal.	Ratification; Published in the Official Gazette	9/8/2004; 15/7/2004	

Eleventh: Regional Instruments

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
1	Arab Charter on Human Rights	Adopted by League of Arab States Council Resolution No. 5427 dated 15 September 1997; it aims to place human rights among the fundamental national concerns, making them lofty and fundamental values, in addition to entrenching the principle that human rights are	Ratification; Published in Official Gazette Issue No. (4675)	6/7/2004; 16/9/2004	

No.	Convention	Subject of the Convention	Jordan's Position: Ratification/Accession/Publication in the Official Gazette	Jordan's Position: Date	Reservations
		universal and indivisible.			
2	Cairo Declaration on Human Rights in Islam	Approved by the Council of Foreign Ministers of the Organisation of the Islamic Conference, Cairo, 5 August 1990.	Approval ²¹⁹		

Conventions Not Ratified by Jordan

First: Protocols Related to the International Bill of Human Rights

No.	Convention	Subject of the Convention
1	Optional Protocol to the International Covenant on Civil and Political Rights concerning Individual Complaints	Adopted by the United Nations General Assembly on 16/12/1966 to further the achievement of the purposes of the International Covenant on Civil and Political Rights and the implementation of its provisions; it provides for enabling the Human Rights Committee established under Part IV of the Covenant to receive and consider communications from individuals claiming to be victims of a violation of any of the rights set forth in the Covenant.
2	Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty	Adopted by the United Nations General Assembly on 15/12/1989; it constitutes an international commitment to abolish the death penalty in order to safeguard the right to life, and obliges States to take all necessary measures to that end.
3	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Adopted by the Human Rights Council on 18/6/2008; the Protocol affords individuals who claim to be victims of violations of their economic, social and cultural rights the opportunity to submit their complaints for determination by the United Nations Committee on Economic, Social and Cultural Rights.

Second: Conventions on the Rights of Women

No.	Convention	Subject of the Convention
1	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	Adopted by the United Nations General Assembly on 9/10/1999 with the aim of ensuring the full and equal enjoyment by women of all human rights and fundamental freedoms, and of taking effective action to prevent violations of these rights and freedoms, through recognition by States Parties of the competence of the Committee on the Elimination of Discrimination against Women to receive and consider communications submitted to it in accordance with Article 2.

²¹⁹ A guidance document that does not require ratification.

Third: Protection from Torture and Other Inhuman or Degrading Treatment

No.	Convention	Subject of the Convention
1	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Adopted by the United Nations General Assembly on 18/12/2002; the Protocol permits the Subcommittee on Prevention of Torture to carry out regular visits to places of detention within the territory of States Parties in order to assess the conditions of detention and the treatment of detainees, and to make recommendations to States Parties for their improvement. The Protocol also requires States Parties to establish national mechanisms to organise visits to places of detention.

Fourth: War Crimes and Crimes against Humanity

No.	Convention	Subject of the Convention
1	Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity	Adopted by the United Nations General Assembly on 26/11/1968; States Parties to this Convention undertake to adopt all necessary legislative and non-legislative measures to ensure that statutory limitations do not apply to war crimes and crimes against humanity, and to make it possible to extradite the perpetrators of such crimes in accordance with international law.
2	International Convention for the Protection of All Persons from Enforced Disappearance	Adopted on 20/12/2006; it provides that the widespread or systematic practice of enforced disappearance constitutes a crime against humanity as defined in applicable international law and attracts the consequences provided for under such law, and calls upon States to take the necessary measures to criminalise such practices in their law and not to invoke any exceptional circumstance whatsoever to justify them.

Fifth: Rights of Persons with Disabilities

No.	Convention	Subject of the Convention
1	Optional Protocol to the Convention on the Rights of Persons with Disabilities	Adopted by the United Nations General Assembly on 13/12/2006; the State Party to this Protocol recognises the competence of the Committee on the Rights of Persons with Disabilities to receive communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention, and to consider those communications.

Sixth: Asylum and Nationality

No.	Convention	Subject of the Convention
1	Convention relating to the Status of Refugees	Adopted on 28/7/1951 [sic]; the Convention defines a refugee and sets out the refugee's rights and duties, and requires States to deal with all refugees without any discrimination among them on grounds of race, religion or country of origin; it also sets out the measures to be followed to protect the legal, economic and cultural rights of refugees.

No.	Convention	Subject of the Convention
2	Convention on the Reduction of Statelessness	Adopted on 30/8/1961; it sets out the measures to be followed to reduce cases of statelessness, including the granting of the nationality of the State to a person born in its territory, by operation of law or upon an application lodged with the competent authorities, and to foundlings found in its territory. It also specifies the conditions to be observed upon deprivation of nationality.

Seventh: Workers' Rights

No.	Convention	Subject of the Convention
1	Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise	Adopted on 9/7/1948; it provides that workers and employers, without distinction whatsoever, shall have the right to establish organisations of their own choosing and likewise, without previous authorisation, the right to join such organisations, subject only to the rules of the organisation concerned. It also provides that workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes, and that workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority.
2	Convention No. 151 concerning Labour Relations in the Public Service	Adopted on 27/6/1978; it contains mechanisms for protecting the rights of public employees, such as the right to organise and the facilities to be afforded to them; it also sets out procedures for determining terms and conditions of employment and mechanisms for the settlement of disputes, in addition to mechanisms for the protection of civil and political rights.
3	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Adopted by the United Nations General Assembly on 18/12/1990; it applies to all migrant workers and members of their families throughout the entire migration process of migrant workers and members of their families, including preparation for migration, departure, transit and the entire period of stay and remunerated activity in the State of employment, as well as return to the State of origin or the State of habitual residence. The Convention provides a range of rights for all migrant workers, both documented and undocumented alike.

Who We Are

The National Centre for Human Rights is an independent national institution of public benefit, established under Law No. (51) of 2006, enjoying legal personality with financial and administrative independence and full independence in the exercise of intellectual, political and humanitarian activities and events relating to human rights. The Centre commenced its work on 1 June 2003.

Our Vision

To complete the building of a society of justice, equality and the rule of law, safeguarding human dignity and protecting public freedoms and citizens' rights in a climate of brotherhood, tolerance and compassion among the members of our one great Jordanian family.

Our Mission

To protect human rights and disseminate their culture, monitor their conditions, provide advice and legal assistance to those in need of it, take the administrative and legal measures necessary to address complaints relating to human rights violations and abuses with a view to curbing and halting them and remedying their effects, prepare studies and research, provide information, hold seminars and training courses, manage campaigns, declare positions, issue statements and publications, and prepare the necessary reports.

To contact the National Centre for Human Rights:

Telephone: (00962-6-5932257)

Fax: (00962-6-5930072)

Toll-free number: (080022320)

P.O. Box (5503), Postal Code (11183)

Amman – Zahran Street, Building No. (151)

The Hashemite Kingdom of Jordan

Website: www.nchr.org.jo

E-mail: mail@nchr.org.jo