



Eleventh Annual Report on the State of Human Rights in Jordan 2014

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I. Introduction

I

In its Tenth Report for 2013, the National Centre for Human Rights (NCHR) posed twelve questions summarising the principal and most pressing challenges in the field of human rights in the Kingdom. Some may have found it strange that the Centre would pose such specific questions in its approaches to human rights issues, as though this were being done for the first time, in the sense of dotting the i's and crossing the t's on specific matters relating to sensitive and contentious subjects.

Our view at the Centre regarding this methodology, however, was different. Commitment to candour, clarity and boldness in presenting facts and convictions is a given for a national institution dealing with human rights.

What dictated the choice of this new methodology, however, was the desire to formulate what might be called a national agenda that would help the partners – the three branches of government, civil society, public opinion and even the citizen, who is the primary stakeholder in this matter – to approach simultaneously, and from the same starting point, the most prominent issues in respect of which recurrent violations of human rights occur, irrespective of the differing views among these partners on them; in the hope that such an approach, dictated by the said questions, would motivate everyone not only to remember them but also to reconsider the matters that these fundamental questions directly evoke, and consequently to cease dealing with them as either forbidden zones or ordinary matters whose remaining unaddressed in the Kingdom's human rights reality is taken for granted.

The dual formulation of each of the said questions was intended to emphasise that there are no ready-made or pre-prepared answers to them, just as no viewpoint on them may be excluded or dismissed. More importantly, there is no resignation to, or acceptance of, the notion that it is impossible to discuss any challenge or issue affecting the human rights of Jordanians and of others residing on Jordanian soil, however sensitive it may be or however difficult it may be to open it up for discussion and dialogue, proceeding from the fact that effective and feasible solutions to difficult issues – before easy ones – cannot come about without the contribution of the citizen in formulating them and bringing them to the fore before all parties, since the citizen is the first and last stakeholder in this regard. This objective view does not, however, preclude adherence to the constitutional rules and principles and the international standards governing human rights, including the guarantees provided for and the restrictions – if any – whether general or limited, in each article.

The achievement of justice and the rule of law has its advantages and its price. Curtailing freedoms or giving them free rein (freedom of expression, freedom of thought, freedom of opinion, freedom of belief, freedom of organisation and of forming associations, parties and trade unions, etc.) has its advantages and its prices; combating the scourge of drugs and receiving and hosting refugees or returning them to where they came from has its advantages and consequences; restoring respect for public order and protecting national security has its advantages and costs; and arrest, detention or imprisonment, and consequently deprivation of the right to liberty, have their conditions and

rules. And who but the citizen reaps the fruits of these advantages or bears the costs and prices, whether those required for the availability and guarantee of these rights or those resulting from their absence?

Within the framework of this vision, and from the same perspective in which the said questions were posed in the introduction to its report for 2013, the National Centre for Human Rights followed human rights developments in the country during 2014, which formed the main headings of the issues that attracted the attention of public opinion, broad segments of citizens and human rights activists, and constituted the focus of the monitoring and follow-up processes carried out by the Centre. They are also the very issues that the official institutions and authorities of the State dealt with within their national strategy, and which consequently dictated to the latter many initiatives, decisions and measures during the said year, and perhaps for years to come.

II

The general state of human rights in Jordan in 2014 – whether in respect of the measures to protect or promote these rights or the roles and activities of all the parties – did not depart from the usual.

The Government's efforts proceeded at the same pace and within the framework of its initiative of the previous year, 2013, with these efforts oscillating between two points: **management of the violation** and/or **non-radical protection measures**.

With regard to the management of violations, the three branches of government took steps that were for the most part preventive in nature; the most prominent of them, however, were those taken by the Government, manifested in the activation of official monitoring and follow-up mechanisms in order to regulate the practices of the competent agencies and of the ministries and departments concerned with human rights. The Prime Minister's request to all ministries, departments and agencies to work towards incorporating and mainstreaming human rights standards in their laws, plans and executive programmes is considered the most prominent of these steps. Little, however, was actually accomplished in implementing this directive by the ministries and institutions concerned by the end of 2014. Nevertheless, such a direction should not be underestimated nor its results belittled, because the process of monitoring and preparing periodic reports, if regarded by the Government as an opportunity to rectify conditions, constitutes an important step towards improving the state of human rights in any state or society.

Accurate monitoring of prevailing conditions, ascertaining the reality of what the official agencies and institutions are doing, and knowing what these agencies and institutions implement (or do not implement) are the starting point of any national plan or official directive for improving the human rights situation. We must not forget that implementing such a comprehensive directive requires time and efforts that may not be immediately available. And although the subject of this circular ought to have been within the framework of following up and verifying the implementation of directives that should have been issued earlier in light of the tireless and continuous efforts, whether by the National Centre for Human Rights, active civil society organisations or even the Government itself, in the field of human rights, its coming late is better than its never coming at all. Therefore, the issuance of the said circular in the form of a direct governmental directive constituted a clear beginning for the accountability efforts that must be made by all parties. It is a step that will mean a great deal if it is applied and adhered to, particularly in the context of Jordan's

respect for its international obligations, or what is hoped for and required is merely to follow it up so that it reaches its required starting point.

Such an approach, if continued, will contribute to identifying shortcomings and weaknesses and, more importantly, will make it possible to identify the nature and scale of the violation and the body, department or unit, and even the person, at whose hands such a violation occurred, whether as its perpetrator or as having caused it through negligence, default or evasion of responsibility. Most importantly of all, no one can henceforth plead ignorance or invoke the absence of an official policy for the protection and promotion of human rights at the level of the leadership or the Government.

This activity of follow-up and observation of human rights violations carried out by the executive authority was, however, matched by modest performance in three main areas required of this authority, namely:

1. Following up the amendment of legislation in respect of a number of laws in force in order to harmonise them with the Constitution and with the international standards to which the State has committed itself, as necessitated by the need to fulfil Jordan's international undertakings.
2. Actually commencing the process of mainstreaming human rights standards in the Government's public policies, as set out in the said directive, with the awareness that achieving such an objective is not an automatic matter. It is a comprehensive task that requires participatory efforts by the various parties.
3. Holding the perpetrators of violations accountable in accordance with Jordanian legislation, international standards and the requirements of the justice in force, without belittling the efforts that have been and are being made in this regard, which, even when applied against offending officials, are not usually carried out in a manner consistent with international standards.

In embodiment of the said governmental direction, the ministries and governmental institutions expressed, in monitoring, oversight and follow-up of the human rights situation, their readiness to cooperate with the Centre and with civil society organisations in following up complaints and identifying the sources of violations and the areas of shortcoming and deficiency. Through this, it became possible to follow up citizens' complaints with greater ease during 2014. Training activities were implemented for government employees working as liaison officers between the Government Coordinator at the Prime Ministry and the various ministries and agencies, in addition to holding training courses for officials at the Ministry of Interior. The cooperation of the Government Coordinator and his office, and of the Transparency and Human Rights Office at the Public Security Directorate, with the National Centre contributed to the achievement of tangible results in the form of recommendations and practical steps supporting the Centre's efforts in the field of the protection and promotion of human rights.

Cooperation also continued with the Ministry of Justice in the field of reforming the criminal justice system. The Ministry persevered in monitoring litigation procedures, particularly the procedures of judicial detention and the role of the "standing judiciary" (lawyers), including the amendment of the Bar Association Law.

The Royal directive to the Government to prepare a national human rights plan, and the formation by the Prime Minister of the said committee, may be regarded as the most prominent official executive step taken in 2014 within the framework of the practical and direct implementation of one of the recommendations contained in the Centre's Ninth Report (2012). The Minister of Justice chaired this committee, whose membership included the Commissioner General of the Centre, the Secretary General of the Legislation and Opinion Bureau, the Government Coordinator, the President of the Jordan Press Association and the Secretary General of the Jordanian National Commission for Women.

Also at the governmental level, the Deputy Prime Minister and Minister of Education made strenuous efforts within the framework of addressing numerous imbalances in the field of basic and general education. These efforts are considered an important step towards restoring the principle of competitiveness and merit, and consequently equality and non-discrimination, in the field of the right to education. Such important efforts will, however, remain of limited effect in addressing the crisis-ridden conditions of general and university education unless they are accompanied by a national plan with radical measures to advance the state of education in the Kingdom as one of the pillars of sustainable development; not to mention the fact that education is considered one of the most prominent economic, social and cultural human rights, as good educational attainment contributes to enhancing the ability to access the other rights, including civil and political rights. It must also be recalled once again that the Centre was unable to follow up the initiative it had launched earlier with the Ministry of Education to mainstream human rights standards and principles in school curricula at the various levels.

Such a hoped-for and long-awaited national plan must include effective measures to ensure the enhancement of the independence of universities, both public and private, away from the influence of the Government and of the owners of capital respectively.

In the context of drawing attention to the reality of economic, social and cultural rights in the Kingdom, it is necessary to point out the reality of the health sector and the right of the citizen to the highest attainable standard of health care. The Centre received complaints, in addition to what the Centre's teams monitored, regarding the occurrence of serious violations in governmental and private health centres and hospitals, which violations affected citizens' right to access a reasonable level of necessary health services. This does not mean that the medical sector in the Kingdom – in both its public and private branches – does not provide important, and at times considerable and distinguished, services. However, the gaps and negative aspects in the performance of this sector, which have accumulated and begun to surface recently, indicate a clear negative impact on the Jordanian citizen's right to an adequate level of medical care. Among the most prominent gaps in this field are the absence of the concept of integrated service in the provision of health care and the continued absence of a national and legal mechanism for medical accountability; likewise, the absence of effective, integrated legal and administrative measures to protect official medical personnel from the repeated assaults against them, and the glaring disparity between the treatment of doctors in the public and private sectors in terms of salaries and privileges. The provision of the necessary training, qualification and development for medical personnel at the various stages also remains one of the most prominent challenges, for which neither the Syndicate nor the Medical Council has a strategy. Among these problems is the modest degree of convincing fulfilment of patients' rights in many cases.

The observation that calls for attention is the absence of a national policy to achieve a degree of complementarity between the public and private sectors in the medical field. Indeed, numerous examples and practices that have occurred indicate that each of the two sectors works to exploit the weaknesses of its counterpart rather than to complement it.

Nor were civil and political rights in a better state in 2014, particularly in light of what had been hoped for after what the Centre and its management had perceived in 2012 and 2013 in terms of an official direction at the governmental level to avoid any clash with human rights, as stated by the head of the government delegation to the Universal Periodic Review conducted by the Human Rights Council on the human rights situation in the Kingdom in October 2013, in which the Commissioner General for Human Rights took part on behalf of the Centre. This had been preceded by a similar affirmation by the Prime Minister during his meeting with the members of the Board of Trustees in April 2014 at the Centre's premises. Regrettably, setbacks occurred with respect to freedom of expression, it being noted that the Centre is not unmindful of the importance of taking into account the requirements of national security and the protection of morals, public order and the rights and reputations of others. Cases and examples of violations that occurred with respect to the right to freedom of expression during 2014 confirmed the urgent need to enact a clear law charting the way for holders of the right to freedom of expression and opinion as to where the responsibility to observe security considerations begins, and what acts constitute a threat to national security and what acts are considered requisites of freedom of expression, without, of course, prejudice to a fundamental right, namely the right to a set of freedoms including freedom of expression, opinion, speech, thought and belief and the free and public practice of religious rites. No noticeable progress was made in addressing the recurring issues in the field of press freedom and media freedom, particularly the complaints received regarding the existence of restrictions of an administrative, regulatory and technical nature in the Media Commission Law and regarding certain restrictive practices that occur from time to time; likewise the gaps in the Labour Law in terms of the requirements of conformity with international standards and the right to form trade unions and freedom to choose membership of and affiliation to a trade union and free trade union organisation!

Legislation such as the Anti-Terrorism Law, the Crime Prevention Law, the Penal Code, the Municipalities Law and the Right of Access to Information Law is still awaiting the bridging of the gap between it and the international human rights standards by which Jordan is bound. The Anti-Terrorism Law went far in disregarding the conditions for protecting freedom of expression and opinion. The effects of such laws are evident, particularly in the rise in the number of persons judicially detained from among members of Islamist (Salafist) movements, including prominent members of professional associations such as the Jordan Engineers Association, as well as the noticeable increase in the numbers of persons in administrative and judicial detention. Although there have been attempts to address the latter type of detention, the majority of the new measures adopted by the Ministry of Justice – important as they are – remain for the most part procedural in nature.

The tireless efforts of the Government Coordinator, and likewise the cooperation of the Transparency and Human Rights Office at the Public Security Directorate, did not avail in containing the negative effects on human rights in the Kingdom resulting from both the campaign to restore the “prestige of the State” and the extensive campaign waged by the Anti-Narcotics

Department, notwithstanding its importance and necessity for society. Mention must be made here of the cooperation of the Public Security Directorate in enabling the National Centre's teams to monitor conditions in the Correction and Rehabilitation Centres as well as in detention and initial custody centres.

The above-mentioned efforts deserve mention and commendation. On the other hand, however, these efforts did not generate the required and hoped-for momentum in strengthening the flame of the human rights spring in Jordan that blossomed in 2013, when His Majesty the King – in his capacity as head of the three branches of government – directed the executive and judicial authorities to study and implement the comprehensive recommendations of the Centre in its 2012 report. Despite the modest change represented by successive activities of the Government, the overall picture remained, as stated above, within the logistical and coordination framework and, to some extent, the initial oversight framework, together with some corrective measures through which limited violations were addressed. The Government published these steps and initiatives in a governmental report that it submitted to His Majesty the King. This is considered a positive step reflecting transparency in the governmental approach, and the governmental institutional steps in this context should not be overlooked, such as the establishment of the Office of the Government Coordinator and the designation of liaison officers between this office and the ministries and other agencies, as well as the notable role of the Government Coordinator and his office. Despite the efforts of the Public Security Directorate, cases occurred in which citizens were subjected to torture and cruel treatment.

It must also be emphasised here that those measures of a logistical, coordinating and oversight nature had a prominent preventive effect. Without those procedural steps, which had a tangible preventive effect, the violations that occurred in 2014 would have assumed a far greater scale than they did; and had such violations occurred, they might have had more serious effects on the reality of human rights in the country than those currently prevailing.

III

The official directions regarding engagement with the recommendations of the National Centre have had a clear impact on the follow-up of complaints concerning human rights violations in Jordan, particularly in the context of curbing negative practices. A state of coordination, and perhaps a unique partnership experience – naturally within the framework of full respect for the independence of each party – has also begun to take shape among all the partners: the Government, the Centre and civil society institutions. Most important in this context are the conclusions and lessons learned that the Centre reached from its new experience of engagement with the Government and the various authorities, institutions and agencies of the State during 2014. The outcomes of this experience are considered the most prominent feature of the course of human rights in the said year. Among these conclusions are the following:

1. This experience and the new official direction brought to light the obstacles facing the course of human rights in the Kingdom, and the partnership between the parties contributed to shedding light on such obstacles and consequently to presenting them in a manner that can be better understood by all parties. Linked to this was each party's understanding of the limits of the capabilities of the other parties, at least at this stage, which caused the discussion and dialogue

among the parties to focus essentially on violations, the required solutions and the obstacles facing such solutions, rather than on intentions or on standards, rules and concepts.

2. The nature of the challenge posed by the relationship between human rights and security became clearer, particularly in the areas of the right not to be subjected to torture, respect for freedom of expression, the independence of the judiciary and the rule of law, and the right to peaceful assembly. Each party to this relationship – liberty and security – is a real and fundamental value for the individual and for society, and harmony and a degree of balance between them must be achieved.

3. The role and influence of cultural specificity or cultural relativism in human rights issues in the Kingdom crystallised in an understandable, clear and real manner, particularly in the areas of women's rights and gender equality, individual freedom and the death penalty. This matter must not be glossed over. Linked to the subject of cultural specificity is the question of the importance of the influence of traditional Arab heritage, as well as the teachings of the tolerant Sharia and the prescribed (*hudud*) penalties in Islamic law, and the importance of understanding the relationship between these considerations, deeply rooted in the conscience and sentiment of the Arab and Muslim person, and the liberal roots of the modern human rights system. There is a need to strike a balance between the civilisational, intellectual and values heritage of Jordanian society, with its Arab Islamic majority, and the requirements of respect for cultural and intellectual pluralism and freedom of belief. The modern human rights system gives priority and precedence to the individual and his or her freedoms (to the point of excess at times), and consequently to the supremacy of individual freedoms over the interests of the community in most instances, and insists on not sacrificing any freedom of the individual or curtailing any of his or her rights under any designation.

4. A tangible development occurred in the partners' understanding of one another's incapacity or shortfall in capacity and technical expertise. Discussion and dialogue among them have therefore come to revolve around practical proposals and possible and implementable solutions, in stages, within a comprehensive conception of the challenges, rather than around theoretical, idealistic and utopian conceptions.

5. A decline, albeit limited, in the phenomenon of suspicion and accusation of 'human rights' among conservative segments of the public in the Kingdom; although such suspicion has persisted in some form, with a steadily rising level among limited groups of the political and religious elite, whether the reasons for this be political considerations and/or the lack of sufficient knowledge of the essence of human rights, and even of the role of the National Centre as a national institution operating according to international standards. In this regard, the pressing need emerged to reconsider the relationship between official institutions and civil society organisations in order to remove some of the tension in the relationship between the two sides, the course of which was affected by the domestic developments of the events of the Arab Spring and by profound regional developments.

6. Moving closer to the dilemma of the Government's public policies and attempting to deal with this challenge in a spirit of partnership among the parties: the Government, the national human rights institution and civil society. However, such an initial approach and attempt to understand the Government's public policies is still far from probing the depths of these policies, for several

reasons, the most important of which are: the lack of sufficient transparency in the public policy-making process in general; the vagueness of the objectives of these policies at times; and the narrowness of the margin available for public participation by citizens, and even by experts, whether in their formulation or their implementation; not to mention the absence of performance standards, measurement indicators and benchmarks that should generally accompany such policies, so that they may be evaluated and changed without hardship and conflict should they prove unsuitable.

7. The role of the structural dimension of the State in causing the occurrence of the principal human rights violations, and perhaps even in the difficulty of identifying and dealing with them. The unclear nature of the social, political, economic and cultural system prevailing in the Kingdom makes it difficult to understand many of the violations, policies or even practices that strike at the very core of human rights, and how to analyse and deal with them, particularly in areas such as women's rights, freedom of expression, torture, the independence of the judiciary, the right to health and to education, and combating poverty and unemployment, etc.

This structural factor or dimension is most clearly manifested in the role of governmental intervention in many public sectors with respect to human rights. The neutral observer notes a paradox in the Government's performance, represented by the existence of clear activity and an interventionist regulatory role, at times in areas whose nature and requirements do not call for governmental intervention except to a minimal degree. This is matched by a noticeable absence of the role of the Government and the State in sectors that require interventionist public policies for regulatory purposes, such as **education, health, transport, media, communications, information, the economy and trade!** Hence complaints emerge among the public of the absence of the State at times, and of its excessive intervention in other spheres and areas at other times. Perhaps the most prominent reason for this is that the privatisation processes carried out were not accomplished in a sound professional manner and on the basis of comprehensive and accurate studies.

This situation is most evident in the sectors of **health, education and transport**, where the Government's role was not clear and effective in implementing the requirements of the regulatory, supervisory and oversight role, which made room for pressure groups and groups of influence and interest in these sectors to engage in practices that noticeably affected rights-holders and ordinary citizens receiving services from these sectors, and even led to discriminatory practices at times, which in turn affected not only the principles of equality and equal opportunity but also the competitive capacities of these institutions and their opportunities for growth and development. The result was a decline in the level of the services these sectors provide to the citizen.

These practices had the most severe impact on the effectiveness of sectors such as **education, health, transport, media and culture**. The negative effects on the rights of the citizen stemmed not only from the paternalistic (instead of regulatory) role of the State, but also from the leading players in these sectors and those in charge of them themselves. The weakness that has afflicted the education sector is essentially inseparable from the performance and practices of key figures in this sector, where profit considerations have undermined the lofty meanings and the developmental mission of this vital sector. Perhaps the process of intervention and co-optation carried out by official bodies over long periods with respect to public and university education

institutions played a role in the decline that has afflicted this sector, and consequently these factors combined led to the undermining of the requirements of professionalism and independence.

Nor were the **health, media, culture, transport and energy** sectors in a better state. It became clear that the alliance that arose between officials and leading figures in the business sector, particularly newcomers to this sector, affected the general situation in the country along two vital axes: first, the confusion of the State's regulatory and oversight role in sectors and areas in which this role should have been present and influential, as against an increase in its intervention and its paternalistic role where it should not be; and second, the availability of an environment conducive to the spread of cases of quick gain and excessive and rapid enrichment, and consequently a favourable environment for the spread of cases of corruption in vital and sensitive sectors in the fields of trade, finance, the economy and public services. All this has left evident negative effects on the rights of citizens in terms of the level of services available, such as spoiled food (which causes recurring cases of mass poisoning), and gas cylinders and wheat shipments that do not conform to standards and specifications, as well as the decline of the foundations of social justice. Undoubtedly, these practices have undermined the legitimacy of the political institutions of the State and of society. Herein lies the impact of this on human rights, respect for which is considered among the minimum requirements that must be met by effective political institutions in a balanced and sound society. This situation was entrenched by the absence of an effective oversight role on the part of civil society, which remained fragmented and far from exerting influence, whether owing to weakness in its structure, capacities and resources and/or to the dominance of foreign funding considerations over the priorities of key sectors within it. The role of the citizen as watchdog was also absent for several reasons, most notably the narrowness of the space available to citizens for public and effective participation in formulating the decisions that affect their lives and following up their implementation, as well as the scarcity in the flow of accurate information on public policies and official plans.

The accountability, oversight and audit mechanisms established by the State have been unable on their own to defeat this multi-form octopus, which is institutionally, socially and culturally rooted in both society and the State, despite the tireless attempts of those mechanisms and despite their adoption by the Government and the Head of State and the patronage of their efforts, because favouritism, *wasta* (connections) and cronyism have become a way of life and a basic component of social and professional relations, and have formed a social and cultural cover for the cases of corruption that occur. The Centre therefore sees a need to reaffirm the questions set out in its Tenth Report, referred to above, and calls upon the parties to continue reflecting on those questions and to work individually and collectively to overcome the difficulties that prevent arriving at satisfactory answers and solutions to them. Difficulties, whatever their sources, must not deter the parties (the Government, civil society, the citizen) from working to protect human rights and from joint action through constructive dialogue and adherence to general standards and rules in order to build an effective national human rights system.

IV

As a common ground for setting out towards this objective, the National Centre puts forward a specific proposal comprising the following:

1. Accelerating the pace of political and social reform, because the consequences of slowness and hesitation in this regard are more dangerous to the general situation than speed and openness in this field.
2. Working to raise the level of citizens' awareness of their rights and duties, beginning with opening the way for broad popular participation through its various mechanisms – free and fair periodic elections on the basis of a democratic electoral law that guarantees fair representation and independence of choice and the arrival under the dome of Parliament of competent representatives who embody the independence of the legislative authority and the subjection of the deputy to no accountability other than popular accountability and accountability by the electorate; freedom of programme-based party activity; building free, independent and professional media; and guaranteeing the independence of the judiciary and the rule of law.
3. Strengthening the capacities of law enforcement institutions and, at the same time, activating oversight mechanisms and official and popular accountability procedures over the performance and practices of these institutions.
4. Expanding and deepening partnerships between the Government and civil society institutions with a national vision and under independent societal and parliamentary oversight and active public opinion.
5. Paying equal attention to both civil and political rights and economic, social and cultural rights.

Amman

8 July 2015

II. Civil and Political Rights

i. The Right to Life and Physical Integrity

The right to life is the foremost right of every human being. While the relevant international covenants and instruments¹ guarantee the right to life and physical integrity, and while provisions protecting this right are found in national criminal legislation, the Jordanian Constitution contains no provision protecting this fundamental human right.

Nevertheless, the authorities are, in general, keen to preserve and protect this right; the judiciary is committed to applying the provisions of the law, which require that no leniency be shown towards any criminal act involving the deprivation of a human being of his or her right to life and physical integrity. However, a number of factors and causes continue to affect and impinge upon the citizen's right to physical integrity, among them the death penalty. Although international standards contain no absolute and comprehensive prohibition of this penalty, those standards urge and encourage States to reach a definitive moratorium on its application in national legal systems. Over the past decade, Jordan was among the States that adopted a gradual approach to limiting the application of this penalty by reducing the number of crimes punishable by death and confining it to the most serious felonies (such as premeditated murder, terrorism and the rape of a minor). Accordingly, the Jordanian courts continued to hand down judgments imposing the death penalty, as shown in Table (1), while the execution of the penalty was suspended from 2006 until the end of 2014. It should be noted that (3) persons against whom death sentences had been passed benefited from a special pardon in 2014. The number of inmates of Correction and Rehabilitation Centres sentenced to death reached (118), and there are those who consider that the suspension of the execution of the death penalty without a fixed date constitutes a form of psychological torture.

Table (1): Number of judgments imposing the death penalty during the years 2008–2014

Year	Major Felonies Court	State Security Court	Total judgments
2008	5	1	6
2009	7	–	7
2010	9	–	9
2011	20	–	20
2012	13	-	13
2013	7		
2014	1	-	

Table prepared by the Centre on the basis of data issued by the State Security Court and the Major Felonies Court.

¹ Articles (3 and 5) 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 American Convention on Human Rights; and Article (5) of the Arab Charter on Human Rights.

On 21/12/2014, the Government carried out the death penalty by hanging against (11) persons convicted by final judgments in connection with serious criminal cases. In justifying the resumption of the execution of death sentences, which had been suspended until that date, the Government relied on the following: the rising voices of supporters of the death penalty, who consider that its suspension contributed to an increase in the crime rate in society; Public Security Directorate statistics indicated that (159) murders were committed in 2014, compared with (91) murders in 2009 and (67) murders in 2005, the year after which the execution of this penalty was suspended. Likewise, some criminologists believe that the non-application of this penalty constituted an incentive for persons with criminal tendencies to commit crimes that society rejects and that are incompatible with the teachings of Islamic Sharia. The resumption of the execution of the death penalty had been preceded by (36) members of the Jordanian House of Representatives adopting a position calling for a return to the execution of the penalty. In this context, the National Centre for Human Rights sets out the following observations on the execution of this penalty:

First: The Jordanian Constitution establishes the principle of the separation of powers and the independence of the judiciary in Articles (24–27) thereof. However, some consider that the legal power conferred upon the Council of Ministers under Article (39) of the Jordanian Constitution and Article (357) of the Criminal Procedure Code may infringe upon the concept of the separation of powers and the independence of the judiciary enshrined therein. Some also consider that the text of Article (357), and the failure to set a time limit for the execution of the death penalty, disregard the right of the victim and the victim’s family to the swift imposition of a just penalty upon the offender. It should be noted, however, that others consider that these provisions were enacted in the offender’s favour, by granting a period of time in which developments may occur that could assist, within the framework of the national judicial system, in granting the offender a reduction of sentence, and that this practice does not infringe upon the principle of the separation of powers or the independence of the judiciary, but rather opens the way to strengthening and protecting the rights of both the victim and the offender, as well as respecting the principle of the independence of the judiciary.

Second: The execution of the death penalty was carried out in breach of the established procedures in accordance with international jurisprudence, as it was carried out collectively and suddenly, in exceptional circumstances, and without prior notification of the inmates and their families as required and as is customary in such cases. This contravenes Commission on Human Rights Resolution No. (2005/59) of 20/4/2005, which called upon States that still maintain the death penalty to make available to the public information relating to the imposition of this penalty and any scheduled executions.

The Right to Physical Integrity and Freedom from Torture

The Jordanian Constitution² and international conventions affirm the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and emphasise that the right not to be

² Article (8) of the Constitution provides as follows: “1. No person may be arrested, detained, imprisoned or have his freedom restricted except in accordance with the provisions of the law. 2. Every person who is arrested, detained, imprisoned or whose freedom is restricted shall be treated in a manner that preserves human dignity; he may not be tortured,

subjected to torture is an absolute right. No exceptional circumstances whatsoever may be invoked as a justification for torture, since this right is non-derogable and may not be suspended under international human rights standards in a State governed by the rule of law.

Table (2): Settlement of complaints concerning torture and ill-treatment received by the Centre during the years 2008–2013

Category	Settlement of complaints	2014	2013	2012	2011	2010
Complaints against the various security centres and departments	Number of complaints filed (closed) at the complainant's request	11	13	13	4	15
Complaints against the various security centres and departments	Number of complaints closed for lack of proof of the violation	14	15	18	15	10
Complaints against the various security centres and departments	Number of complaints referred to the Police Court		1	-	-	3
Complaints against the various security centres and departments	Number of complaints still under follow-up	62	48	36	39	57
Total		87	77	67	58	85
Complaints concerning beating and torture in Correction and Rehabilitation Centres	Number of complaints filed (closed) at the complainant's request	5	4	-	-	-
Complaints concerning beating and torture in Correction and Rehabilitation Centres	Number of complaints closed for lack of proof of the violation		5	-	1	2
Complaints concerning beating and torture in Correction and Rehabilitation Centres	Number of complaints referred to the Police Court	-	-	-	-	-
Complaints concerning beating and torture in Correction and Rehabilitation Centres	Number of complaints under follow-up	6	10	5	2	2
Total		11	19	5	3	4

Table prepared by the Centre on the basis of the complaints it received.

On the other hand, the Jordanian legal environment remains deficient with regard to the effective prosecution and trial of perpetrators of torture crimes. Jordanian law criminalises torture under Article 208 of the Penal Code only in a partial manner, as that law falls short of the scope of the definition of torture contained in the United Nations Convention against Torture by stipulating the requirement of a specific intent (extracting an admission or confession). Article (208) is further open to criticism for classifying the crime of torture among misdemeanours, unless the crime results in death or permanent disability, in which case it is elevated to the rank of felonies. This constitutes an explicit contravention of the requirement under the international convention that acts of torture be characterised as felonies, being the most serious of crimes. Moreover, treating torture as a misdemeanour entails the legal consequences arising therefrom, such as its lapse by amnesty and prescription and the exclusion of attempt from the scope of criminalisation, which contravenes the principle of prosecution under the Convention.

The prosecution of perpetrators of the crime of torture remains one of the practical problems that urgently call for a review of the text of Article 208 of the Penal Code, as practice reveals shortcomings in the mechanisms for grievance and for investigating persons complained against

in any form whatsoever, or physically or mentally harmed, nor may he be held in places other than those permitted by law; and any statement extracted from any person under duress of torture, harm or threat shall not be admissible.”

in torture complaints, which to a large extent results in the likelihood that perpetrators of torture crimes will not be held accountable and will escape punishment. Irrespective of the penalties imposed by the police judicial bodies upon perpetrators of this crime from among Public Security personnel who appear before the police judiciary, many complaints and allegations of torture against citizens are decided upon by the Public Security Directorate itself. This situation deprives victims of torture of obtaining compensation in a manner consistent with Article (14) of the Convention against Torture of 1984.

The year 2014 did not witness the adoption by the competent authorities of effective administrative measures to have allegations of torture investigated by neutral and independent bodies. The National Centre for Human Rights stresses the need to put an end to the phenomenon of perpetrators of torture not being tried and punished under Article 208 of the Penal Code, and to the Public Security Directorate's treatment of the acts committed essentially as mere disciplinary offences that do not warrant the application of that Article. Prosecuting such persons under Article (37) of the Public Security Law of 1965 is insufficient and represents a bare minimum only, while attributing another criminal characterisation, such as the various forms of harm (assault), in effect means that a climate conducive to impunity exists with regard to this crime. Although the judgments issued by the Police Court are at times regarded as harsh, the investigation and prosecution procedures conducted by the Public Prosecution of the Public Security apparatus, and those judgments, do not meet the requirements of international human rights standards in terms of the independence and impartiality required of the body imposing them.

The total number of torture and ill-treatment cases registered against personnel of the Public Security Directorate in 2014 was (140) cases, of which (49) cases were referred for trial before the unit commander, it was decided in (60) cases not to try the persons complained against, (24) complaints remain under consideration, and (6) cases were filed (closed), while one case was referred to the Police Court.³ It should be noted that four officers are being tried in the case of the death of the detainee (S.Kh.) under Article 208, the case having been returned from the civil judiciary to the Police Court in 2013, and it remains under consideration. By comparison, (392) torture cases occurred in 2013, of which (26) cases were referred to the Police Court (including one case of the misdemeanour of torture, which remains under consideration), (11) cases were referred for trial before the unit commander, it was decided in (101) cases not to proceed to trial, while (254) complaints were under consideration at the end of 2013. As for cases of ill-treatment committed against inmates of Correction and Rehabilitation Centres in 2014, they numbered (61) cases, in which (31) persons were convicted, while (30) persons were not brought to trial, compared with (36) cases in 2013, of which two cases committed in 2013 were referred to the Police Court and (9) cases for trial before the unit commander; it was decided in (18) cases not to proceed to trial, and (7) cases were under consideration. Accordingly, the Centre once again calls for the expeditious amendment of the text of Article 208 of the Penal Code so as to bring it fully into line with the provisions of the International Convention against Torture of 1984. Pending such amendment, urgent policies and procedures must be adopted with respect to torture complaints, including the taking of effective investigative and judicial measures consistent with

³ According to the statistics of the Public Security Directorate for 2014, pursuant to correspondence No. T D/44/1/H. Insan/9252 addressed to the Centre on 23/2/2015.

international human rights standards that demonstrate the fulfilment of Jordan's obligations under the Convention against Torture and Other Forms of Ill-Treatment, as provided for in Article (4) thereof.

On another level, the National Centre for Human Rights receives complaints from citizens concerning allegations that they were subjected to torture and ill-treatment at the hands of law enforcement officials and the various security departments, during the periodic visits conducted by its representatives to Correction and Rehabilitation Centres and places of temporary detention, as well as through complaints received by various means (fax, e-mail, personal interviews, etc.). In 2014, the Centre received (87) complaints involving allegations of torture and ill-treatment at the hands of law enforcement officials and the various security departments,⁴ compared with (77) complaints in 2013, (67) complaints in 2012, (58) complaints in 2011 and (85) complaints in 2010. It also received (11) complaints in 2014 concerning beating, torture and other forms of ill-treatment in Correction and Rehabilitation Centres alone, compared with (19) complaints in 2013, (5) complaints in 2012, (3) complaints in 2011 and (4) complaints in 2010. It should be noted that in 2014 the Public Prosecution received (29) cases relating to torture and ill-treatment, distributed among (24) cases within the jurisdiction of Amman and (5) cases within the jurisdiction of Irbid.⁵ During its visits to Correction and Rehabilitation Centres in 2014, the Centre observed a marked decrease in individual complaints concerning the ill-treatment of inmates and detainees. In 2014, the Centre also observed an increase in the number of complaints and allegations of torture against the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department, the most prominent of which are the following:

First: One (A.H.) was subjected to torture by a group of personnel of the Public Security Directorate on 17/12/2014, and one of the assailants posted a photograph proving the practice of torture on a social media platform. The case remains under follow-up.

Second: One (M.A.) was subjected to torture by a group of personnel of the Public Security Directorate on 13/10/2014, and the case remains under follow-up.

Third: (M.K.), (S.A.), (M.K.) and (Y.F.) were each subjected to torture by a group of personnel of the Public Security Directorate on 17/8/2014, and the case remains under follow-up.

Fourth: (A.A.) and (M.A.) were subjected to torture by a group of personnel of the Public Security Directorate on 10/4/2014, and the case was closed for lack of evidence incriminating them.

Fifth: One (N.A.) was subjected to torture by a group of personnel of the Public Security Directorate on 22/11/2014, and the case remains under follow-up.

By contrast, in 2014 the National Centre for Human Rights recorded a positive trend on the part of some members of the House of Representatives, as (32) deputies sponsored a proposed law

⁴ Information and complaints received by the Centre indicate that personnel of the Criminal Investigation Department and the Anti-Narcotics Department of the Public Security Directorate have resorted to [such practices] to a marked degree in order to obtain statements and information from persons complained against.

⁵ According to the statistics issued by the Ministry of Justice for 2014, pursuant to correspondence No. 1/1/946 addressed to the Centre on 2/6/2015.

amending the Jordanian Penal Code that provides for increasing the penalty for the crime of torture by amending the text of Article (208) of the Penal Code so as to bring it fully into conformity with the Convention against Torture and Other Forms of Ill-Treatment of 1984.⁶

Drug Cases

The year 2014 witnessed a remarkable increase in the number of drug cases. Information indicates that the number of cases detected in 2014 reached (10592) cases, while the number of persons apprehended reached (14177) persons, and (807) persons were referred for treatment at the Addiction Centre of the Anti-Narcotics and Counterfeiting Department.⁷ The Anti-Narcotics and Counterfeiting Directorate also announced the apprehension of (450) university students in drug cases during 2014. Information from official bodies indicates an increase in the use of narcotic pills among school and university students, with various types in circulation, such as “Saliba”, “Brazili” and “Captagon”, and other types placed in cigarettes and narghiles (water pipes), such as “Shaqra” and “marijuana”. These figures confirm that this scourge has begun to spread through and ravage Jordanian society, constituting another threat to the right to life and physical integrity. Notwithstanding the various national efforts and strategies aimed at confronting this scourge, it continues to grow tangibly, particularly among young age groups and in numerous geographical areas within the Kingdom, which calls for the Government to take more effective measures to confront this imminent danger to society and to an important age group, namely young people.

The Public Security Directorate disclosed that the Anti-Narcotics Department had carried out a number of security campaigns in 2014 aimed at apprehending drug dealers, the most prominent of which were: (a) the campaign carried out on 30-4-2014 in the capital, Amman, during which (13) drug dealers and (43) users were arrested, and (17000) narcotic pills and (7) kilograms of hashish were seized; (b) the security campaign carried out on 8-6-2014 in Zarqa Governorate, during which (15) dealers and (30) users were arrested, (20000) narcotic Captagon pills and (52) kilograms of hashish were seized, and two persons were arrested; (c) the security campaign carried out on 30-12-2014 in the Northern Region, during which (27) dealers and (92) users were arrested, and (130) thousand narcotic pills, (7) kilograms of hashish and (500) bags of “Joker” (synthetic cannabis) were seized. During 2014, non-traditional types of drugs emerged, produced by altering the chemical formula of certain substances, which are characterised by the impossibility of confirming their use through a laboratory blood test when the user is apprehended.

The National Centre considers it necessary to concert and strengthen national efforts to build effective strategies for the prevention and reduction of this scourge, and to adopt effective social, legal and administrative measures focusing on preventive, awareness-raising, therapeutic, care and rehabilitation programmes among all groups of society, in particular children and young people, with emphasis on the educational dimension through the inclusion in educational and

⁶ The most prominent proposed amendments are: raising the penalty for the perpetrator of torture to a minimum of seven years’ imprisonment; punishing attempt, complicity and incitement with the same penalty as that of the principal perpetrator; and excluding the crime of torture from the general rules of prescription, such that the public right action and the penalty imposed for this crime shall not lapse by prescription.

⁷ The Anti-Narcotics and Counterfeiting Department of the Public Security Directorate dealt in 2014 with (10592) cases; in 2013 with (6113) cases; and in 2012 with (4708), compared with (6447) cases in 2011; and (8944) persons were apprehended in 2013. In addition, (600) persons were referred for treatment in 2013, compared with (578) persons in 2012.

school curricula of material on the harms of drugs and their use; to stress the importance of strengthening the rehabilitative dimension for the families of users and addicts by equipping them with the skills to deal with such cases; and to awaken religious conscience with a view to creating an environment resistant to delinquency by raising social competence so as to ensure addiction-free families.

Deaths and Suicides in the Kingdom

a. Deaths in Correction and Rehabilitation Centres and Places of Temporary Detention

The Centre recorded (24) cases of natural death⁸ in Correction and Rehabilitation Centres in 2014, compared with (25) cases of natural death in 2013; (12) deaths in 2012, of which (11) were natural deaths and one was a suicide; (18) deaths in 2011; (17) deaths in 2010; (18) deaths in 2009; and (24) deaths in 2008. In this regard, the Centre stresses the need for the Ministry of Health, the physicians working in Correction and Rehabilitation Centres and the administrations in charge of those centres to give due attention to the health conditions of inmates, with emphasis on dealing seriously with serious medical cases, older persons, persons with disabilities and female inmates; on monitoring the conditions of such persons continuously and without delay; on supervising their food in a manner commensurate with their health condition; and on providing appropriate medical and nursing staff to deliver appropriate medical and care services to them.

b. Suicides

The National Centre recorded an increase in the number of suicides in 2013 and 2014, reaching (100) cases in 2014,⁹ while there were (108) cases in 2013 and (86) cases in 2012. In this respect, the National Centre notes that these figures may not reflect the actual annual number of suicides, owing to the lack of accurate statistics resulting from the failure of the judicial authorities to refer all cases to the National Institute of Forensic Medicine; for example, only (63) cases were referred in 2014. According to the annual report on suicide issued by the World Health Organisation, Jordan ranks eighth among Arab States, with a rate of two cases per 100,000. Some families may resort to concealing the suicides of girls subjected to social pressures and physical or other violence, and several suicides were recorded among them owing to academic pressures, difficult living conditions and harsh treatment within the family.

Accordingly, the Centre recommends in this regard the adoption of national strategies and preventive measures through reviewing national legislation; studying the social, economic and family causes; subjecting inmates in Correction and Rehabilitation Centres and the injury of (14790) to psychological [treatment] and rehabilitation; and addressing the harsh economic conditions of some families.

⁸ It should be noted that the number of inmates in Correction and Rehabilitation Centres in 2014 ranged between 8500 and 10000.

⁹ Al-Rai newspaper, 10 March 2015. Suicides were distributed as follows: Amman (33) cases, Zarqa (9) cases, Balqa (7) cases, Madaba (4) cases, Rusaifa (2) cases, West Balqa (3) cases, Irbid (6) cases, West Irbid (4) cases, Mafraq (4) cases, Jerash (4) cases, Ajloun (4) cases, Karak (7) cases, Tafileh (1) case, Ma'an (5) cases, Aqaba (2) cases and the Badia (5) cases; no cases were recorded in Ramtha or Petra.

c. Deaths Resulting from Road Traffic Accidents

The National Centre for Human Rights recorded a decrease in the number of road traffic accidents in 2014 compared with 2013: whereas they numbered (107864) accidents in 2013, they fell in 2014 to (102441) accidents, resulting in the death of (688) persons and the injury of (14790) others.

In this regard, the National Centre wishes to stress the importance of adopting road safety strategies capable of contributing to the reduction of such accidents and the resulting injuries and deaths, by studying the main factors contributing to road traffic accidents; developing traffic awareness programmes focusing on the human factor in order to create community awareness; seeking to influence the behaviour of pedestrians and drivers; studying the environment, roads and pedestrian bridges; achieving a safe traffic environment; and improving the traffic situation through cooperation between the public and private sectors.

Excessive Use of Force and Excesses in Raids and Arrests

In 2014, the Centre received (18) reports of homes being stormed in a number of areas of the Kingdom with the aim of arresting persons wanted in security cases or foiling drug-trafficking and drug-dealing operations. Most of these security campaigns were accompanied by the use of force and by complaints of children and women being terrorised in the areas raided. These campaigns targeted most areas of the Kingdom, particularly Ma'an Governorate, which witnessed numerous raids aimed at arresting some (150) persons wanted in various security cases. These raids on the homes of wanted persons resulted in the death of three of them and of a member of the Gendarmerie, and the injury of a number of citizens, including a woman, as well as a number of police officers. This was accompanied by the refusal of the families of the wanted persons to hand them over, and at times by their being harboured by other citizens. During these raids, firearms were used by both the wanted persons and the police. The prolonged state of tension and confrontation in Ma'an Governorate undoubtedly led to the spread of violence and a breakdown of security in the city for a long period, punctuated by riots and violence during which the Gendarmerie and police forces were compelled to use tear gas, close roads and impose a curfew in the area for a long period. In a statement issued on 30-6-2014, the National Centre for Human Rights called for drawing upon the "concept of transitional justice" in addressing the worrying situation then prevailing in Ma'an Governorate; it also called upon the Public Security Directorate to improve its handling of the situation, and highlighted the fact that residents at times provided protection and safe haven to persons wanted by the judiciary.¹⁰

During 2014, the Public Security Directorate carried out security campaigns, in the form of foot and motorised patrols in all governorates of the Kingdom, to seize unlicensed weapons, with the aim of apprehending their users and sellers, particularly the pump-action shotgun, which is used at celebrations and in brawls. According to the Public Security Directorate, the number of cases in which this type of weapon was used was (321), resulting in the death of (12) persons and the injury of (229) others.¹¹ Complaints received by the Centre indicated that these campaigns at times

¹⁰ See the National Centre's statement on its website: www.nchr.org.jo

¹¹ Al-Dustour newspaper, 17-8-2014.

involved excessive use of force during the raids that took place or during the arrest of wanted persons and their referral to the judiciary. The Public Security Directorate, for its part, affirmed that most of the wanted persons, especially drug dealers in the raids in Ma'an, confronted members of the security forces with live fire or hid in densely populated neighbourhoods.

In 2014, the Public Security Directorate disclosed the adoption of a strategy to enforce the authority of the State and the rule of law,¹² in cooperation with the various security agencies, which began in May 2013 and led to the arrest of (64483) persons wanted in connection with various cases, most of them criminal and drug cases, the recovery of (3853) stolen vehicles and the seizure of four thousand weapons. This was accompanied by displays of force to enforce the authority of the State.

In this context, the Centre stresses that homes should not be forcibly entered except where necessary and after taking the precautions and measures required to prevent citizens, especially children and women, from being terrorised, and that the law must be complied with when resorting to this measure by observing the formal and substantive conditions stipulated in the Constitution and the law, as well as the relevant international standards, including obtaining the written approval of the Public Prosecutor.

In light of this reality, the National Centre for Human Rights reiterates the following recommendations:

The Death Penalty

- Studying the possibility of abolishing the death penalty from national legislation. Pending such abolition, the following steps must be taken:
 - Considering a return to the moratorium on the execution of the death penalty.
 - Reviewing the legislation prescribing the death penalty and restricting its scope to the most serious crimes.
 - Continuing to study the legislation providing for the application of the death penalty; establishing strict controls and conditions on investigative matters in criminal cases punishable by death; the need for the courts to apply mitigating excuses broadly where the act is a felony punishable by death; subjecting the sentence to all avenues of appeal, both on appeal and in cassation; and affirming that the sentence may be pronounced only by unanimous decision of the members of the court.
 - Considering the ratification of the additional 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 Human Rights Committee to receive individual complaints regarding violations of the rights enshrined in the said Covenant (Article 41).

¹² Al-Dustour newspaper, 13-8-2014.

Drugs

- Reviewing educational curricula so as to include concepts explaining the dangers of drugs to psychological and social health, and strengthening preventive and awareness-raising programmes in schools and universities to confront the scourge of drugs.
- Adopting a national preventive strategy to curb the spread of the scourge of drugs, taking into account all its psychological, social, economic, legal and other dimensions.
- Activating the monitoring of recreational venues and public cafés, some of which may be used for drug dealing.
- Increasing the penalties for repeat users.

Torture

- Establishing an independent national mechanism to carry out regular visits to places of detention, and working towards accession to the Optional Protocol to the Convention against Torture, which allows for the establishment of a system of regular visits undertaken by independent international and national bodies to places of deprivation of liberty.
- The need for the Public Security Directorate to take the measures necessary to curb the abuses committed by personnel of certain security departments and to prosecute perpetrators of torture crimes and bring them before the regular judiciary.
- Establishing specialised centres for the rehabilitation of victims of torture, setting up a national fund to compensate them, and establishing witness and victim protection programmes.
- Calling upon the Government to recognise the competence of the Committee against Torture referred to in Article (22) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 to consider individual communications.
- Amending the text of Article (208) of the Penal Code in a manner consistent with the substantive amendment introduced to the text of Article (8) of the Constitution and in light of the provisions of the Convention against Torture, so as to ensure that the crime is characterised as a felony, being the most serious of crimes, when committed by public officials; in addition to providing that it shall not lapse by general or special amnesty or by prescription, and criminalising attempt to commit it as a basis for prosecution in accordance with the Convention.
- Taking urgent measures to ensure that independent, impartial and objective investigations are conducted into all complaints and allegations of torture and ill-treatment, and addressing the legal, judicial and administrative problems relating to prosecution before the Police Court.
- Amending the Penal Code in such a way as to make those in charge of Correction and Rehabilitation Centres or temporary detention centres responsible for the safety of detainees where it proves impossible to identify the perpetrator of the crime of torture against an inmate.

- Taking urgent legislative, judicial and administrative measures and steps to ensure that public officials found guilty of having committed, participated in, acquiesced in or colluded in such acts are referred to the ordinary judiciary, that perpetrators of torture are prosecuted, and that penalties commensurate with the gravity of the crime are imposed.
- Introducing legal amendments that also grant the regular courts subject-matter jurisdiction to hear torture cases, so as to ensure that perpetrators of these crimes are prosecuted and convicted and that victims are compensated.
- Introducing legal amendments to Article (8) of the State Cases Administration Law so that an action for public-service (administrative) liability becomes available to victims of torture and other forms of ill-treatment.
- Officially condemning all acts of torture and ill-treatment, and ensuring the prohibition of torture or inhuman or degrading treatment set forth in Article 7 of the Covenant.
- Keeping interrogation rules, methods and practices, and arrangements for the treatment of persons subjected to any form of detention under systematic review, so as to ensure that places of detention are free of any equipment that could be used for the purposes of torture or ill-treatment.
- Including education and information regarding the prohibition of torture in the training of law enforcement officials, medical personnel and public officials, and developing training programmes in foundation curricula, lectures and promotion examinations that emphasise the prohibition of torture.
- Ensuring that the training programmes of the security agencies include the manner of dealing with persons in detention in accordance with international standards, in a way that ensures compliance with their codes of conduct.

ii. The Right to Liberty and Security of Person

The 2011 constitutional amendments, as well as all the international instruments and conventions to which Jordan is committed, guarantee the human right to liberty and security of person. In this context, the failure to amend a number of laws in the light of the constitutional amendments has contributed to the occurrence of certain violations, and consequently to the lack of actual compliance with the provision of the basic legal safeguards to all detainees, including those held in the facilities of the General Intelligence Directorate (GID) and the Public Security Directorate (PSD), from the moment of their arrest. The Centre has previously set out in its specialised and periodic reports a number of recommendations to curb violations,¹³ which are largely consistent

¹³ Reports have indicated that certain national legislation falls short of, or in most cases results in, impunity for perpetrators of the crime of torture, such as: the Crime Prevention Law, which allows the administrative authority to detain persons without permitting them to contact their families or lawyers, and also without judicial oversight; the State Security Court Law, which grants the investigating authorities the right to detain suspects for a period of seven days before referring them to the competent judicial authority; and the Criminal Procedure Code, which makes pre-trial detention appear to be the general rule, and makes detention contingent upon a broad general criterion termed “the interest of the investigation”, as well as admitting a statement made by the accused in the absence of the public prosecutor as evidence for conviction if the Public Prosecution presents evidence of the circumstances in which it was made and that the person made it of his own free will and choice.

with the recommendations issued by the United Nations treaty bodies¹⁴ and non-treaty mechanisms.¹⁵ These include the obligation to grant detainees the right to the assistance of a lawyer, to undergo an independent medical examination, to notify a member of their family, to inform the detainee of the reasons for his detention in a language he understands, and to obtain information on his rights at the time of detention, including being informed of the charges brought against him and being brought before a judge within a short period of time. This is because national legislation, in particular the Criminal Procedure Code, still falls short of expressly providing for granting the arrested person the right to the assistance of a lawyer from the moment of arrest, especially during the preliminary investigation stage before the police. Moreover, Articles (63/2) – (64) of the Criminal Procedure Code permit public prosecutors, on an exceptional basis, to interrogate detainees without lawyers in cases of urgency. It is worth noting in this regard that 2014 witnessed the issuance of a Law Amending the Jordan Bar Association Law No. (25) of 2014, Article Two of which granted lawyers the right to represent their clients before administrative governors and judicial police officers. The Centre hopes that this amendment will contribute to reducing the legislative shortcomings in the aforementioned Code of Civil Procedure.

Notwithstanding the 2011 constitutional amendments, the legal safeguards relating to fair trial guarantees still generally need to be reviewed and to be the subject of legislative amendments, in addition to the need to establish effective oversight mechanisms to ensure compliance with these safeguards on the ground.

On the other hand, the Government's response to NCHR's 2012 recommendations included a commitment by the relevant authorities to the legal safeguards for detainees with regard to informing arrested persons of their rights at the time of detention, such as: conducting an independent medical examination for them, summoning a lawyer, and notifying their families immediately upon their arrest of the place of their detention. The response read as follows: "In this regard, the legislation governing the work of directorates, police stations and the Public Prosecution provides the capabilities and mechanisms that guarantee detainees these rights and others, on pain of compromising the validity of the arrest and investigation procedures." However, the field visits conducted by the teams of the National Centre for Human Rights to all detention centres in the Kingdom in 2013 and 2014 confirmed the lack of consistency in field officials' implementation of these safeguards, particularly the provision of registers to detention officers, including the medical register, in most of these centres; the failure, in many cases, to allow arrested persons to contact their families; and the use of the practice of rotating arrested persons among several security centres as a means of evading the legal obligation regarding the maximum permissible period of detention.

¹⁴ See the concluding observations issued by the Committee against Torture following its consideration of Jordan's combined (second, third and fourth) report at its 44th session, Geneva, 26/4 – 14/5/2010. See also the recommendations of the Committee against Torture at the electronic link.

¹⁵ The tenth recommendation issued by the Committee against Torture, which affirmed the necessity of incorporating the prohibition of torture into the Constitution in order to demonstrate the rejection of torture in all its forms and manifestations. www2.ohchr.org/arabic/bodies/cat/index.htm.

Initial Detention and Temporary Custody

Temporary Detention Centres at the Public Security Directorate

In 2014, NCHR carried out (127) unannounced visits to places of temporary detention in the Kingdom, in cooperation with the Transparency and Human Rights Office at the Public Security Directorate, through which it examined the conditions of those places, met with the detainees held therein, and reviewed all registers and the information they contain with the aim of assessing the conditions of those places and the services provided to these persons. The cooperation of the PSD (the Transparency and Human Rights Office) in facilitating such visits is considered a positive initiative worthy of commendation, as it has enabled the Centre to document the conditions of those centres in a comprehensive report to serve rights-holders as well as decision-makers at the Public Security Directorate. This report noted the continued existence of a number of negative practices affecting the rights of persons in detention, which had previously been referred to in the previous reports of the National Centre and which constitute a violation of the relevant international and national standards, the most important of which are:

1. The age of most of the buildings allocated to places of temporary detention, the dilapidation of their infrastructure and their need for maintenance and renovation, their limited space and low level of cleanliness, the prevalence of humidity and cold in winter and high temperatures in summer, and the lack of some health facilities and sanitary supplies in some of them.
2. The poor conditions of the custodial environment in most places of temporary detention owing to the high number of detainees in these centres, particularly security centres in governorates with high population density (Amman, Zarqa, Irbid), which leads to an acute shortage in the services provided in terms of meals. It should be noted that only one meal is provided to the detainee, namely lunch, which is served at a single time only; there is a shortage in the number of blankets and mattresses; lighting is non-existent or inadequate; proper ventilation is lacking in most of them; water, whether potable or for washing, is unavailable in some of them; and no places are allocated for the performance of religious rites.
3. Failure to keep accurate registers in places of detention, particularly in security centres, contrary to the principle requiring the existence of registers documenting the time and place of arrest, the identity of the officers, the actual place of detention, the state of health of the person upon arrival at the place of detention, the time at which contact was made with the family and the lawyer, the time of visits to the detained person, and information on medical examinations upon his arrival at the centre and upon his transfer from it.
4. Failure to allocate special places for holding juvenile and female detainees in most security centres, which compels the staff therein to transfer them to the places allocated for that purpose, whether in police directorates or other centres.
5. Failure to observe the standards for the classification of detainees guaranteed by international and national standards.
6. Deprivation of detainees of contact with the outside world, including the assistance of a lawyer and being examined by a doctor during the period of detention.

7. Exceeding the legal period of (24) hours for holding suspects by circumventing the law, through transferring detainees to a number of security centres.

8. Withholding investigation papers and failing to deposit the arrest records drawn up by judicial police officers with the Public Prosecution during the preliminary investigation period, which constitutes a violation of the provision of Article (49) of the Criminal Procedure Code.

9. Lengthy periods of administrative detention ordered by administrative governors under the Crime Prevention Law of 1954. The Centre has documented numerous violations, including the existence of pre-prepared detention warrants signed in advance by administrative governors in the centres and security departments in order to extend the detention of persons on the pretext of investigation, without adherence to the provisions of the Crime Prevention Law of 1954.

10. The cruel and inhuman treatment of some detainees at certain security centres, particularly those with previous records, repeat offenders and some persons who have been placed under forced residence (house arrest), and forcing some detainees to carry out cleaning work at the security centre.

11. An increase in complaints and allegations of torture and other forms of ill-treatment owing to the combination of investigative and custodial authority in certain security departments, particularly the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department, which gives rise to real problems during the stages of investigation and the taking of statements.

It should be noted that the Government's response to NCHR's 2012 recommendations regarding the rehabilitation of the infrastructure of detention centres affirmed that work is under way to rehabilitate the infrastructure of all security centres, including detention premises, and to improve the quality of the services provided to detainees. Through the periodic field visits carried out by the staff of the National Centre for Human Rights, it was observed that the greater proportion of temporary detention premises in security centres need maintenance and the provision of basic supplies such as blankets and mattresses, and that the toilets are unclean and lack sanitary supplies. As regards meals, a single meal is served at one exclusive time; thus, a person detained, for example, after lunchtime has passed is deprived of that meal. In the light of the observations of the National Centre for Human Rights, the Public Security Directorate closed (8) of these places and carried out maintenance on (22) centres.

Places of Temporary Detention at the General Intelligence Directorate

During 2014, the Centre carried out one announced visit to the places of detention of the General Intelligence Directorate,¹⁶ which revealed the persistence of the observations previously recorded by the Centre in its previous reports, the most important of which are: complaints by detainees and their families about the state of isolation experienced by detainees in solitary cells inside the detention centre; not allowing inmates to meet their visitors in private during the visit;

¹⁶ 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 listened to their demands and complaints. It also examined the forms of care and the specifications of the prison environment, the type of food, the level of health care and the psychological health services, which are considered good.

occasionally preventing visits to some detainees by a decision of the Public Prosecutor of the State Security Court;¹⁷ the length of the period of judicial detention of some inmates, which may reach one year; the withholding of passports and certain other identity documents (whereas the Government's response stated that passports and personal documents are withheld only when they are suspected of being forged documents or bearing forged stamps); travel bans; the refusal to grant security clearance for the purposes of obtaining employment; failure to notify the family of the place of detention of their relatives at times; and withholding such information even from the representatives of the National Centre for Human Rights at times.

The Centre therefore calls upon the Directorate to: (a) comply with notifying the detainee's family of his whereabouts immediately upon his arrest; (b) separate the offices of the Public Prosecutor of the State Security Court from the premises of the General Intelligence Directorate; (c) activate the inspection of the detention centre of the General Intelligence Directorate by the presidents of the courts and the public prosecution apparatus, in accordance with the provisions of the Correction and Rehabilitation Centres Law No. 9 of 2004 and Article 106 of the Criminal Procedure Code, which entrusted the judicial authority with the duty of oversight over Correction and Rehabilitation Centres and places of detention, such that the authorities charged with doing so carry out visits on a regular basis and in an effective manner; (d) allow the Centre's competent team to carry out unannounced visits to its detention centre. It should be noted that the Government's response to the recommendations of NCHR's 2012 report indicated that the Centre's request in this regard could not be supported. The response read as follows: "As regards the General Intelligence Directorate, it is an official security institution which persons other than its staff may not enter except within certain security and precautionary procedures, owing to the nature and specificity of its work; consequently, surprise visits may not be carried out in the manner of the visits made by the Centre to the places of detention of the Public Security Directorate."

Administrative Detention

Administrative detention constitutes a violation of the right to liberty and security of person in light of the continued application of the Crime Prevention Law by administrative governors without compliance with and adherence to the legal procedures established in the principles and legal procedures contained in the Criminal Procedure Code when issuing an administrative detention order. The violations entailed by the Crime Prevention Law, or the consequences of its application, include arbitrariness in the exercise of these powers, which continued during 2014. In a judicial precedent, a judgment was issued in 2014 by the Jordanian regular judiciary finding illegitimate the administrative decisions issued by the administrative governor on the basis of the Crime Prevention Law. This judgment obliged the issuer of the administrative decision (the Minister of Interior and the Governor of the Capital) to pay compensation to the judgment holder for the deportation of an Egyptian worker (H.H.), and deemed this act to constitute cruel or inhuman treatment pursuant to Article (16) of the Convention against Torture.¹⁸

¹⁷ Article 63, Paragraph 2, and Article 64 of the Criminal Procedure Code No. 9 of 1961, as amended.

¹⁸ A decision issued by the Amman Magistrates' Court dated 14/10/2014.

According to Public Security Directorate sources, 2014 witnessed a remarkable increase in the number of administrative detainees, reaching (20216)¹⁹ detainees, compared with (12766) detainees in 2013, while the number in 2012 stood at (12410), and (11345) detainees in 2011. At the same time, 2014 witnessed the persistence of the violations and observations recorded by the Centre in its previous reports, the most important of which are: (a) the continued administrative detention of persons by administrative governors in places far from the place of residence of their relatives; (b) the length of the period of detention, particularly for holders of foreign nationalities, owing to the inability to provide bail and the delay in taking deportation measures or awaiting a decision on the detainee's case, which contributes substantially to the overcrowding of Correction and Rehabilitation Centres and the occurrence of disturbances; (c) the continued failure of administrative governors to comply with the legal principles of administrative detention, namely allowing lawyers to attend the interrogation of the suspect, and the conduct of interrogations without the existence of a written complaint where the matter is pending before the judiciary, despite the fact that the amended Jordan Bar Association Law No. (25) of 2014 provided for the right of lawyers to represent their clients before the administrative governor; (d) the continued application by administrative governors of decisions placing persons under forced residence (house arrest) on the basis of the security record (a cumulative record of suspects' records), upon the recommendation of the security agencies, without verifying the availability of the conditions and circumstances set out in the law; (e) women continue to bear the greater share of the harm resulting from the application of the Crime Prevention Law under the so-called ("honour cases"), as women suffer the deprivation of their liberty on the justification of protecting their right to life. Some of them have remained in detention for more than five years. There are national efforts being exerted to work towards their release or their placement in a private shelter or rehabilitation home, far from protective custody. Until this is achieved, the Centre calls for the adoption of a national action plan to protect women at risk in a better manner than holding them in detention or custody centres or Correction and Rehabilitation Centres.

In 2014, the Centre received a number of complaints and reports relating to administrative detention amounting to (120) complaints. The number of complaints relating to placement under forced residence in 2014 also reached (37), compared with (107) complaints and reports, of which (59) were complaints about administrative detention in 2013, and (56) complaints in 2012, and (48) complaints about placement under forced residence, and (44) complaints in 2012. It should be noted that (5113) persons were placed under forced residence in 2014, and (2,738) persons in 2013, compared with (3471) persons in 2012.

Irrespective of the justifications advanced for continuing to use this Law as a legal mechanism that plays a role in achieving social peace to some extent, and the fact that it, namely the Law, came about as a reflection of social and cultural circumstances specific to Jordanian society, and the continuation of its application as a result of shortcomings in the work of the Jordanian judiciary, the continued implementation of the provisions of this Law constitutes a breach of the

¹⁹ The number of foreign inmates placed in administrative detention according to the statistics of the Public Security Directorate is (3541) male and female inmates. However, bodies within the Ministry of Interior refute this figure because it is based on the adoption of the serial number of the administrative detention process. Since the detainee obtains several numbers at the various stages through which the detention process passes from beginning to end, the serial count multiplies the actual numbers of administrative detainees, according to these sources.

principle of the separation of powers, and a violation of the principle of criminal legality, in particular the rule that “the accused is innocent until proven guilty” and the rule that “there is no crime and no punishment except by virtue of law”, in addition to its contravention and disregard of the principle that a person may not be prosecuted for the same act more than once.²⁰

Judicial Detention

2014 witnessed an increase in the number of persons in judicial detention,²¹ as (30,835) persons were detained, compared with the detention of (23,593) persons in 2013 and the detention of (25,211) persons in 2012. The number of persons in judicial detention exceeded the number of convicted persons for the years 2011–2014; the number of convicted persons in 2014 reached (16,077) persons, compared with (13,233) persons in 2013.

The Centre calls for appropriate measures to be taken to achieve prompt justice and for the causes of delay in deciding the cases brought before the judiciary to be studied, given the continued detention of some accused persons for long periods that sometimes exceed the length of the penalty.²² Accordingly, in the absence of objective and clear controls and criteria for the use of detention at the preliminary investigation stage or the trial stage, it will be impossible to apply judicial oversight over detention, which squanders the required balance between respect for the liberty of the individual and the authority of the State in investigation. This undermines one of the characteristics of an effective legal system, which affirms the provision of oversight over legal procedures in accordance with known and published criteria. In this context, the Centre expresses its deep concern regarding the length of the period of detention of persons being tried before the State Security Court on charges relating to terrorist acts or other criminal cases, as the number of persons detained on the account of the State Security Court in 2014 reached (1735), of whom (181) were detained for offences committed against the security of the State, compared with (8149) detainees in 2013. The National Centre also documented during 2014 the continued delay in the scheduling of hearings for persons detained in connection with those cases for long periods, contrary to their right to be tried within a reasonable time or to be released. Accordingly, pre-trial detention (custody) should be an exceptional measure, and its duration should be as short as possible. However, what occurred in 2014 was the detention of a number of these persons for long periods exceeding seven months in a number of cases without a trial hearing date being set, contrary to Paragraph (3) of Article (9) and contrary to Article (14) of the International Covenant on Civil and Political Rights.²³ In 2014, the National Centre recorded that many of the persons

²⁰ Article 58 of the Criminal Procedure Code provides that (no single act shall be prosecuted more than once).

²¹ The direct and principal reason for the increase in the number of persons in judicial detention is attributable to: the expansive use of detention by public prosecutors, as the detention order is issued at the outset of the investigation stages; or to other reasons, including the extreme slowness of trial procedures and the notification of witnesses, or the attendance of the accused, or the deliberate prolongation of trials by some lawyers.

²² Article 14 of the International Covenant on Civil and Political Rights, which Jordan ratified on 28/5/1975. This Covenant became part of the national legal system after its publication in the Official Gazette on page (2227) of Issue No. (4764) dated 15/6/2006.

²³ Article (14/1) affirmed the right of the detainee to be brought before a judge or judicial officer without delay in order to examine whether the evidence is sufficient for his arrest and whether continued detention before trial is necessary, and to ensure good treatment and prevent the violation of his fundamental rights.

detained in connection with those cases resorted to hunger strikes in protest at the length of their periods of detention and their trial before the State Security Court.

In order to give effect to this right, steps must be in place to ensure that the conduct of the procedures of preliminary investigation and of trial at first instance and on appeal alike proceeds “without undue delay”; to reduce the problems of notification between the courts and the Correction and Rehabilitation Centres; to establish a clear mechanism for renewing detention warrants within the legal time limits and not resorting to the automatic renewal of detention; at the same time, to activate the mechanism of inspection of Correction and Rehabilitation Centres by the judicial authority; and to amend the legislation so as to guarantee the right of every person who has been the victim of unlawful detention or arrest to obtain compensation.

In this regard, the Government’s response to NCHR’s 2012 recommendations included the exertion of efforts to reduce the use of judicial detention to the narrowest possible scope, and only where legal justifications exist, together with the provision of judicial oversight over judicial decisions and making avenues of appeal against them available. The response stated that an electronic programme is currently being added through the courts’ case management programme (Mizan), which deals with cases from their registration until the issuance of judgment therein, such that the programme enables the Public Prosecutor to review detention to ensure its lawfulness; that a detailed classification of criminal cases has been completed to reflect the detention controls with regard to periods and the procedures for extension and renewal; and that a feature has been added to alert the Public Prosecutor within the system when the period of detention is about to expire, to ensure that the period of detention does not exceed the maximum penalty.

Correction and Rehabilitation Centres

In 2014, the Centre carried out (97) surprise and semi-surprise visits covering all Correction and Rehabilitation Centres in the Kingdom, in cooperation and coordination with the Transparency and Human Rights Office at the Public Security Directorate. The number of inmates in Correction and Rehabilitation Centres in 2014 ranged between (8500 – 10,000) inmates, and the number of admissions to Correction and Rehabilitation Centres during 2014 reached (67,128) male and female inmates. This year witnessed a number of measures taken within the policy of developing these centres, the most prominent of which are: (a) developing the organisational structures of Correction and Rehabilitation Centres through the construction of new buildings and the renovation of other buildings; (b) developing human resources technically and administratively through training and rehabilitation; (c) developing the procedures for classifying inmates on the basis of criminal dangerousness rather than the type of offence; (d) finding certain solutions to curb the problem of overcrowding in the centres through the following measures: commencing the operation of the Marka Correction and Rehabilitation Centre with a capacity of (1132) male and female inmates, and opening the Karak Correction and Rehabilitation Centre after its expansion, with a full capacity of (400) inmates; (e) forming internal committees in Correction and Rehabilitation Centres to follow up the affairs of inmates in administrative detention, coordinating with the Ministry of Interior/Human Rights Directorate to exempt foreign inmates from financial fines, coordinating with public prosecutors and the competent courts to renew detention warrants, and forming a committee to increase the capacity of Correction and

Rehabilitation Centres; the committee concluded that the capacity of Correction and Rehabilitation Centres should be raised to (11,596) male and female inmates instead of the previous capacity of (10,668) inmates, an increase of (928) beds, in order to accommodate the growing number of inmates; (f) building partnerships with civil society in the field of aftercare, whereby a section for aftercare was established; (g) continuing to open libraries in Correction and Rehabilitation Centres, holding exhibitions to display the products of the Women's Correction Centre, launching the activities of cultural seasons and publishing the Inmate's Magazine; (h) increasing the number of telephone booths in some centres; (i) introducing forms and registers to follow up inmates' complaints; (j) preparing instructions for dealing with inmates holding takfiri ideology; (k) appointing liaison officers to coordinate with the Ministry of Health in order to facilitate the procedures for inmates' medical treatment; (l) continuing the implementation of the "Tahween" programme,²⁴ the "Tahyi'a" programme,²⁵ the "Ihtimam" initiative,²⁶ the "Musnada" programme²⁷ and the "Mazaya" programme;²⁸ (m) no cases of disobedience or collective riots being recorded inside Correction and Rehabilitation Centres; (n) holding (27) literacy courses, from which (601) male and female inmates benefited in several Correction and Rehabilitation Centres, such as Swaqa, Juweideh (Women), Al-Balqa, Ma'an, Muwaqqar "1", Rmeimin, Zarqa and Irbid; (o) the implementation by the Public Security Directorate of a set of awareness and education programmes for PSD personnel in Correction and Rehabilitation Centres on the definition of torture, the methods of combating it, and how to avoid ill-treatment and inhuman treatment of inmates; (p) opening a number of gardens designated for visits inside Correction and Rehabilitation Centres and preparing special instructions on family visits; (q) equipping all Correction and Rehabilitation Centres with ambulances to transport sick inmates; (r) providing assistance to foreign inmates and securing tickets for their travel to their countries through the private sector and civil society institutions, and coordinating with the Ministry of Interior on exempting foreign inmates from the financial fines imposed on them.

On the other hand, in 2014 the Centre documented the persistence of a number of problems adversely affecting the protection of inmates' rights and the right to liberty and security of person, which had been referred to in its previous reports, the most prominent of which are: (a) the failure to close the Juweideh/Men Correction and Rehabilitation Centre owing to its failure to meet the minimum international standards for Correction and Rehabilitation Centres, particularly in the field of the custodial environment; (b) the continued weakness and limitation of the legal aid services provided to inmates, particularly in financial cases; (c) the continued weakness of the social care services provided to inmates and their families; (d) the limitation of preventive, curative and primary health care services and the weakness of psychological care and

²⁴ A programme benefiting convicted inmates, or those in judicial detention, for minor misdemeanours whose penalty does not exceed one year, and who have not previously entered Correction and Rehabilitation Centres.

²⁵ A programme benefiting inmates sentenced to terms exceeding eighteen months whose sentences are about to expire, with the aim of helping them overcome the challenge of release and adapt to the outside environment.

²⁶ The initiative aims to equip a special wing in Correction and Rehabilitation Centres for persons with disabilities who are able to care for themselves.

²⁷ A programme directed at inmates detained or convicted of the offence of drug use three times or fewer, whereby appropriate care is provided.

²⁸ The health wing initiative, which aims to give inmates the opportunity to choose a healthy lifestyle free of violence and disorder in a sound environment.

psychological counselling services; the shortage of medical staff working in the centres (doctors and nurses); the failure to appoint a gynaecologist at the Women's Correction and Rehabilitation Centre/Juweideh; and the absence of regular medical records; in addition to the problems of delay in the provision of health care services and the lack of cooperation of some administrations of Correction and Rehabilitation Centres in providing the necessary treatment for some sick inmates owing to strict procedures, and the suffering of inmates from the problem of the mechanism of referral to hospitals owing to the shortage in the number of guards; (e) the continued suffering of inmates when being transported to hospitals or courts as a result of the use of old transport vehicles, as well as the administrative procedures followed in terms of the multiplicity of authorities to which inmates are taken between courts and hospitals, the failure to take health conditions into account with regard to the use of restraints throughout the transport period, which may extend for more than five hours, the inadequacy of the breakfast and dinner meals provided to inmates, the lunch meal frequently being undercooked, and the severe shortage of meals, particularly in overcrowded centres; (f) the lack of potable water in most centres and the failure to provide hot water in winter in some centres; (g) the shortage of mattresses, blankets and heating in winter and the shortage of cleaning materials, whereby inmates are compelled to purchase them at their own expense; (h) the continued suffering of prisoners as a result of the problem of missing trial hearings owing to the late arrival of notification memoranda or their failure to arrive at the court in a timely manner owing to the procedures for transporting inmates, which usually rely on transporting a large number of them in a single vehicle; (i) 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 as a result of overcrowding in some 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 space allocated for service facilities and for each inmate's sleeping place; (j) the limited effective judicial oversight of Correction and Rehabilitation Centres, as only (53) visits were made in 2014; (k) the lack of accurate statistics on the phenomenon of "recidivism" showing the types of offences, age group, geographical region, the causes of repeat offending and the effectiveness of the rehabilitation and correction programmes implemented; (l) the small size of the yards allocated for sun exposure in some Correction and Rehabilitation Centres, including the Al-Balqa and Aqaba centres, and the small number of hours permitted for sun exposure, which do not exceed two hours a day, which adversely affects the health of inmates; (m) the absence of places allocated for storing inmates' personal belongings (lockers) in the dormitories, which compels them to keep them under or beside the bed; (n) the suffering of inmates when leaving for courts or returning therefrom owing to search procedures, as they are forced to remove all their clothing, which leaves negative psychological effects on them; (o) the limited recreational, cultural, sports, training and educational programmes; (p) the limited aftercare programmes; (q) the failure to prepare places designated for persons with disabilities in most Correction and Rehabilitation Centres.

The Centre recorded (309) hunger strikes in Correction and Rehabilitation Centres during 2014, compared with (319) hunger strikes in 2013, (342) hunger strikes in 2012, (276) hunger strikes in 2011, (422) hunger strikes in 2010 and (606) hunger strikes in 2009. Despite the decrease in the frequency of these strikes compared with the previous year, inmates' resort to hunger strikes constitutes an indicator of the problems from which inmates still suffer. In 2014, the National Centre recorded that detainees resorted to strikes in connection with sit-ins by the youth movement

or by participants in those activities, as well as detainees, on account of their affiliation with extremist Islamist currents, being tried before the State Security Court and refusing food as an expression of their rejection of the charges brought against them, the refusal to release them on bail, or their detention for long periods without being brought before the court and the delay in setting the date of trial hearings, or for service-related demands inside Correction and Rehabilitation Centres, particularly at the Muwaqqar 2 Correction and Rehabilitation Centre owing to the custodial environment in this centre, which adopts the individual system for holding inmates, leading to their isolation from the other inmates for long periods.

Recommendations

In light of this reality, the Centre reiterates its recommendations contained in its previous annual reports, and calls upon the Government to expeditiously take a set of measures, the most prominent of which are:

- Repealing the Crime Prevention Law of 1954, incorporating into the criminal laws preventive measures to curb criminal dangerousness, and vesting these powers exclusively in the regular courts. Pending its repeal, the Centre affirms:
 - The necessity of respecting judicial decisions and final judgments of acquittal or of non-liability, and of complying with them fully.
 - Following the principle of the proportionality of the administrative measure and criminal dangerousness when imposing forced residence or detention.
 - The compliance of administrative governors with the procedures to be followed under Article (4) of the Crime Prevention Law when resorting to issuing an arrest warrant and hearing the statements of persons, and then issuing administrative detention warrants.
 - Removing the administrative governor's cover from the investigation procedures conducted by the police to pursue perpetrators of crimes, in such a manner as to ensure that persons are not kept in custody for long periods for the purpose of investigating them on the basis of detention warrants issued by administrative governors.
- Activating the role of judges and public prosecutors in monitoring the conditions of inmates of Correction and Rehabilitation Centres, including conducting field visits on a periodic and continuous basis, and ensuring that the persons entrusted with the administration of Correction and Rehabilitation Centres possess a high degree of professional competence and ethical commitment to the principles of integrity and impartiality.
- Assigning a medical staff consisting of a physician and a nurse on a round-the-clock basis at each Correction and Rehabilitation Centre, and providing a nutrition supervisor to oversee the meals served to inmates suffering from certain health problems.

iii. The Right to a Fair Trial

International instruments guarantee the right to a fair trial before an independent, just, speedy and effective judiciary. The Jordanian Constitution likewise guarantees, under Article 27, the independence of the judicial authority by affirming the principle of the separation of powers; that Article provides: “The judicial authority shall be independent and shall be exercised by the courts of law of their various types and degrees, and all judgments shall be rendered in accordance with the law in the name of the King.” Article 97 of the Constitution further affirms that “Judges are independent, and in the exercise of their judicial functions they are subject to no authority other than that of the law.”

The Government’s response set out the measures taken by the Government to implement the recommendations relating to the right to a fair trial contained in the Centre’s 2012 report, as follows: (a) the formation of a committee to prepare a draft Independence of the Judiciary Law consistent with the constitutional amendments;²⁹ (b) the training and capacity-building of the administrative staff supporting the judiciary; and (c) the inclusion in the Ministry of Justice strategy of activities relating to the establishment of courts and courthouses, and the formation of a committee for this purpose by developing a plan for the establishment of new courts and identifying sources of funding. The Centre considers that the measures taken by the Government, notwithstanding their importance, focused on formal matters and did not address the substantive issues that require a clear position in order to strengthen this right, the most important of which are: providing fair trial guarantees in a clear and convincing manner for persons who are detained and brought before the judiciary; ending the encroachment of the High Court of Justice upon the jurisdiction of the regular courts; ensuring adequate independence for members of the Public Prosecution; and ending the judicial powers granted to various bodies under certain laws in force. This would contribute clearly and manifestly to the advancement of this right and to its consolidation as an inherent human right that safeguards and protects all other rights.

The year 2014 witnessed the adoption of new legislation in line with the 2011 constitutional amendments, including:

First: The adoption of the Independence of the Judiciary Law No. (29) of 2014,³⁰ which contains a set of provisions that the Centre expects will contribute to strengthening the independence of the judicial authority, since Article (3/a) of the Law affirms that the judiciary is independent and that judges are independent and, in their judicial functions, subject to no authority other than that of the law. The Law also contains a number of other provisions that should strengthen the independence of the judicial authority, including:

a. Limiting the role of the executive authority in the administration of judges’ affairs: Article (6/a) of the amended Law provides that the Council shall assume “all matters relating to regular judges, including: considering the affairs of judges and their appointment, promotion, advancement, discipline, transfer, secondment, loan and termination of service, and in accordance with the provisions of this Law.”

²⁹ It should be noted that 2014 witnessed the adoption of the Independence of the Judiciary Law No. (29) of 2014.

³⁰ The Law was published in Official Gazette Issue No. (5308) dated 16/10/2014.

b. The establishment of the Social Solidarity Fund for Judges and Employees of the Ministry of Justice, with the aim of supporting those working in the judicial authority and improving their financial and social conditions.

However, despite the aforementioned positive aspects, the Independence of the Judiciary Law still contains certain gaps that may, in one way or another, affect the independence of the judiciary, the most important of which are:

- The termination of a judge's service, or his referral to retirement (istida'), without cause, which may constitute a fundamental infringement of the institutional and personal independence of the judge.
- Maintaining the subordination of the Judicial Institute, and of the support staff of judges, including process servers, clerks, heads of registries, legal researchers and administrative supervisors of court facilities, to the Ministry of Justice.³¹
- Failure to criminalise interference in the work of the judicial authority in clear terms, as the Law confines itself to prohibiting any party or authority from infringing the independence of the judiciary or interfering in its affairs.
- Merely providing that the Judicial Council shall have the right to express its opinion and submit proposals on legislation relating to the judiciary,³² without granting it the power to propose legislation relating to the work of the judicial authority.
- Failure to provide expressly for the financial independence of the judicial authority.
- Maintaining the administrative subordination of the Public Prosecution to the Minister of Justice, pursuant to Article (11) of the Criminal Procedure Code No. 9 of 1961.³³
- Granting the Council of Ministers the power to issue the regulations necessary for implementing the provisions of the Independence of the Judiciary Law, including the regulations on judicial service.

Second: The adoption of the Administrative Judiciary Law No. 27 of 2014.³⁴ An examination of the provisions of this Law shows that it has strengthened the protection of citizens' rights by affirming the right of individuals to a fair trial, through:

a. Making administrative litigation a two-tier process (the Administrative Court and the High Administrative Court), which consolidates the human right to a fair trial. This amendment is consistent with Article (14) of the International Covenant on Civil and Political Rights.

³¹ Article (41) provides that "The Institute shall be linked to the Minister of Justice, and its affairs and administration shall be regulated by a regulation issued for this purpose."

³² Article (6/b) of the Law.

³³ Article (11) of the Criminal Procedure Code No. 9 of 1961 provides: "1. The Public Prosecution shall be exercised by judges who exercise the powers conferred upon them by law; they are bound by the rule of hierarchical authority and are administratively subordinate to the Minister of Justice. 2. Officers of the Public Prosecution shall, in their transactions and written submissions, comply with the written orders issued to them by their superiors or by the Minister of Justice."

³⁴ The Law was published in Official Gazette Issue No. (5297) dated 17/08/2014.

b. Abolishing the power of the Minister of Justice to second regular judges to work in the administrative judiciary courts.

However, this development in the role of the administrative judiciary under the new Law has not completely resolved the problems, which still persist, that tend to weaken the application of the concept of a dual judiciary, the most important of which are:

- The legislator did not grant full jurisdiction to the administrative judiciary; the Law still adopts restricted jurisdiction by specifying the competences of the administrative judiciary on an exhaustive basis, pursuant to Article (5) of the Law.
- Failure to grant the administrative courts the power to hear disputes arising from administrative contracts.
- Narrowing the scope of compensation actions before the administrative courts, as their jurisdiction is confined to hearing actions for compensation for damage sustained as a result of administrative decisions and measures that are brought ancillary to annulment actions only.
- Continuing to immunise acts of sovereignty against all forms of judicial challenge.
- Granting the Council of Ministers the power to issue the regulations necessary for implementing the provisions of the Administrative Judiciary Law.

Third: The approval by the Council of Ministers of a draft regulation amending the Regulation on the Formation of Magistrates' Courts and Courts of First Instance and on Determining the Territorial Jurisdiction of Magistrates' Courts, Courts of First Instance and Courts of Appeal of 2014,³⁵ under which a Court of First Instance was established in Ramtha District, with the aim of sparing citizens the hardship of travelling to the Irbid Court of First Instance.

Fourth: The issuance by the Jordanian Judicial Council of the Code of Judicial Conduct of 2014, whose new provisions apply to judges of the regular courts, representatives of the Public Prosecution, and the Civil Attorney General and his assistants, and which aims to enhance the independence, integrity, impartiality and competence of judges, the effectiveness of their procedures, and their mission of achieving justice and consolidating the principle of the rule of law.

Fifth: On 9/2/2014, the Ministry of Justice launched an electronic system for the computerisation of detention procedures in all regular courts. This measure makes it possible to obtain periodic daily data on the number of detainees and on the status and legal position of each detainee, thereby enabling the competent authorities to follow up on the detainee's situation in order to take the required legal action, whether by renewing the detention, extending it or ordering release. This measure comes to address judges' neglect of the fate of many detainees owing to the backlog of cases and the accumulation of work.

³⁵ The Regulation was published in Official Gazette Issue No. (5311) dated 16/11/2014.

On the other hand, these positive developments of 2014 referred to above with regard to the right to a fair trial were accompanied by a number of challenges that impede citizens' enjoyment of the right to the administration of justice in the best manner, the most prominent of which are:

a. The adoption of the Law Amending the Prevention of Terrorism Law No. (18) of 2014.³⁶ In this context, the Centre considers that the current Law contains numerous problems, the most important of which may be highlighted as follows:³⁷

1. The expansion of the concept of a terrorist act under Article (2) of the Law, in contrast to the definition of a terrorist act in the Penal Code under Article (147). No two people would disagree that expanding the definition creates inconsistency within the legislative system when penal provisions are applied, which constitutes a source of inequality among those addressed by the legal rule; such inequality is recorded against a fundamental rule among the conditions of a fair trial.

2. Disregarding the concept of criminal intent in Article (2) of the Law, which allows the judge to apply legal provisions to offences and to attribute the description of terrorism to the accused for ordinary acts that may not actually constitute terrorist acts. This approach is contrary to international standards, which guarantee fair trial safeguards and preclude prosecution for offences except on the basis of a criminal agreement (Article 14 of the International Covenant on Civil and Political Rights, Articles 7 and 11 of the Universal Declaration of Human Rights, and Article 2 of the United Nations Convention against Transnational Organized Crime).

3. The Law contains loose and broad expressions such as “public order”, “the safety of society”, “inciting sedition”, “the security of society”, “spreading terror” and “terrorising people” to describe certain terrorist acts. All of these expressions are broad in meaning and may be used with latitude when applying the legal provisions, so that any act or activity falling within their scope may be considered a terrorist act! This contradicts international standards, specifically Articles (4 and 14) of the International Covenant on Civil and Political Rights, which guarantee that the authorities shall not take any measures that would infringe the guaranteed rights, or as a result of which fair trial guarantees would be forfeited.

4. Article (3/b) of the Law deems any act that would disturb the relations of the Jordanian State with a foreign State to be a terrorist act, which allows any act to be classified as a terrorist act without specifying any objective and legal criteria. This constitutes a violation of the right to freedom of expression, including the receipt, publication, broadcasting and transmission of information (and of the right to peaceful assembly and public participation), and even of freedom of publication and the media.

b. Refraining from taking any initiative aimed at reviewing legislation containing provisions that conflict with the provisions of the Constitution and the general principles of the right to a fair trial. The most important of such legislation are: the Customs Law, the Crime Prevention Law, the Law

³⁶ The amending Law was published in Official Gazette No. (3365) dated 01/06/2014.

³⁷ It should be noted that the Centre had previously set out its views on the draft Law Amending the Prevention of Terrorism Law during its discussion by the House of Representatives, which were sent to the Government and to the Senate and the House of Representatives by an official letter dated 23/03/2014; unfortunately, however, the Centre's observations were not taken into account.

on the Collection of Public Funds and the Economic Crimes Law, which contain provisions granting judicial powers to those working in the executive authority.

c. The continued application of the State Security Court Law, despite the ongoing calls to amend its provisions that are incompatible with human rights standards, most notably: 1. granting the Prime Minister the power to constitute this Court, which entails interference by the executive authority in the work of the judicial authority; it would have been more appropriate to provide for the establishment and constitution of this Court directly by law; 2. maintaining the jurisdiction of the State Security Court to hear offences referred to it before the entry into force of the Law Amending the Anti-Terrorism Law of 2014; 3. departing from the general rules set out in the Penal Code with regard to: (a) the rules on criminal participation and the liability of the principal, the instigator, the accessory and the accomplice in these offences; (b) the powers of the judicial police/police to hold the arrested/detained person for a period of (7) days instead of the (24) hours provided for in the Criminal Procedure Code; and (c) the time limits for appealing judgments of the State Security Court in criminal cases.

d. The continued application of the Execution Law No. 25 of 2007, despite the numerous and repeated calls to amend the provisions of this Law and to develop the methods and means of work of the execution departments, which have come to constitute a burden on citizens in terms of lengthy time periods, bottlenecks and overcrowding in courtrooms, in addition to the shortage of administrative and technical support staff.

The Centre reaffirms its previous recommendations on the necessity of amending the Execution Law No. (25) of 2007, as the Government has not taken any initiative to amend the provisions of this Law, which has come to constitute a burden on citizens owing to the length of litigation and the bottlenecks and overcrowding in courtrooms, in addition to the shortage of administrative and technical support staff.

e. Failure to amend the Public Security Law No. (38) of 1965, the General Intelligence Law No. (24) of 1964 and the Gendarmerie Forces Law No. (34) of 2008 with regard to the assumption by the public prosecution and courts affiliated with these bodies of the adjudication of cases referred to them under the provisions of Article (208) of the Penal Code concerning offences of torture, so that the provisions of these laws may be brought into conformity with the Convention against Torture of 1984 and the obligations arising thereunder.

On another level, the number of complaints received by the National Centre for Human Rights in 2014 relating to the right to a fair trial amounted to (62) complaints, centring on the prolonged duration of judicial detention, the rejection of requests for release, and grievances against certain judicial procedures. The outcome of these complaints was as follows: (7) complaints were closed with a satisfactory outcome; (3) complaints were closed because they fell outside the Centre's mandate; (7) complaints were closed because no violation was established; while (45) cases remain under follow-up and verification.

As for requests for assistance, in 2014 the Centre received sixteen requests, centring on the need for legal aid and on general and special pardon. Of these, (4) were closed: two with a satisfactory outcome and two because they fell outside the Centre's mandate, while twelve remain under follow-up and verification.

Sharia Courts

On 17/9/2014, the Council of Ministers approved a draft law amending the Sharia Courts Procedure Law and its amendments No. 31 of 1959. The explanatory memorandum stated: “The purpose of this amendment is to achieve consistency with the draft Sharia Courts Formation Law of 2012, which provides for the establishment of the Supreme Sharia Court so as to make litigation before these courts a two-tier process, to make the Sharia Courts of Appeal courts of fact rather than courts of law, and to regulate the manner of appealing judgments before these courts. The draft law also seeks to determine the jurisdiction of the Sharia Public Prosecution newly established under the draft Sharia Courts Formation Law and to regulate its work, to determine the provisions relating to jurisdiction, the applicable law and territorial jurisdiction, and to permit the service of judicial documents through private companies accredited for this purpose.”

In this regard, the Sharia judiciary continues to suffer from a number of challenges which the Centre has previously set out in its earlier reports, and in respect of which nothing new occurred in 2014. Given the importance of these challenges, the Centre once again recalls the most important of them:

- a. The Sharia execution departments still suffer from overcrowding and from the length of time a citizen needs to follow up on an execution action and for women to obtain alimony cheques.
- b. The absence of a specialised judicial institute for the preparation and qualification of Sharia judges.
- c. The lack of buildings suitable for the work of the courts, as most of them are rented and are not equipped for this work.
- d. Failure to issue the regulations and instructions necessary to implement the Temporary Personal Status Law No. (36) of 2010.

Ecclesiastical Judiciary

In 2014, the Christian Denominations Councils Law No. (28) of 2014³⁸ was adopted. An examination of the provisions of the Law shows that it contains a set of provisions that would contribute to strengthening the right to a fair trial, the most important of which are:

- a. Specifying the conditions that must be met by any person appointed as a judge in the Court of the Christian Denominations Councils (Article 3/c).
- b. Permitting each recognised Christian denomination to establish a court of appeal in the Kingdom within a period not exceeding six months (Article 23/b).

However, these positive aspects do not negate the fact that the Law still contains a number of problems, the most important of which are:

- a. Failure to subject the decisions of the courts of appeal of the Christian denominations to review by the Court of Cassation.

³⁸ The Law was published in Official Gazette Issue No. (5299) dated 01/09/2014.

- b. The absence of a uniform procedural law applicable to all cases, which causes instability for citizens.
- c. The multiplicity of personal status laws for Christians in Jordan, which is reflected in problems in the application of the law.
- d. The existence of clear problems in the enforcement of judgments issued by the ecclesiastical courts.
- e. The high fees for registering cases before the ecclesiastical courts.

Recommendations

In order to ensure the advancement of the judicial system and to enable it to perform the functions entrusted to it, the Centre recommends the following:

- Amending Article (101) of the Jordanian Constitution so as to affirm the general rule that civilians shall be tried before civilian courts (the regular judiciary).
- Expediting the establishment of new courts and courthouse buildings and equipping them with infrastructure.
- Refraining from expanding the establishment of special courts which, where applied as an alternative to the regular judiciary competent to try civilians, constitute a departure from the human right of recourse to the regular judiciary.
- Expediting the adoption of the draft law amending the Execution Law, in a manner that ensures citizens' easy access to their rights and overcomes the length of litigation, and taking administrative measures to prevent the persistent overcrowding in the execution departments.
- Removing all obstacles facing the religious courts (the Sharia and ecclesiastical judiciary), in a manner that ensures the attainment of international standards for fair trials.

iv. The Right to Nationality, Residence and Asylum

Nationality is one of the vital issues in national affairs, as it relates to sovereignty and identity. It should be noted that reference to the issue of nationality in international standards is limited: international instruments provide for the human right to a nationality and for the impermissibility of depriving any person of it arbitrarily.³⁹ It is worth mentioning that States differ among themselves in the manner in which they grant nationality.

In its 2012 report, the Centre had recommended the necessity of activating Article (5) of the Constitution, so that nationality is neither granted to nor withdrawn from any person except in accordance with the provisions of the law and pursuant to a final judicial decision, with fair trial guarantees. However, the Government clarified in its response to this recommendation that the

³⁹ See the Universal Declaration of Human Rights, Article (15); the International Covenant on Civil and Political Rights, Article (16); and the 1954 Convention relating to the Status of Stateless Persons (Jordan has not ratified this Convention); in addition to the Arab Charter on Human Rights, Article (29).

power to reinstate national numbers has been vested in the Prime Minister, while the withdrawal of such numbers has become one of the responsibilities of the Council of Ministers, which has limited the possibility of withdrawing or granting national numbers arbitrarily. Although these measures represent a positive step, they have not fully responded to the above recommendation, which called for the entire process to be returned to the judiciary.

As regards the Centre's recommendation on the necessity of taking immediate and urgent measures to ensure that the non-Jordanian husband of a Jordanian woman and the foreign wife of a Jordanian man are not deported by administrative decisions, in order to guarantee the stability of family and living conditions, the Government's response stated that the spouses of Jordanians are permitted entry and are granted certain facilities relating to residence and exemption from fines for violating residence conditions, and that Jordanian laws grant powers to deport the husbands of Jordanian women to executive officials such as the Minister of Labour, the Minister of Interior and the administrative governors.

Moreover, the facilities approved by the Council of Ministers in 2014 did not fully address the situation of the husbands of Jordanian women, as the facilities were granted to the children only. It is worth noting that the right to found a family is one of the most important fundamental human rights; this right, however, is linked to the principle of choosing a spouse and having children, and not to the laws on residence and nationality.

The Centre commends the measures contained in the National Strategy for the Prevention of Trafficking in Persons and the programmes implemented to combat cases of employers withholding the passports of foreign workers employed by them; however, it considers them insufficient to curb such violations, and it expects further legislative, judicial and administrative measures to curb these violations. Likewise, the measures of the Ministry of Labour concerning migrant workers and domestic workers do not address the rights of employees and employers, particularly the responsibility of intermediaries and owners of recruitment agencies for ensuring that employees meet the required specifications.

Likewise, 2014 did not witness any noteworthy legislative developments in the legal system relating to the right to nationality, and the debate continued over the right of Jordanian women to pass their nationality on to their children. However, in an attempt by the Government to address certain aspects of this problem, the Council of Ministers decided on 9/11/2014 to approve the package of facilities for the children of Jordanian women married to non-Jordanians. The Council of Ministers' decision provided for granting service privileges to the children of Jordanian women married to non-Jordanians, on condition that the Jordanian mother has been permanently resident in the Kingdom for five years, in order for her children to be able to benefit from these service privileges. The decision specified that these facilities cover the following civil areas: in the area of basic and secondary education, the non-Jordanian child of a Jordanian woman is treated on an equal footing with a Jordanian citizen; in the area of health insurance, the facilities provided for the mother's health insurance to cover her minor child; in the area of employment, the facilities granted these children of Jordanian women priority for employment in professions restricted to Jordanian citizens, directly after Jordanian citizens, and the children of Jordanian women were exempted from work permit fees; and in the area of ownership and investment, the facilities granted the children of Jordanian women by a foreign husband the right to own property and invest

and to obtain a private-category driving licence, on condition that they obtain a residence permit. The facilities also provided for the Civil Status Department to issue an identification card to the child of a Jordanian woman within six months of the date on which the application of these facilities commences.⁴⁰

In the view of many,⁴¹ this decision is regarded as a victory for the view calling for a reasonable humanitarian settlement that secures the conditions of a decent life for the children of Jordanian women, without any political consequences.

However, while the Centre adheres to the constitutional provisions on the necessity of addressing the issue in accordance with the international standards relating to civil and political rights and other standards to which Jordan has committed itself, it welcomes the adoption of this package of facilities, which will contribute to facilitating the lives of the children of Jordanian women married to non-Jordanians. Nevertheless, certain observations must be made on these facilities in order to remove some of the obstacles that prevent benefiting from them, namely: extending them to the adult children of Jordanian women who are still in education or who have special circumstances (such as disability), and treating them in the same manner as their mothers in respect of health insurance; granting them the right to obtain all categories of driving licences; granting them a residence permit for a period of five years, renewable, to facilitate matters for them, rather than restricting it to minors only; in addition to abolishing any conditions not permitted by legislation for benefiting from these facilities.

In 2014, and for the second consecutive year, the work of the committee formed to study the situation of persons residing in population clusters in the town of Al-Ruwaished and certain other villages of the Eastern and Western Badia Districts, who complain that they do not hold any documents enabling them to obtain Jordanian nationality, remained suspended. In this context, sources at the Ministry of Interior indicate that these applications will be studied in the future.⁴²

The Centre notes that it did not receive any complaint in 2014 indicating the withdrawal of national numbers from any Jordanian citizen, as the Council of Ministers' decision, which contributed to providing transparency in the mechanism for withdrawing national numbers such that withdrawal takes place only with the approval of the Council of Ministers, remained in force. National numbers were also reinstated by decision of the Prime Ministry upon the recommendation of the Standing Ministerial Committee concerned with the withdrawal and reinstatement of national numbers.

⁴⁰ On 4/1/2015, the Civil Status and Passports Department began receiving applications from the children of Jordanian women married to non-Jordanians for the issuance of their identification certificates.

⁴¹ Among these parties is the Executive Office of the "My Nationality Is a Right for My Family" coalition, which stated that "the Government's decision comes as redress for a category of Jordanian women", as well as the Arab Women Organisation, which welcomed this decision. The "My Mother Is Jordanian and Her Nationality Is My Right" campaign stated on its Facebook page: "Steps along the way achieved by the campaign and its partners from civil society organisations."

⁴² For further details on this subject, see the Centre's 2013 report, p. (20).

The Right to Freedom of Movement and Residence

The right to freedom of movement is a fundamental human right inherent in the individual. The Jordanian Constitution guarantees this right in Article (9) thereof,⁴³ and the Residence and Foreigners' Affairs Law and its amendments No. (24) of 1973 regulates this right.

In 2014, the Government adopted a draft law amending the Residence and Foreigners' Affairs Law of 2014, under which the penalties were increased for anyone who violates the provisions of Article (14)⁴⁴ of the Residence and Foreigners Law, the penalty becoming a fine of not less than one thousand dinars and not more than two thousand dinars for anyone who violates this Law or employs a foreigner holding a residence permit under the sponsorship of another person or with the intention of employing him with another person.

The Government also approved, during August 2014, the explanatory memorandum of a draft law amending the Civil Status Law of 2014, and its referral to the Legislation and Opinion Bureau for its adoption in accordance with due procedure.⁴⁵ The proposed law includes amending Article (51) of the Civil Status Law by reducing the penalties imposed on anyone who violates the provisions of Article (38) of the Civil Status Law, which requires every person who has completed sixteen years of age to obtain a personal identity card on pain of penalty. The proposed amendment eases the burden on the courts and the Civil Status Department by not requiring the initiation of a public right action against anyone who violates the provisions of that Article, and by encouraging citizens to comply with its provisions through the collection of specified sums by the Civil Status Department,⁴⁶ contrary to the practice under the Law in force.

On the other hand, during 2014 the Centre received (17) complaints relating to the right to freedom of movement and residence, of which (4) complaints were closed with a satisfactory outcome, while two were closed because no violation was established, the complainant did not cooperate, or for lack of jurisdiction. (11) complaints remain under follow-up with the relevant authorities. The complaints received by the Centre centred on:

- a. Employers retaining the travel documents of foreigners employed by them, contrary to the Passports Law No. (2) of 1969.
- b. The issuance of deportation decisions against foreigners married to Jordanian women for reasons including violation of residence conditions and failure to obtain a work permit.
- c. The continued deportation of foreigners in accordance with the provisions of the Residence and Foreigners' Affairs Law No. 24 of 1973, without granting them the guarantees specified in Article

⁴³ Article 9 of the Jordanian Constitution provides: "1. No Jordanian may be deported from the territory of the Kingdom. 2. No Jordanian may be prohibited from residing in any place, or prevented from moving, or compelled to reside in a specified place, except in the circumstances prescribed by law."

⁴⁴ Article (14) of the draft law provides: "Managers of hotels or inns, owners of hotel apartments and any person who accommodates a foreigner shall personally notify the competent security centre thereof within (48) hours of the time of his arrival at his new place of residence; excepted therefrom is a foreigner holding a transit, Hajj, Umrah or tourist visa."

⁴⁵ The House of Representatives approved these amendments in May 2015.

⁴⁶ The draft law grants the Director General of the Civil Status and Passports Department the power to substitute a written undertaking for a guarantee certified by a notary public in the event of an application for a replacement of a lost personal identity card or a lost family book.

(13) of the International Covenant on Civil and Political Rights, which provides that an alien lawfully resident may be expelled only in pursuance of a decision reached in accordance with law, and after being allowed to submit the reasons against his expulsion and to have his case reviewed by the competent authority or by persons especially designated for this purpose, or to be represented before them.

It is noteworthy that no complaints were received from employers of foreign workers against recruitment agencies and intermediaries, despite the widespread phenomenon of citizens who employ domestic workers being exposed to exploitation and the loss of their rights, as a result of the failure of agency owners and intermediaries to comply with the conditions of recruitment and to observe its requirements when bringing in such workers.

The Right to Asylum

There are a number of international and regional instruments aimed at protecting refugees and setting out their rights. Foremost among these instruments are the 1951 United Nations Convention relating to the Status of Refugees⁴⁷ and the Protocol relating to the Status of Refugees adopted in 1967.⁴⁸

Syrian Refugees

Table (3): Syrian Refugees on Jordanian Territory

Number of Syrians on Jordanian territory	1,387,775
Number of Syrians on the territory of the Kingdom before the Syrian crisis	750,000
Number of Syrians who entered Jordan irregularly as at 31/12/2014	514,483
Number of Syrians who returned voluntarily to their country as at 31/12/2014	145,202
Number of Syrians distributed among 6 camps, the largest of which is Zaatari, as at 31/12/2014	101,195
Number of Syrians registered as refugees with the UNHCR as at 31/12/2014	623,104
Number of Syrians who obtained the magnetic card as at 31/12/2014	169,962
Number of Syrian documents returned to their owners in 2014	72,974
Number of Syrian students received by schools located inside the camps as at 31/12/2014	22,808

The table was prepared by the Centre on the basis of data issued by the Syrian Refugee Camps Affairs Directorate / Public Security Directorate.

Despite Jordan's non-ratification of the 1951 United Nations Convention relating to the Status of Refugees and its Protocol, which entered into force in 1967, Jordan has not closed its borders to Syrian refugees, and large numbers of them have therefore continued to flow in. Jordan has also shouldered its humanitarian responsibilities in accordance with the Memorandum of

⁴⁷ The Convention entered into force on 22/4/1954.

⁴⁸ Likewise, the Universal Declaration of Human Rights provides in Article 14 that: "1. Everyone has the right to seek and to enjoy in other countries asylum from persecution." The Arab Charter on Human Rights likewise provides in Article 28 thereof as follows: "Everyone has the right to seek political asylum in another country in order to escape persecution. This right may not be invoked by persons facing prosecution for an offence under ordinary law. Political refugees may not be extradited."

Understanding concluded between Jordan and the United Nations High Commissioner for Refugees (UNHCR) in 1998. Jordan is to be credited with its positive treatment of Syrian refugees in many respects, amid a decline in the level of international commitment to this growing tragedy. The Kingdom has borne an additional burden and considerable pressure on all its facilities and infrastructure, which has had a negative impact on the economic and living conditions of a broad segment of citizens and has led to a significant decline in levels of development across various sectors. In this context, the monitoring team formed by the Centre in 2012 monitored the situation of Syrian refugees in 2014 in order to ascertain the level of relief, education and protection services, and after dozens of visits the following observations can be made:

1. Table (3) shows in figures the reality of Syrian asylum in Jordan, while Table (4) shows the numbers of Syrian refugees in the camps according to the statistics of the Syrian Refugee Camps Affairs Directorate / Public Security Directorate.
2. In mid-2014, the Ministry of Health carried out a polio vaccination campaign in the Zaatari camp for Syrian refugees, in coordination with the relevant international organisations. The campaign targeted the vaccination of 18 thousand children in the camp.
3. The Government exempted Syrian refugees in the Kingdom from fines for the late registration of newborns.⁴⁹
4. Jordan is to be credited with protecting children's right to education, as the schools of the Jordanian Ministry of Education received (130) thousand male and female Syrian refugee students in the schools located inside the camps and in the schools spread across all governorates of the Kingdom.
5. At the end of 2014, the Council of Ministers decided to exempt both spouses and the witnesses in every marriage contract not officially registered that was concluded before 29/10/2014 from the fine provided for in Article (36/c) of the Personal Status Law No. 36 of 2010.

Table (4): Number of Syrian Refugees in the Camps

Camp	Number
Zaatari Camp	84,739
Mrageeb Al-Fhood Camp (Emirati-Jordanian)	4,254
Al-Hadiqa Camp	666
Cyber City Camp	359
Azraq Camp	11,177

The table was prepared by the Centre on the basis of data issued by the Syrian Refugee Camps Affairs Directorate / Public Security Directorate.

⁴⁹ With a view to facilitating and regulating the personal transactions of refugees residing in the Zaatari camp and ensuring that they are not exploited, in 2013 the Jordanian Government appointed a marriage officiant (ma'zoun) and a Sharia judge in the Zaatari camp for Syrian refugees, to reside therein on a full-time basis, in addition to establishing an office of the Civil Status and Passports Department in the camp itself, tasked with issuing civil documents for Syrian refugees, specifically death and birth certificates.

Conversely, the Centre observed the persistence of a number of problems and shortcomings from which Syrian refugees suffer in the camps and in their places of residence in the various cities, the most important of which were:

- a. The failure to replace tents with caravans in the Zaatari camp, the poor condition and lack of cleanliness of public facilities, and the need for the camp's streets to be maintained.
- b. The irregularity of the United Nations High Commissioner for Refugees (UNHCR) in disbursing the assistance allocated to refugees residing outside the camps, which has adversely affected their standard of living.
- c. The problem of refugees who entered Jordan in their own vehicles and through regular channels, after the Government required them to return their vehicles to Syria, which may in principle pose a threat to the lives of these persons.
- d. The lack of electricity in Al-Azraq Camp.
- e. Complaints by refugees concerning non-compliance with the Memorandum of Understanding signed with the United Nations High Commissioner for Refugees in 1998, as amended, with respect to granting the refugee a legal status and treating him or her in accordance with international standards, in particular those that prohibit the withholding of their documents. It should be noted that a number of documents belonging to these refugees, which had been in the possession of the authorities, were lost, as a result of which a number of security personnel were referred to the Police Court to be held accountable for their negligence in safeguarding these documents.

Iraqi Refugees

In 2014, in the wake of the regrettable events taking place in the northern, western and central regions of Iraq, and the accompanying threats and attacks against Iraqi Christians, a considerable number of them sought refuge in Jordan. One of the Jordanian associations undertook to secure all the living needs of these refugees, including housing and the provision of food and non-food needs, in addition to medical services and psychological and social needs, throughout the period of their stay in Jordan.

The year 2014 also witnessed an increase of nearly twofold in visa applications from Iraqis; the records of the Ministry of Interior show that these applications rose from (1000) applications per day to approximately (2000) applications. The rate of actual resettlement carried out by the United Nations High Commissioner for Refugees also rose in 2014, as shown in Table (5), according to UNHCR statistics. It is worth mentioning that, according to UNHCR, a total of (1301) refugees, the majority of them Iraqis, were resettled during 2014 out of the total number of asylum-seeking refugees whose applications were accepted, which is a relatively high rate compared with the resettlement figures for these persons in previous years.

Table (5): Comparison of resettlement applications submitted for refugees, excluding Syrians

Year	2011	2012	2013	2014
Resettlement applications	3,298	1,661	1,500	1,543

Year	2011	2012	2013	2014
Actual approvals	995	199	616	1,301
Percentage	30.2%	12%	41.1%	84.3%

The table was prepared by the Centre on the basis of data issued by the United Nations High Commissioner for Refugees.

Palestinian Refugees:

Despite the governmental efforts exerted to improve the conditions of the Palestinian refugee camps, the reality of these camps during 2014 indicates the continuation of a number of inhumane conditions from which the camps' residents suffer, in terms of weak infrastructure, poor living conditions, overcrowded school classrooms, and the low level of social and health services. Instead of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) making genuine efforts to improve these conditions, the Agency threatened to reduce its services to Palestinian refugees, which prompted Jordan to reiterate its rejection of any reduction in the level of the services provided by UNRWA, which represent the commitment of the international community to the question of Palestinian refugees, pointing out that any decline in the level of these services would impose additional financial burdens on the Arab host States. It is worth noting that the occupying State (Israel), supported by a limited number of States, does not conceal its attempts to liquidate UNRWA as a prelude to liquidating the right of return of Palestinian refugees.

In 2014, the employees of the United Nations Relief and Works Agency also stopped work for one hour in the various institutions of the United Nations Agency in its five fields of operation located in the Kingdom, Syria, Lebanon, the West Bank and Gaza, in response to the administration's refusal of, and procrastination in responding to, the demand of these employees to raise the rate of the end-of-service gratuity.

Recommendations:

In order to ensure the effective enjoyment of the right to nationality, residence, movement and asylum, and in light of the observations it has documented, the Centre reaffirms the following recommendations, which it had previously made in its earlier reports:

1. Activating the text of Article (5) of the Constitution, such that nationality is neither granted to nor withdrawn from any person except in accordance with the provisions of the law, and that nationality and other identity documents are not withdrawn except by virtue of a judicial decision and subject to the availability of fair trial guarantees.
2. Continuing the work of the committee formed to consider complaints submitted by citizens concerning the withdrawal of their national numbers in a manner contrary to the 1987 Disengagement Instructions, and restoring them to those from whom they were unlawfully withdrawn; and activating the work of the special committee formed to examine naturalisation applications submitted by members of the Eastern and Western Badia.

3. Amending the text of Article (37) of the Residence and Foreigners' Affairs Law, which grants administrative governors and other executive officials the power to issue deportation decisions against foreigners, and confining the power of deportation to the judicial authority alone.
4. The necessity of taking immediate and urgent measures to ensure that the husband of a Jordanian woman and the wife of a Jordanian man are not deported by administrative decisions, so as to guarantee the stability of family and living conditions, particularly since the facilities did not refer, directly or indirectly, to the husband of a Jordanian woman.
5. Activating the implementation of the facilities granted to the children of Jordanian women married to foreigners, and granting them further facilities.
6. Working to harmonise national legislation and the asylum mechanism with international human rights standards; considering ratification of the 1951 Geneva Convention relating to the Status of Refugees and its supplementary 1967 Protocol; and establishing a national asylum mechanism in the Kingdom that is consistent with international human rights standards.
7. Developing a clear strategy for dealing with refugees; giving Syrian refugees greater attention and care; intensifying assistance and protection efforts for them; urging the international community to fulfil its responsibilities in this regard; and dealing with transparency and effectiveness in managing international assistance to refugees, and disclosing its actual state, the mechanism of its disbursement and its shortcomings.
8. Working to address the negative impacts that refugees leave on local communities in terms of labour, educational and health facilities and the environment, and clarifying this more fully to international donors.
9. Intensifying efforts to highlight the negative impacts of asylum on Jordanian society and on the rights of citizens, particularly their living conditions, as well as on the environment, infrastructure, and education, health and transport services, and involving the National Centre for Human Rights, the Jordan Red Crescent and civil society organisations therein.
10. Tightening the procedures relating to the marriage of minor girls, particularly Syrian refugee girls, and bringing those who commit the act of trafficking in them by way of marriage before the judiciary, so that the penalties prescribed for these crimes are imposed.

v. The Right to Vote and to Stand for Election

Parliamentary elections are among the most important legitimate means for the free expression of the sovereignty of the people. In view of this importance of elections, the Constitution, as well as international instruments, foremost among them the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Arab Charter on Human Rights, have provided for the right of the citizen to vote and to be elected in periodic, free and fair democratic elections.

In 2014, the text of Article (67/2) of the Constitution was amended so that it now provides that “An independent commission shall be established by law to administer parliamentary and municipal elections and any general elections in accordance with the provisions of the law. The

Council of Ministers may assign the independent commission to administer or supervise any other elections upon the request of the body legally authorised to conduct such elections.” This amendment granted the Independent Election Commission the power to administer and supervise municipal elections and to administer any other elections in accordance with the provisions of the law, whereas its powers had previously been confined to administering parliamentary elections only. However, the provision whereby the Council of Ministers may assign the Independent Election Commission to administer any other elections was met with protest from some opposition forces and some deputies, who argued that leaving the matter of assigning the Independent Election Commission to administer any other elections to the Council of Ministers turns it into a governmental department subordinate to the Government, thereby depriving it of the independence conferred upon it by the Constitution.

On the other hand, in 2014 a challenge was filed against the constitutionality of Election Law No. 25 of 2012; the Court of Cassation accepted the challenge filed against the constitutionality of the Election Law on the ground of its violation of the principle of equality among Jordanians and non-discrimination between them. The challengers had considered that the current Election Law contains discrimination among Jordanians on the basis of race or religion, in breach of the text of Article (6/1) of the Jordanian Constitution, which states: “Jordanians shall be equal before the law. There shall be no discrimination between them as regards their rights and duties on grounds of race, language or religion.” The Court of Cassation referred the challenge to the Constitutional Court, which decided to dismiss the case in form owing to the absence of any connection between the grounds of the challenge and the grounds for instituting the case. It should be noted that this is the third time during the past two years that a challenge has been filed against the constitutionality of the Election Law, and the Constitutional Court had dismissed all of these challenges.

Although 2014 did not witness any constitutional or legal entitlement to hold general parliamentary or municipal elections, it did witness the holding of a by-election on 29/11/2014 in the Second Local Electoral District of Irbid Governorate, which became due in order to fill the seat that fell vacant upon the death of one of the district’s deputies (Deputy Mohammad Al-Khasawneh). Ten (10) candidates contested this seat, and the number of registered voters in the district reached (48,832) male and female voters, after (955) voters had been deprived of the right to vote. The number of those who cast their ballots reached (18,224) voters, a turnout rate of (37.3%), of whom (10,454) were male voters, representing (21.4%), and (7,770) were female voters, representing (15.9%). An examination of these rates shows that there was a marked decrease in the rate of female voters, which indicates shortcomings in the efforts that ought to be directed towards raising the awareness of this segment of society of the importance of exercising their right to vote and to stand for election. The seat for this district was won by the candidate Dr. Mohsen Al-Rjoub, after he obtained (5,165) votes, and no challenge was recorded against the validity of the results of the polling process.

It should be noted that the National Centre for Human Rights monitored the conduct of the polling process through a special team composed of 18 monitors and three coordinators, who were

distributed among the (18) polling centres in the governorate. The team recorded a number of observations regarding these elections⁵⁰, the most prominent of which were:

1. Most polling centres were not equipped to receive persons with special needs, and no passageways were allocated in them for persons with disabilities and older persons.
2. Considerable disorder occurred in some polling centres, particularly (Al-Nu'aymeh Comprehensive Secondary School for Girls, King Abdullah Secondary School for Boys, and Al-Sareeh Secondary School for Girls), as a result of the polling committees' lack of knowledge of the mechanism for distributing ballot papers to voters, which led to disorder and resentment among voters owing to the delay in their entry into the polling rooms; this resulted in the polling committee halting its work for half an hour and in some voters refraining from voting.
3. The presence of supporters of some candidates inside polling centres.
4. The running out of indelible ink at some polling centres at an early stage of the polling process.
5. The distribution of electoral cards to voters without verification of their identities.
6. Open (non-secret) voting at Al-Sareeh Secondary School for Girls and Queen Rania Secondary School for Girls.

On the other hand, the supplementary election in the Second Electoral District of Irbid Governorate revealed a legislative shortcoming in Election Law No. 25 of 2012, namely the inconsistency of the text of Article 11 thereof with the text of Article 88 of the Jordanian Constitution with respect to the procedures for supplementary elections. Article 88 of the Constitution requires that supplementary elections be held within a period not exceeding two months from the date on which the House is notified of the vacancy of the seat, whereas Article 11 of the Election Law requires employees wishing to stand for membership of the House of Representatives⁵¹ to submit their resignations at least sixty days before the date set for submitting candidacy applications, which constituted an obstacle for employees wishing to stand in the supplementary election for the Bani Obeid district.

The Commission's insistence on applying the text of Article (11) of the Law to the by-election prevented a number of employees to whom the text of Article (11) of the Law applies from exercising their right to stand for election, owing to the impossibility of their foreseeing the death of a deputy and thus submitting their resignations at least sixty days before the date set for submitting candidacy applications. This prompted them to challenge, before the Court of Appeal, the decision of the Independent Election Commission rejecting their candidacy applications. The Court decided that it was impossible to apply the Election Law to this case in terms of time limits;

⁵⁰ For further information, see the National Centre's report on the conduct of the by-election in the Second Electoral District of Irbid Governorate, on the website of the National Centre for Human Rights.

⁵¹ Article 11 of the Law on Election to the House of Representatives No. 25 of 2012 provides that none of the persons mentioned below may stand for membership of the House of Representatives unless he or she has submitted his or her resignation at least sixty days before the date set for submitting the candidacy application: a. Ministers and employees of ministries, government departments, and official and public institutions and bodies; b. Employees of Arab, regional and international bodies; c. The Mayor of Amman, members of the Greater Amman Municipality Council and employees of the Municipality; d. Heads and members of municipal councils and employees of municipalities.

for, by reference to the date of the deputy's death and the date on which the House of Representatives notified the Independent Election Commission of the vacancy of the parliamentary seat for the district, the application of the requirements of Article 11 of the Election Law to this period would deprive a category of the district's residents (employees) of the opportunity to stand for election.

The decision affirmed that rejecting the candidacy applications in the light of these facts constitutes a constitutional violation inconsistent with the Constitution's guarantee of justice, equality and equal opportunity for those wishing to stand for election in such a case. The Court concluded by accepting the challenges filed by the candidates and quashing the decision of the Independent Election Commission not to accept their candidacy applications, and accordingly affirmed that they be permitted to stand in the by-election for the Second District. The Independent Commission was notified of the decision.

At the general level, 2014 did not witness any practical step by the Government towards submitting a new draft law on parliamentary elections, in implementation of the directives of His Majesty the King calling on the Government to submit a new draft law on parliamentary elections. However, many media outlets reported statements by officials to the effect that a ready draft of a bill on the House of Representatives was in the Government's possession, indicating the possibility of elections on the basis of an open list at the level of the entire governorate, whereby the voter would vote for two candidates across the whole governorate.

The press reported certain details concerning the proposed bill, such as avoiding the quota-sharing rule, or what are known as the acquired rights of the districts (*alwiyah*) to (108) seats, and applying the open-list proposal in nine governorates only, while the large governorates such as Amman, Zarqa and Irbid would be divided into more than one district in order to deal with the high number of their inhabitants.

According to the press, the proposed bill would also abolish the national list consisting of twenty-seven (27) seats, while retaining the quota seats allocated to women and the other groups provided for in the law currently in force. Speculation also addressed the possibility of creating three new seats for three prospective districts, namely: Al-Koura District, Russeifa, and one of the districts of the capital, Amman⁵². However, notwithstanding these press leaks, no draft of a new election law was officially submitted; consequently, the observer will not find in this report specific information on the content of the bill that is alluded to from time to time.

vi. The Right to Freedom of Opinion, Expression, the Press and Media, and Access to Information

The Constitution, in Article (15) thereof, guarantees freedom of opinion and expression and freedom of the press and media; international instruments likewise guarantee freedom of opinion, expression and the media as a fundamental condition for realising the principles of transparency and accountability. This is because the protection of this right is among the most important factors reinforcing the protection of human rights, combating corruption and contributing to the

⁵² Quoted from the website <http://www.ammannnews.com.jo>

economic, political, social and cultural advancement of society⁵³, as well as the development of the individual and the growth of his or her personality, in addition to the impact of freedom of opinion and expression in strengthening democracy and, consequently, the resilience of the State and the stability of the system of government.

At the outset, it must be noted that the governmental response received by the Centre in 2014 regarding the recommendations contained in its 2012 report did not include any reference to the recommendations relating to the right to freedom of opinion, expression and the press.

Developments in the Legislation Governing the Right to Freedom of Opinion and Expression and Freedom of the Media

At the legislative level, the Law Amending the Jordan Press Association Law of 2014 was enacted, which included numerous amendments, the most prominent of which were: (a) amending the definition of a journalist contained in Article Two of the Law, by adding the word “practising” after the phrase (register of journalists), so that the definition now reads as follows: “Journalist: a member of the Association registered in the register of practising journalists who has adopted journalism as his profession.” Thus, the new definition has narrowed the concept of a journalist, confining it to those enrolled in the register of practising journalists and excluding others, such as journalists who are not members of the Association; such a restriction in turn contravenes the right to freedom of choice and to join trade unions and federations; (b) a new addition to Article Two concerning the definition of a media institution as “the natural or legal person who establishes in the Kingdom a news agency, radio station or television station whose activities are similar to journalistic work in the fields of media, and which includes news and editorial departments.” In principle, this is matched by an expansion of the concept of membership in the Association to include technical and administrative staff who are not necessarily journalists in the professional sense. This definition came in line with the new trends towards expanding the Association’s membership to include those working in this sector; (c) broadening the scope of membership of the Association by permitting those working in the satellite, radio and electronic media sector and accredited foreign media correspondents to join the Association’s membership, by virtue of Article Eight, which is considered one of the positive amendments included in the Law; (d) amending the conditions that must be met by a person registering with the Jordan Press Association, by repealing Items (6 and 7) of Paragraph (d) of Article Five, which had provided for the academic qualifications acceptable for registration with the Association; as well as the amendment relating to the mechanism for electing the President of the Association (*Naqib*), whereby he is now elected directly by the General Assembly.

The fundamental problem for journalists remains the issue of compulsory membership of the Association and the extent to which it contravenes the principle of trade union pluralism and international human rights standards in this respect, which do not recognise the principle of compulsory membership in trade unions and federations. This problem came to the fore and caused disputes between the Association and some journalists, particularly after the letter addressed by the Association to the Prime Minister on 14/10/2014, in which it demanded that

⁵³ Article 19 of the International Covenant on Civil and Political Rights provides for the right to freedom of opinion and expression.

persons who are not members of the Association should not be invited or brought along to cover events or to attend official meetings, visits and delegations, in implementation of the provisions of the Law⁵⁴. Some journalists considered this letter a violation of international standards relating to freedom of the press.

Within the legislative framework, the Prevention of Terrorism Law continues to raise wide constitutional and legal controversy and requires a comprehensive review, in particular the following: (a) Article Three, which is vague and general, in that it considers numerous acts to be terrorist crimes, rendering it open to interpretation and construction, which contravenes the principle of the legality of crimes and penalties; (b) Article Eight, which grants the State Security Court jurisdiction to hear terrorism crimes to which civilians are parties, whereas the rule is that all cases to which civilians are parties fall within the jurisdiction of the regular courts of general jurisdiction; (c) Article Seven, which includes a departure from the general rules of criminal law and the Penal Code, such as departing from the provisions on criminal participation and the provisions on attempt to commit crimes.

In another legislative development, Article 68(h) of the Civil Service Regulation was amended, which prohibits an employee, on pain of disciplinary liability, from writing or making statements to the media, whether paid or unpaid, without the prior approval of his or her superior⁵⁵. Although the amendment represents a positive step, the text in its current wording is still characterised as being a loose provision that impedes the right of employees to exercise the right to freedom of opinion and expression.

Audio-Visual Media

In 2014, the Press and Publications Department and the Audio-Visual Media Commission were merged into a single body named the “Media Commission”, by virtue of the Law on Restructuring Government Institutions. The Government justified this merger on the grounds of savings to the State budget and of unifying the media reference authority with respect to the various decisions and procedures relating to media in all its forms. This merger necessarily requires amendments to the relevant laws, foremost among them the Audio-Visual Media Law and the Press and Publications Law. In 2014, consultations with specialists commenced with a view to making these amendments.

In this context, the Centre affirms the vital role played by the private audio-visual media in raising the ceiling of freedoms in Jordan, and calls for seizing this opportunity to re-examine the articles contained in the Audio-Visual Media Commission Law that constitute an infringement of freedom of opinion and expression, the most important of which are: (a) Article 18(b), which grants the

⁵⁴ The letter indicated that there were violations of laws and regulations through some persons impersonating journalists and practising the profession by unlawful means, in addition to engaging in extortion. In the letter, the Association requested the Prime Minister to issue a circular to ministries and public institutions not to cooperate with any person who is not a member of the Association, with the aim of contributing to putting an end to the abuses of those impersonating journalists.

⁵⁵ This is the provision that constituted a clear violation of the Jordanian Constitution, which guarantees Jordanians the right to express their opinions freely by speech, writing, photography and all other means of expression; it also constituted a violation of the Press and Publications Law, which provides for the right of Jordanians to express their opinions freely, as well as of Article 128 of the Jordanian Constitution, which provides that “The laws issued by virtue of this Constitution for the regulation of rights and freedoms shall not affect the essence of such rights or prejudice their fundamentals.”

Council of Ministers the power to refuse to grant broadcasting licences without stating reasons, thereby making the acceptance or rejection of a licence one of the absolute powers of the Government. There is therefore a need to establish an alternative mechanism guaranteeing transparency and integrity in the granting of broadcasting licences, together with the importance of providing for reasons to be given for refusal decisions, so as to facilitate the application of judicial review procedures in this regard; (b) Paragraphs (L, N and S) of Article 20 of the Law, which set out, in loose and indeterminate terms, the obligations incumbent upon the licensee under the licensing agreement; these paragraphs require the licensee to broadcast news and events objectively, to preserve public order and to observe the requirements of national security and the exigencies of the public interest⁵⁶; not to broadcast or rebroadcast anything that would undermine national unity, incite terrorism and division, or harm Jordan's relations with other States⁵⁷; and not to broadcast any economic topic or commentary that would affect the soundness of the national economy and currency⁵⁸. Although some of these restrictions exist, in principle, among the restrictions on freedom of expression set out in Article (19) of the International Covenant on Civil and Political Rights, the Covenant has subjected these restrictions to important conditions, including that they be necessary, clearly provided for by a law that is not open to interpretation and construction, for a legitimate aim, and in a democratic society.

Therefore, the restrictions contained in the Audio-Visual Media Commission Law lack, according to international human rights standards, a legitimate basis, in particular the requirement that they be set out in a specific and precisely worded legal framework, so that these restrictions are not exploited to weaken the right and strip it of its content. They also conflict with Article 18 of the Constitution, which provides that the law shall not affect the essence of the right it regulates; (c) the necessity of reducing the fees for obtaining a radio or television broadcasting licence set out in the Regulation on Radio and Television Broadcasting and Rebroadcasting Licences issued under the Audio-Visual Media Law, in order to encourage this sector, especially community radio stations.

Among the developments witnessed in 2014 was the circular issued by the Audio-Visual Media Commission to licensed satellite and radio broadcasting stations, accredited satellite and radio broadcasting stations and websites, instructing them not to publish or circulate any news or information relating to the affairs of the Public Security Directorate and its personnel except at the direct and explicit request of the responsible sources in the Public Security Directorate; to refrain from accepting and publishing any articles or comments except within the scope of lawfully published information and news; and not to prejudice or undermine the standing of the Public Security Directorate and its personnel in any manner, whether directly or indirectly. This was based on the provisions of Article 20(L, N) of the Audio-Visual Media Commission Law No. 71 of 2002 and Article (5) of the Press and Publications Law No. (8) of 1998, as amended, on pain of legal liability⁵⁹. One cannot avoid the conclusion that this circular entrenches the

⁵⁶ Paragraph (L) of Article 20.

⁵⁷ Paragraph (N) of Article 20.

⁵⁸ Paragraph (S) of Article 20.

⁵⁹ Letter No. M N/17/20707 dated 9/12/2014 issued by the Media Commission.

concept of self-censorship among writers, journalists, media professionals and readers who post comments, which ultimately restricts freedom of opinion and expression.

It should be noted in this context that in 2014 broadcasting licences were granted to three satellite channels and four radio stations, which represent all the licensing applications received by the Commission; accordingly, 2014 did not witness the refusal to grant any licence to a radio station or satellite channel. Nor were any radio stations or satellite channels closed during the same year⁶⁰.

Electronic Media

Electronic media is one of the sectors that has contributed to raising the ceiling of freedoms in Jordan, through its contribution to raising many public issues for discussion and exposing some corruption cases. However, the open ceiling in this sector has changed noticeably, particularly after the amendments that obliged electronic news websites to register and laid down numerous requirements for this, the most prominent of which is considering readers' comments as part of the journalistic material, such that the responsible editor-in-chief bears responsibility for them. This has led to the exercise of a kind of censorship by the editors of some websites over readers' comments, while others refrained from publishing their comments altogether. On the other hand, the rate of complaints against these websites relating to respect for personal rights and the freedom of others has declined. It must be pointed out here that the period preceding the amendment of the Press and Publications Law in 2012 had witnessed complaints and resentment regarding practices committed by electronic websites that infringed personal freedom and dignity, in particular abuse through forms of undocumented accusations and methods of defamation directed by parties and public figures against others. Nevertheless, it must be emphasised that freedom of publication and expression has, in general, played a positive role in enhancing public participation, combating corruption and exposing many cases thereof.

It is noteworthy in this context that some electronic news websites, in order to complete the licensing requirements, particularly the requirement relating to the membership of the editor-in-chief in the Jordan Press Association⁶¹, have resorted to inserting the names of members of the Association and using them nominally in licensing applications; as a result, some editors-in-chief in fact work in other media institutions.

Blocking of Websites

The blocking of websites from operating or broadcasting is one of the most prominent violations affecting this type of media. In this context, the Centre monitored the following during 2014:

- The blocking by the Press and Publications Department of (31) electronic news websites that were not registered with the Press and Publications Department, pursuant to the

⁶⁰ This information was issued by the Audio-Visual Media Commission by virtue of a letter addressed to the Centre dated 4/2/2015.

⁶¹ The Press and Publications Law requires that the responsible editor-in-chief be of Jordanian nationality and actually reside in the Kingdom, and that he or she attach a certificate from the Jordan Press Association of the responsible editor-in-chief's membership for a period of not less than four years, and that no decision imposing the penalty of prohibition from practising the profession of journalism has been issued against him or her, in addition to an approval and an undertaking to give up [other work] in order to work at the newspaper.

provisions of Article (49/g) of the Amended Press and Publications Law No. 32 of 2012, which provides for the mandatory registration and licensing of electronic publications with the Press and Publications Department. It should be noted that the number of websites registered in the same year reached (22).

- The blocking by the Audio-Visual Media Commission, on 28/12/2014, of an electronic news website for a period of time, against the background of its publication of a news item relating to the safety of the pilot Moath Al-Kasasbeh, then held captive by the Islamic State organisation (ISIS/Da'esh).

The Right of Bloggers and Social Media Users to Freedom of Expression

Social media and electronic blogs have recently witnessed growth and expansion, and these tools are distinguished by their spread and the influence of their content, particularly among young people. They have also contributed, to some extent, to activating the principle of popular participation by raising public issues for discussion. Most users of these sites have adopted the style of implicit criticism, or the style of satire and sarcasm, in setting out their views on certain issues, in an attempt to avoid clear and explicit criticism, in order to protect themselves from the legal consequences that may befall them and ultimately lead to their being held accountable, or compel them to reduce the degree of protest and the space available to their opinions expressed in an open electronic space.

In practice, a number of social media users were subjected to judicial detention because of tweets they posted on their personal pages. They were charged with committing the crime of “disturbing relations with a foreign State” contrary to the provisions of the Jordanian Penal Code⁶², in addition to the crime of promoting a terrorist organisation or supporting terrorist organisations, the crime of lèse-majesté (*itālat al-lisān*), and others. Once again, the absence of a clear and explicit law setting out the crimes that constitute a violation of national security or an infringement of the dignity, rights and reputation of others contributed to criticism of these governmental measures by domestic and foreign parties, and consequently to a decline in Jordan’s ranking according to global measurement indices in the field of press and media freedom.

On another level, more than one person was detained as a result of expressing their opinions, particularly during demonstrations, whether when chanting slogans or because of carrying certain banners; these persons are being tried on various charges as well, including: acting to undermine the system of government, disturbing relations with a foreign State, or lèse-majesté. The number of cases pending before the regular courts of the Kingdom relating to the offence of lèse-majesté within the limits of Article 195 of the Penal Code amounts to (85) cases⁶³.

As regards freedom of expression through writing and authorship, the Centre monitored the referral of one work to the judiciary, namely *Hadith Al-Junud* (Second Edition) by its author

⁶² Article 118/2 of the Penal Code provides: “Shall be punished by temporary detention for a period of not less than five years: whoever commits acts, writings or speeches not authorised by the Government, thereby exposing the Kingdom to the danger of hostile acts, or disturbs its relations with a foreign State, or exposes Jordanians to acts of reprisal against them or their property.”

⁶³ This statistic was received from the Judicial Council by virtue of a letter addressed to the Centre dated 29/3/2015.

Ayman Al-Otoom, for violating the Press and Publications Law of 1998, as amended, according to the Audio-Visual Media Commission.

The Right of Access to Information

Despite Jordan's ratification of many international instruments that guarantee the right of access to information⁶⁴, and despite its being a member of the European Open Government Partnership, which includes the commitment of the member State to increase the possibilities of access to information on governmental activities at all levels, with a view to strengthening transparency, empowering citizens and combating corruption,⁶⁵ the Law on Guaranteeing the Right of Access to Information, being the principal law regulating this right, requires extensive amendment and comprehensive review, given that in its current form it does not meet what is required. It expands the exceptions and excludes a large amount of information from its scope of application, and it gives priority of application to other laws that constitute a fundamental obstacle to the flow of information, in particular the Law on the Protection of State Secrets and Documents. Moreover, although Article 8 provides that "the official in charge shall facilitate access to information...", this provision does not oblige the official to provide the information, which raises the question of the extent to which the Law binds the official to respect this right in the required manner.

Proactive Disclosure of Information

The Law on Guaranteeing the Right of Access to Information does not include the principle of proactive disclosure of information by government departments and public institutions. It is observed that most of the websites of public institutions do not update their information, and their content is confined to displaying the institution's activities or posting job announcements and the like, whereas information, including relevant figures and statistics on the work of these institutions, is absent from the pages of their websites. On another level, the Jordanian Government's move towards what is known as e-government is likely to be one of the factors reinforcing the right of access to information and the process of proactive disclosure by the Government. However, this project has faced many challenges, including financial challenges and others relating to the administrative and organisational aspect.

The programme launched by the e-government under the name "Ask the Government" is one of the positive programmes capable of providing citizens and others with information outside bureaucratic government procedures. However, this programme has faced many difficulties, the most prominent of which is the length of time taken to answer some of the questions submitted, given that the employee himself may need a relatively long time to obtain the information from its original and/or authorised sources.

⁶⁴ Such as the International Covenant on Civil and Political Rights, the International Convention against Corruption and a number of conventions relating to the environment.

⁶⁵ Jordan is the first Arab State to join the Open Government Partnership, in 2011, and it submitted its first action plan in April 2012. This partnership aims to enhance citizens' participation in what takes place within governments, for the purposes of transparency and accountability, through the publication of the greatest possible amount of information and documents on their work. See <http://www.gerasanews.com/index.php?page=article&id=1450>.

It should be noted that the lack of information and of transparency in presentation, and the failure to provide information relating to certain events directly and transparently as soon as they occur, has in many cases led to the spread of rumours among citizens, and at other times to confusion, thereby deepening citizens' lack of confidence in the Government. One of the most prominent examples of this situation is the "Ajloun gold" case, in which three contradictory government accounts of the matter were presented to citizens, with the result that the Jordanian citizen was not convinced by any of them; indeed, it provoked his resentment and disapproval and reinforced his feeling that the Government always deliberately obscures and conceals the truth from the citizen.

The Most Significant Violations to Which Media Professionals and Journalists Were Subjected in 2014

The Centre monitored a number of violations that affected press and media freedoms (albeit to varying degrees), consisting of physical and/or verbal assault on or harm to journalists, in addition to the use of force on some occasions while they were performing their duties, and assault on their equipment and material property. These assaults were sometimes committed by official employees and, on several occasions, by unofficial parties. Some of them may be mentioned in this context:

Physical Harm and Confiscation of Equipment by the Security Agencies

- Members of the security agencies, on 10/3/2014, assaulted a female journalist and a male journalist by beating them, and prevented a photographer from filming the moment one of the protesters was arrested, while they were covering a mass sit-in held by those protesters in front of the Israeli Embassy in the capital, Amman.
- A member of the security agencies responsible for guarding the Jerash Festival assaulted a photographer working for a news agency on 24/6/2014 during one of the concerts.
- Members of the security agencies, on 9/7/2014, assaulted eight journalists working for various media organisations by beating and insulting them while they were covering the sit-in held in front of the Kalouti Mosque near the Israeli Embassy in the Rabia area of Amman, in the wake of the war on the Gaza Strip; the sit-in was dispersed by force and some of those journalists were arrested for a period of time.
- An employee of the Greater Amman Municipality confiscated the telephone of a journalist on 4/7/2014 after the journalist filmed Municipality employees confiscating the goods of unlicensed street stalls.

Physical and Verbal Harm, Threats and Confiscation of Equipment by Unofficial Parties

- A citizen, on 18/3/2014, harassed a journalist working for a satellite channel by interrupting him during his live broadcast from in front of the House of Representatives, where he was covering a sit-in demanding the expulsion of the Israeli Ambassador and the release of the soldier Ahmad Al-Daqamseh.
- A number of students at the University of Jordan attempted, on 27/3/2014, to assault a female media professional working for a Jordanian satellite channel while she was

covering the brawls that broke out among students during the elections; however, the intervention of university security prevented the matter from escalating.

- A photographer of an Arab satellite channel was beaten by some students at the University of Jordan while filming the brawls that broke out during the university elections.
- A female journalist was subjected, during the period 25–28/7/2014, to death threats, in addition to insults directed at her on the social networking site “Facebook” by individuals, following a comment she wrote on her page criticising the statement issued by the Jordanian Armed Forces concerning the downing of a military target in Mafraq.
- A member of the House of Representatives, on 28/10/2014, insulted and disparaged a journalist working for a news website and the staff of that website, while the journalist was covering a seminar in which the Member was participating. The latter insisted that the journalist leave the seminar.
- A journalist was assaulted and beaten by a group of bus drivers on 30/11/2014 while he was covering a sit-in they were staging in the city of Irbid in protest against traffic violations issued to them by the Traffic Department.

Prevention from Attending Meetings

- Some security personnel, on 5/1/2014, prevented journalists and a photographer working for various media organisations from entering the House of Representatives building to cover the sessions of the House.
- A number of journalists and media professionals were prevented, on 13/5/2014, from entering Marka Airport to cover the return of Ambassador Fawaz Al-Itan, who had been abducted in Libya.⁶⁶

Arrest and Temporary Detention

Some journalists were detained and others were summoned to appear before the Public Prosecutor, and the following may be mentioned in this regard:

- A journalist was detained on 17/8/2014 on the misdemeanour charge of “unlawful disclosure of secrets” after he published an article on his Facebook page in which he spoke about his relationship with certain agencies and officials of the State, and the advice he used to provide to those officials.
- The female editor-in-chief of a newspaper appeared before the Public Prosecutor after she published an article concerning the conduct of certain Members of the House of Representatives. Three charges were brought against her: first, failure to seek the truth, contrary to the provisions of Article 5 of the Press and Publications Law; second, lack of objectivity and balance, contrary to the provisions of Article 7/c of the Press and Publications Law; and third, defaming an official body, contrary to the provisions of

⁶⁶ The Council of the Jordan Press Association condemned the incident, affirming its absolute rejection of this conduct, which it considered a violation of press freedom and of the people’s right to know and to be informed.

Article 191 of the Penal Code; it should be noted that the trial of journalists was subsequently barred, see below.

- The responsible editor-in-chief of a daily newspaper, together with a writer at the same newspaper, appeared before the Amman Public Prosecutor because of the publication in the newspaper of an article on the judiciary and the Public Prosecution and the question of their impartiality. The following charges were brought against them: lack of balance and objectivity, failure to seek accuracy and truth, spreading false rumours in the presentation of press material, and defaming, slandering and disparaging an official body. Their trial was subsequently barred on the ground that the article in question falls within permissible criticism.
- One of the administrative governors detained a journalist because he had written a press report addressing issues of so-called nepotism and favouritism at the health centres in one of the districts, on the pretext that this journalist was not registered with the Jordan Press Association. The administrative governor gave this journalist the choice between detention and signing an undertaking not to practise the profession until he had obtained a membership card; he was compelled to accept the second option and, on 10/11/2014, signed an undertaking with a bail of three thousand dinars.

Publication Bans

More than one decision banning publication was issued in a number of cases that became matters of public opinion in Jordan during 2014. Some of them related to publication bans in criminal cases in which the full names of the accused were disclosed, which caused great resentment among their families, while others related to the media's circulation of the motives for the crime committed, which in many cases affected the reputation and dignity of the accused/victims.⁶⁷ In other cases, publication-ban decisions affected cases relating either to members of the security agencies or to the Jordanian Armed Forces.⁶⁸ In light of these decisions, a question arises as to the extent of the ability to strike a balance between the public's right to know and to be informed on the one hand, and on the other the protection of the public interest and, equally, the privacy of individuals; particularly since anyone following the social networking sites finds that the circulation of these cases among the public did not stop with the issuance of publication-ban decisions, as numerous rumours were raised and widely circulated, affecting parties to these cases. These decisions also raised the question of the extent to which some holders of the right, journalists and others, have an adequate awareness of the need to preserve the dignity and reputation of persons when writing about and covering such sensitive cases, by refraining from publishing information or images that are offensive to those persons or to their families.

⁶⁷ In this context we mention the publication ban in the case of the murder of a media professional, the publication ban in the case of the poisoning of a family at the Dead Sea, and the publication ban in the case of a mother's killing of her three children.

⁶⁸ In this context we mention the case of the killing of a Jordanian soldier in a sister Arab State, and the publication ban in the case of the Jordanian captive held by the ISIS (Da'esh) organisation.

International Reports and Indicators

- Jordan fell seven places in the 2014 World Press Freedom Index issued by “Reporters Without Borders”, ranking 141st in the world, having ranked 134th in 2013 in the same organisation’s index.
- Jordan ranked (55) out of (157) States on the Corruption Perceptions Index for 2014 issued by Transparency International. It should be noted that Jordan shares this rank with Saudi Arabia and Bahrain. Jordan advanced (11) places compared with 2013, having ranked (66) in 2012 according to the same index.

Recommendations

- To review the laws that the Media Strategy for 2015 affirmed must be reviewed, foremost among them the Penal Code, the Law on the Protection of State Secrets and Documents, the Law on Contempt of Court and the Law on Guaranteeing the Right of Access to Information.
- To review the laws relating to the right to freedom of expression and freedom of the press as a single package, especially since the amendments introduced to these laws in previous years, although they contributed to regulating the work of the press and to protecting the rights and reputation of individuals, nevertheless affected the level of freedoms in the Kingdom and consequently led to their decline; press freedom is highly sensitive to a lack of information and to any form of restriction, including restrictions issued for regulatory purposes.
- To reconsider the definition of a journalist in a manner consistent with international standards and best practices in this regard, and to open membership of the Jordan Press Association to every journalist working in any media outlet.
- To expedite the adoption of the Audio-Visual Media Commission Law in order to avoid the existing legislative vacuum, while ensuring that its provisions are consistent with international standards relating to the right to freedom of expression and the restrictions relating thereto.
- Not to expand the use of circulars banning publication in certain cases. Where necessary, the issuance of such circulars in order to safeguard the public interest must be in clear and specific language and within the narrowest scope, so that they are not open to interpretation, and their purpose must not be to restrict freedom of expression.
- To provide protection for users of social networking sites and bloggers, and not to monitor these media except on the basis of a judicial order.
- To amend all legislation relating to guaranteeing the right of access to information so as to ensure the ease and soundness of the flow of information, to increase expenditure for the purposes of protecting and promoting the right of access to information, and to urge public institutions to proactively disclose information.
- To subject the process of classifying information in the various institutions to a clear methodological framework of reference, with the need for a body to oversee the classification process so that the matter is not left to the discretion of the official.

- To ensure greater protection for journalists during marches and various protests, to provide redress to media professionals who are victims of violations and compensate them materially and morally, and to prosecute those who assault them; and to train law enforcement agencies on international standards on the right to freedom of opinion and expression and on dealing with demonstrators and journalists during marches.
- To try journalists and media professionals under the Press and Publications Law, and not to bring them before the State Security Court.

vii. The Right of Assembly

The Jordanian Constitution⁶⁹ guarantees citizens the right of assembly and organisation, including the organisation of marches, demonstrations and public events. International human rights instruments also guarantee this right, as it is closely linked to the right to form associations and political parties and to join them, the right to freedom of opinion and expression, and other political rights.

The response received by the Centre from the Government on its recommendations stated that it — that is, the Government — is working to implement the recommendation relating to the role of law enforcement agencies in protecting marches and demonstrations, as it has provided the necessary protection for these events despite their increasing number. The response also affirmed that the reason for law enforcement agencies' failure to undertake to secure more than one event in the same place and at the same time is attributable to the failure of the organisers of these events to notify the official authorities of the time and place of the events, which prevents the official authorities from separating the various parties. This requires all parties organising marches, sit-ins and public meetings to notify the administrative governor in advance, within the legal time limit, of the time and place of the event, in compliance with the provisions of the Law, and in order to ensure that protection is provided for such events by the official authorities. The Government's response further affirmed that the Public Security Directorate continuously trains its personnel on how to deal peacefully with participants in sit-ins and marches, through the inclusion of specialised courses in this field in its annual plans. As regards the immediate investigation and examination of violations committed by law enforcement officials in the event of resort, out of necessity, to the use of force in dispersing sit-ins and marches, the response stated that the Public Security Directorate undertakes this procedure either by investigating the complaints it receives through the Public Prosecutor or through investigative bodies formed specifically for this purpose. However, it is appropriate to reiterate the recommendation calling for the formation of independent commissions of inquiry into such complaints and other allegations against law enforcement personnel, since investigation by bodies from within the same agency does not relieve these bodies and the State of the question of impunity, however severe the judgments issued; it is therefore necessary to form independent and impartial commissions, preferably with a majority of their members drawn from the judiciary.

⁶⁹ Article (16) of the Jordanian Constitution provides that Jordanians shall have the right of assembly within the limits of the law.

On the other hand, no move to review the legislation relating to the right of peaceful assembly was observed in 2014.⁷⁰ On another level, 2014 witnessed a significant decline in the number of sit-ins, popular protest vigils and mass marches calling for reform and the combating of corruption and denouncing high prices, compared with 2013.⁷¹

However, on another level, 2014 witnessed many sit-ins, protests and professional strikes, covering the following sectors: teachers, Aqaba Port container workers, phosphate company workers, Jordan Valley farmers, the Farmers' Union, university students, doctorate holders with disabilities, and the campaign "My Mother Is Jordanian" in support of the right of Jordanian women to pass on their nationality. There were also limited non-professional strikes carried out by the Popular Gathering for Reform, youth and popular movements and Islamic parties, many of which were monitored by the National Centre. Notwithstanding the differences among the parties organising these sit-ins and protest vigils, they all converged on a set of objectives consisting of calls for the improvement of the financial situation and living conditions of the workers in these institutions and calls for political and social reform, in response to certain regional events such as the Israeli aggression against Gaza and the events in Syria. Most of these events were characterised by their peaceful nature, and this was accompanied by sound conduct by law enforcement agencies towards these events in the great majority of cases; however, force was used to disperse some mass gatherings, the most significant of which were the following:

a. The popular march organised by dozens from the city of Ma'an, together with popular, trade union and civil society events and organisations, on 25/6/2014 in protest against the killing of a person during a raid by the security agencies on the house of a wanted person there. As a result of the protesters closing the public road and obstructing traffic, the law enforcement forces (the Gendarmerie forces) moved to disperse the march using tear gas against the protesters. Following these events, the protest escalated, as dozens of citizens gathered in the city centre, which once again led the Gendarmerie forces to use force by firing tear gas canisters and live rounds into the air to disperse the protesters and thereby allow people to move freely. However, the situation subsequently deteriorated, as the security forces came under fire from armed fugitives from justice, which aggravated the situation with the outbreak of an exchange of fire between the protesters and the security forces in the early hours of the night of Wednesday 25/6/2014 in the vicinity of the Ma'an Court of First Instance and the Hajjaj neighbourhood, which compelled the security forces to respond once again by using tear gas canisters in order to disperse those persons. In order to ascertain the facts and learn the causes of those events and of the tension in the security situation in the city of Ma'an, the National Centre for Human Rights carried out an investigation and fact-finding exercise, through several visits to the city and meetings with representatives of popular and governmental bodies (the Mayor, the Governor and the security leadership), in which the Commissioner General and a number of heads of units at the Centre participated. Following this, it issued a statement⁷² which stated: "The citizens of Ma'an have the right to protest and

⁷⁰ See the recommendations set out in the Annual Report of the National Centre for Human Rights for 2013, p. 85, and the 2012 Report, p. 77.

⁷¹ According to statistics issued by the Public Security Directorate, the total for 2014 was (1025) sit-ins, (347) marches and (2115) work stoppages.

⁷² The National Centre for Human Rights: 30/7/2014, <http://www.nchr.org.jo/Arabic/tabid/95/mid/448/newsid448/469/Default.aspx>

demonstrate peacefully and to present their legitimate demands, and the State has a duty to listen to them seriously.” The statement also referred to the occurrence of many violations, some caused by a limited number of citizens in the city of Ma’an on the one hand, and some committed by law enforcement agencies on more than one occasion on the other. The Centre further indicated in its statement that more than one local party had made use of the situation. The National Centre urged the responsible national authorities to benefit from the “concept of transitional justice” in addressing the troubling situation in Ma’an, affirming its readiness to play its part in developing and shaping this concept in relation to this situation within the framework of a consensual national policy adopted by the various parties.

b. The sit-in of Jordan Valley farmers on 26/5/2014 on the international road between the capital and the West Bank, in protest against the accumulation of their produce owing to the failure to provide alternative markets to the markets of the usual neighbouring States, which were closed to the export of their produce. The security forces and the Gendarmerie dispersed the sit-in after the farmers had closed the international road linking the capital, Amman, and the West Bank; its dispersal resulted in dozens of farmers sustaining minor injuries, bruises and suffocation as a result of the use of tear gas.

c. The sit-in of unemployed persons from among the people of Aqaba on 8/6/2014 in front of the Aqaba Special Economic Zone Authority, demanding that the companies operating in Aqaba provide them with employment opportunities by replacing migrant workers with Jordanian workers. However, on 10/6/2014 the security agencies removed the sit-in tent, in violation of the right to peaceful assembly and protest, dispersed the sit-in by force and arrested a number of participants, who were released after several hours of detention.

e. The sit-in of the National Campaign for Student Rights (“Thabahtouna” — “You Have Slaughtered Us”) in front of the University of Jordan on 11/11/2014, within the framework of a movement launched by the campaign under the slogan “Universities Are Not Companies”, following the University Administration’s decision to raise university fees for the parallel programme and the postgraduate programme, in addition to protesting against the policies of the Council of Higher Education represented by the gradual privatisation of public universities. The sit-in was dispersed by civilians who assaulted the students staging the sit-in in front of the main gate of the University of Jordan. The press statement issued by the “Thabahtouna” campaign further stated that university security provided facilities to the persons who carried out the assault, allowing them to fire fireworks towards the protesters from the university security room, according to the campaign’s statement. Those in charge of the campaign protested against what they described as an incitement campaign against “Thabahtouna” conducted by the Presidency of the University of Jordan, which called on the media not to cover the campaign’s activities.

f. 2014 also witnessed a number of popular movements protesting against the Prevention of Terrorism Law and its amendments, and calling on the House of Representatives to redraft the Law and on the State Security Court to revoke all the decisions it had issued against the activists being tried before it. The protesters’ demands also included an end to the arbitrary arrests of activists exercising their right to freedom of opinion and expression. The Islamic Movement also organised several marches, protest vigils and processions to denounce the Zionist aggression against Gaza.

In view of the absence of any noticeable development in the legislation relating to this right, the Centre reiterates the recommendations set out in its previous reports, which affirmed the need to enact clear legislation guaranteeing citizens' exercise of their right to peaceful assembly, and to regard the role of law enforcement agencies as being the protection of this right.⁷³

viii. The Right to Form and Join Political Parties

The right to form political parties is one of the political human rights. Article (16/2) of the Jordanian Constitution guarantees this right, as do the international human rights instruments, most prominently the Universal Declaration of Human Rights (Article 20/1) and the International Covenant on Civil and Political Rights (Article 22/1).

In 2014, the Government sent to Parliament a new draft Political Parties Law⁷⁴ to replace the current Political Parties Law (Law No. (16) of 2012). The draft includes a number of positive provisions, the most significant of which are: (a) the reconstitution of the Political Parties Affairs Committee so that it is attached to a ministry other than the Ministry of Interior; (b) the reduction of the number of founding members of any party to one hundred and fifty persons instead of five hundred persons, and the abolition of the quota requirement that women constitute (10%) of the founders and that founders from each governorate constitute (5%); (c) the reduction of the age of a founder to eighteen years instead of twenty-one; and (d) provision for the dissolution of parties and the punishment of their members who receive funding from abroad or who attempt to undermine national unity through their discourse.

On the other hand, the draft Law contains many gaps which the Centre affirms must be remedied before its adoption, so that it is consistent with the Jordanian Constitution and international standards, the most significant of which are: (a) retaining the same mechanism for the registration of a party and its licensing procedures; (b) retaining the requirement that ten years must have elapsed since the acquisition of nationality by a person wishing to found a party; (c) setting the number of members required to establish, register or license a party at not less than (150) members, which is a high number in light of international human rights standards; (d) the length of the period laid down in the Law for the process of registering a party;⁷⁵ (e) the draft Law does not include any objective criteria setting out the procedures for providing financial support to parties and the bases thereof under the Law, as the draft confines itself to stating that an item shall be allocated in the State's general budget to contribute to supporting parties from Treasury funds, referring this matter to a regulation to be issued in this regard; (f) the requirement of the prior

⁷³ For further information on these recommendations, see the Report of the National Centre for Human Rights for 2012, p. 77.

⁷⁴ On 12/6/2015, Parliament adopted the Political Parties Law after introducing a number of amendments thereto.

⁷⁵ Article (12/a), which gives the Secretary of the Committee the right to request any documents or data that are necessary and provided for in the draft Law in order to complete the founding procedures, by a letter he issues within thirty days from the date of receipt of the application for founding. Likewise, Article (12/b), which grants the representative of the founders the right to submit the required documents and data within fifteen days from the date of notification of the letter of the Secretary of the Committee, and grants the Chairman the right to extend this period for a similar period at the request of the representative of the founders. Likewise, Article (14) of the draft, which requires the Committee to issue its decision announcing the founding of the party within a period not exceeding seven days from the expiry of sixty days from the date of receipt of the notification, or the expiry of thirty days from the date of receipt of the required documents and data.

approval of the Political Parties Committee for amending a party's statute, or for its merger with another party, which is considered an infringement of a party's right to amend and develop its internal regulations; (g) the draft Law includes a set of penalties, and the opening phrase of the Article reads "(without prejudice to any more severe penalty in any other legislation)", meaning that the legislative intent was oriented in advance towards severity; and (h) the draft Law grants the Chairman of the Political Parties Committee, or whomever he delegates, the right to inspect parties' financial accounts and to audit their financial records, which conflicts with the obligation laid down by the draft in Paragraph (a) of Article (29) to appoint a legal auditor to audit the accounts and financial statements of parties at the end of each year, not to mention that this task should be one of the responsibilities of the Audit Bureau, and in respect of public funds only.

By contrast, 2014 witnessed a number of government practices aimed at activating the role of parties; the Ministry of Political Development carried out consultative visits to the headquarters of political parties in order to monitor the obstacles to their work and to learn their vision for the development of political life in Jordan. It also held workshops and conferences on the work of political parties, and the amended draft Political Parties Law of 2014 was discussed with parties and civil society organisations, and many political parties issued statements setting out their views on the Elections Law and the draft Political Parties Law.⁷⁶

His Majesty the King has also put forward in recent years a series of Royal Discussion Papers, the latest of which was the Fifth Discussion Paper, issued on 13/9/2014 under the title "Deepening Democratic Transition: Goals, Achievements and Political Conventions". The Paper emphasised parliamentary government, the success of which requires the existence of national political parties. It also included the need to hold parliamentary consultations on the formation of governments in the period preceding the formation of governments, with a view to arriving at the formation of governments on the basis of parliamentary party majorities underpinned by a clear programme of work. The Paper further added that political parties bear the responsibility of merging so as to arrive at a reasonable number of major parties extending across the nation, representing the various views of the political spectrum and adopting clear and comprehensive party programmes. Political parties must likewise continue to develop their internal regulations so as to evolve into effective and influential programme-based parties with a nationwide presence, capable of winning a majority of voters' votes. According to this document, they must also devote the greatest attention to developing competent leaders capable of assuming government posts, leading to an advanced application of parliamentary governments. In parallel with this, efforts to strengthen and develop the performance and work of the parliamentary blocs in the House of Representatives must continue, as they constitute an important incentive for the development of programme-based parties with a national presence.

By contrast, several reactions to those Discussion Papers were issued by the parties. On 13/4/2015 a seminar entitled "The Parties' Reading of the Royal Discussion Papers", organised by the Nisan Centre for Political and Parliamentary Development, was held, in which a considerable number of parties participated and presented working papers during the seminar setting out the positive aspects of the Discussion Papers, stating that they would constitute a turning point in the course

⁷⁶ The Jordan News Agency (Petra), dated 18/11/2014; Al-Rai newspaper, dated 1/11/2014.

of the parties.⁷⁷ The National Union Party likewise announced its intention to launch a national campaign to disseminate the contents of the Fifth Discussion Paper and its main headings, considering that it precisely charts the features of the coming political stage; the party considered the four previous Discussion Papers to be part of the State's historical heritage, and that the vision contained in the first four Discussion Papers defined His Majesty the King's reformist vision and its ultimate objective of a renewed and vibrant Jordanian democracy.⁷⁸ At the same time, other parties considered that the Discussion Papers fall short of expressing a genuine will to make room for parties to assume their real role in national political life.

On the other hand, 2014 witnessed certain obstacles that impeded the course of the parties, the most significant of which was the refusal to allow the Islamic Action Front Party to hold its general conference at the Royal Cultural Centre on the pretext that it was occupied by an activity scheduled in advance for the said date, as well as the announcement by a party official that the authorities had incited other civil bodies not to agree to host this conference. In this context, the Islamic Action Front Party accused the Government of obstructing the holding of its general conference, which is considered a violation of the Constitution, which guarantees the right to establish political parties and their freedom of action. The National Centre received a complaint from the Islamic Action Front in this regard, and the Centre followed it up by immediately contacting the official authorities; the party had taken its decision on the following day (Saturday, 21/6/2014) to hold its general conference on a plot of land on Al-Aqsa Street owned by one of its members.

Within the scope of the Government's response to the recommendations of the National Centre for Human Rights set out in its Ninth Report relating to the right to form and join political parties, the response included two important points, the first relating to not restricting members of political parties when they deal with official departments, and the second relating to not questioning the sons and relatives of party members. The response referred to the text of Article (19) of the Political Parties Law of 2012, which provides that: no Jordanian citizen may be interfered with, held accountable or prejudiced in his constitutional or legal rights by reason of his party affiliation, and anyone who violates this shall be punished. This text confirms that members of parties are not to be restricted. As for the existence of some individual cases, this does not rise to the level of a systematic practice. The Government's response added that the belief that there is prosecution is attributable to the cultural heritage prevailing among citizens regarding the futility of joining parties and their fear of being pursued by security agencies because of such membership on the one hand; on the other hand, the question of parties putting forward political, social and economic programmes that advance society, so as to generate among the public the conviction of the usefulness of joining them, has remained a distant goal. This matter requires the holding of awareness programmes to demonstrate the role of parties and their importance in political life.

While the Centre endorses what was stated in the Government's response concerning the need to hold awareness programmes to demonstrate the importance of the role of parties in political life and the need to join them, it should not fail, on the other hand, to point out that this response was general in content, acknowledging individual cases of restrictions on party members, which

⁷⁷ Al-Rai newspaper, dated 14/4/2015.

⁷⁸ The Watan News website, dated 7/6/2015.

requires that such individual cases be addressed and eliminated altogether so that they do not rise to the level of a systematic policy, or that such cases are not used to influence the position of the State and official institutions towards parties.

On the other hand, the number of licensed political parties reached (34) parties by the end of 2014, whereas this number had been (30) parties by the end of 2013.⁷⁹ The years 2013 and 2014 also witnessed the refusal to license (3) parties because they had not fulfilled the licensing conditions laid down in the Law. The Commissioner General had expressed reservations about the Committee's decisions refusing the establishment of such parties, since the Law itself contravenes the relevant international standards. There are also a number of parties under establishment.⁸⁰ However, the representatives of these parties that were not granted a licence stated that parties in the State had thwarted their efforts by more than one means to obtain the number required for the licensing of a party by the Political Parties Committee. They reported this to the Transparency Committee.

Recommendations

In order to affirm the protection of the right to form and join political parties and to develop party life and activate it on sound democratic foundations, the Centre once again affirms the need to adopt the recommendations it set out in its previous annual reports, in particular that the Political Parties Law must include the following proposals:

1. To adopt the system of notification or declaration upon the founding of a party, by requiring only the notification or informing of the Committee by those wishing to found a party, so that they may exercise their political activities and promote the idea of the party, instead of an application for founding, and without requiring the approval of the Committee. If it is necessary to provide for licensing, then the licensing conditions must not include anything that could be considered an obstacle to the establishment of the party. If the notification system is adopted, the party must announce and publicise its statute and internal regulations, which define the party's objectives, its financial resources and its political, economic, social and cultural programmes, in a manner consistent with the constitutional right and the principles of democracy, political pluralism and freedom of thought.
2. To abolish the requirement that the founding members of parties have acquired Jordanian nationality ten years previously.
3. To include in the Law objective criteria setting out the procedures for providing financial support to parties and the bases thereof.
4. To grant the administrative judiciary jurisdiction to examine challenges relating to the results of the elections of the party's various bodies, the decisions issued by them on the admission and dismissal of members, and violations and disputes among party members.

⁷⁹ As stated by an employee of the Directorate of Political Affairs and Civil Society Organisations at the Ministry of Interior in March 2015.

⁸⁰ As stated by an employee of the Directorate of Political Affairs and Civil Society Organisations at the Ministry of Interior in March 2015.

5. The need not to expand the imposition of penalties or to increase their severity, so that this does not constitute an obstacle to citizens' engagement in party work.

6. Not to grant the Chairman of the Committee, or whomever he delegates, the right to inspect the accounts of political parties and audit their financial records, and to vest this power in the Audit Bureau.

ix. The Right to Form and Join Trade Unions

The Jordanian Constitution guarantees the right of Jordanians to form and join trade unions,⁸¹ as do the international instruments,⁸² including the Universal Declaration of Human Rights and the two International Covenants on Human Rights, in a number of their provisions; this proceeds from the premise that the exercise of this right constitutes a means of building bridges of communication between the categories of workers, employers and the official authorities. It is therefore important to prevent employers from encroaching upon workers, or workers from abusing the exercise of the right to strike and stop work in a manner that threatens the production process, without, however, undermining the ability of workers to exercise their right to express themselves and defend their interests through collective bargaining.

Legislation

The year 2014 did not witness the enactment of any new legislation to strengthen this right, despite the passage of nearly two years since the issuance of the decision of the Constitutional Court which permitted employees of any ministry, department, commission or government institution to establish a trade union of their own. The House of Representatives commenced the discussion of Provisional Law No. (26) of 2010 amending the Labour Law, which includes a chapter dedicated to trade-union freedoms; the Labour and Development Committee began studying the provisional law in 2014. However, it has not yet been discussed under the Dome.⁸³ The Centre takes this opportunity to affirm that the Labour Law in its current form contains a number of provisions that conflict with the international standards relating to the right to form and join trade unions, the most important of which are: (a) restricting the right of workers to form trade unions by requiring a high number (150) of founders for the establishment of a trade union, and that the age of a founder be not less than (21) years; (b) requiring the trade union to obtain a prior licence before commencing its work;⁸⁴ (c) granting the executive authority the right to dissolve labour

⁸¹ Article (16/2) of the Jordanian Constitution provides that: "Jordanians shall have the right to form associations, trade unions and political parties, provided that their purposes are lawful, their means peaceful and their by-laws not contrary to the provisions of the Constitution." Article (23) provides: "2. The State shall protect labour and enact legislation therefor based on the following principles: ... free trade-union organisation within the limits of the law."

⁸² Article (23/4) of the Universal Declaration of Human Rights provides that: "Everyone has the right to form and to join trade unions for the protection of his interests." See also the International Covenant on Economic, Social and Cultural Rights, Article (8), and the International Covenant on Civil and Political Rights, Article (22).

⁸³ The Labour and Development Committee, which was elected at the beginning of the second ordinary session of the House of Representatives in 2015, decided to re-examine the work of the previous committee regarding the Labour Law.

⁸⁴ Article (102/A), which provides that: "An application for the registration of any trade union or employers' union, signed by the founders, shall be submitted to the Registrar of Trade Unions and Employers' Unions at the Ministry, accompanied by the following: 1. The by-laws, setting out its name, headquarters and address; 2. A list of the names of the founding

unions.⁸⁵ The Centre hopes that the Labour Committee of the House of Representatives will take these matters into account when reviewing the draft law.

Professional Associations

The year 2014 witnessed the enactment of a set of legislation relating to professional associations, the most important of which were:

1. The Amended Law of the Jordan Bar Association⁸⁶

Among the most important amendments relevant to human rights is the amendment of Article (6), under which lawyers were granted the right to represent their clients before administrative governors and the judicial police. The Centre hopes that this amendment will have positive repercussions in the field of protecting the right of individuals to a fair trial, by halting the abuses and violations of fair-trial guarantees committed by the judicial police authorities during the stages of arrest and preliminary investigation, including the recording and documentation of detainees' allegations of having been subjected to torture and ill-treatment; a (very limited) number of such cases has been documented. The Centre further hopes that this amendment will contribute to limiting the use by administrative governors of the power of administrative detention conferred upon them by the Crime Prevention Law No. (7) of 1954, which conflicts with the international standards relating to the rule of law.

2. The Jordan Press Association Law⁸⁷

The amended law included the amendment of the articles directly related to the regulation of media work; the law granted the Jordan Press Association the right to establish press clubs and centres and cooperative societies, and strengthened its independence by abolishing the requirement to notify the Minister of Information of the registration of new members therein, and by allowing those working in the satellite, radio and electronic media sector and accredited foreign media correspondents to join its membership. On the other hand, the amended law is criticised for narrowing the concept of journalist by confining (restricting) its definition to a specific category of persons whose names are entered in the register of journalists, in addition to maintaining the concept of compulsory membership of the Association as a condition for practising journalism, along with prohibiting trade-union pluralism within the scope of journalistic work.

members and the identification documents of each of them; 3. The names of the members of the first administrative body elected by the founders; 4. The minutes of the meeting of the founding body.”

⁸⁵ Article (116), which provides: “A. If the trade union, the employers’ union or the administrative body commits any violation of the provisions of this Law or the regulations issued pursuant thereto, or if the by-laws of any of them contain a violation of the legislation in force, the Minister shall address a written warning to it to remove the violation within a period not exceeding thirty days from the date of its notification; and should the violation persist, the Minister may issue a decision dissolving the trade union, the employers’ union or the administrative body of any of them, and the decision shall be subject to appeal before the High Court of Justice within thirty days from the date of its notification.”

⁸⁶ Law No. (25) of 2014 amending the Jordan Bar Association Law was issued in Official Gazette issue No. (5294) dated 16/7/2014.

⁸⁷ Law No. (24) of 2014 amending the Jordan Press Association Law was issued in Official Gazette issue No. (5291) dated 16/6/2014.

Strikes and Protest Sit-ins

Following the application of the Civil Service Regulation for 2014,⁸⁸ the year 2014 witnessed broad trade-union activity by the Jordanian Teachers' Association from the beginning of 2014, as the Association announced a set of demands, consisting of the following: (a) amending Civil Service Regulation No. (82) of 2013, as it includes a threat to the job security of teachers; (b) calling for tougher penalties for assaults on educational staff, and refraining from arrests based on the intellectual and political orientations of teachers; (c) improving the level of government health insurance services; (d) amending the bylaw of the Education Security Fund so as to ensure that a competent administration chosen by its General Assembly is appointed, and that participation in this Fund becomes optional, in order to give teachers sufficient freedom to choose the umbrella that suits them best socially and financially; (e) approving the work-hardship and cost-of-living allowances.⁸⁹ To achieve these demands, the Association carried out several activities consisting of the organisation of a number of protest sit-ins, one before the Ministry of Education and another before the Prime Ministry; it then held a sit-in before the Prime Ministry on 29/5/2014, attended by thousands of teachers, at which the protesters announced those teachers' demands and gave the Government an opportunity until the beginning of the 2014–2015 school year to achieve them, while stressing that, should these demands not be met, the sit-in and the work stoppage would be carried out at the beginning of the 2014/2015 school year. Indeed, the Association carried out the strike at the beginning of the school year after the Government announced that it was unable to implement those demands together, particularly the financial ones. This strike continued for two weeks; the Association announced its suspension on 30/8/2014 following several government and parliamentary initiatives. All the demands adopted by the Association were accepted with the exception of the demand relating to the financial increase, owing to the inability of the general budget of the State to absorb it.⁹⁰

After the end of the strike, the Government requested the Bureau for the Interpretation of Laws to interpret the extent of the legality of a strike carried out by teachers. The Bureau issued its Interpretative Decision No. (6) of 2014 dated 15/9/2014, which deemed it unlawful and a violation of the Education Law No. (3) of 1994, the Teachers' Association Law No. (14) of 2011, and Civil Service Regulation No. (68) of 2013.

Following the issuance of this decision, the Centre studied its content and reached the following observations: The Centre affirms at the outset that the exercise of the strike is one of the fundamental rights which trade unions (professional and labour) are entitled to exercise to protect the rights of their members; the Jordanian Constitution, in Article (16), affirmed the right of individuals to form trade unions, which means that these trade unions and their members enjoy the exercise of all the rights arising from this right, including the resort of trade unions to strike. Likewise, the International Covenant on Economic, Social and Cultural Rights explicitly provided in its Article (8) for the right to strike, while Article 128 of the Jordanian Constitution affirmed that national laws may not affect the essence of rights and freedoms; and since the strike is a right

⁸⁸ The application of Civil Service Regulation No. (82) of 2013 commenced on 1/1/2014 following its publication in the Official Gazette, issue No. (5262) dated 29/12/2014.

⁸⁹ Ad-Dustour Jordanian newspaper, dated 12/5/2014.

⁹⁰ Website of the Jordan News Agency (Petra), www.petra.gov.jo, dated 27/8/2014.

provided for in the International Covenant on Economic, Social and Cultural Rights, national laws may not affect it. The Committee on Freedom of Association of the International Labour Organization has set out the conditions and standards relating to restricting the right of trade unions to resort to strike, including trade unions representing public servants, as follows:

1. Discrimination in treatment between government employees and private-sector employees in the exercise of this right is impermissible; the decision of the Committee on Freedom of Association stated in Paragraph 213 of the 1985 Digest: “The standards contained in Convention No. 87 apply to all workers without any distinction”, and they accordingly apply to all government employees, since it has in fact been recognised that it would be unfair to draw any distinction in trade-union matters between private-sector and public-sector employees, given that workers in both categories have the right to organise in defence of their interests.
2. A strike must be based on the achievement of economic and social objectives, not purely political objectives; this condition applies to the demands expressed by the teachers, which consisted of improving their professional, financial and employment conditions.
3. The categories of public-sector employees who are prohibited from resorting to strike are defined as the employees who exercise authority in the name of the State, or who work in an essential-services sector in which a strike would affect the life, safety and health of people.⁹¹

The Committee on Freedom of Association defined the vital sectors in its decisions in the 1985 Digest, Paragraph 404, and Case 1528, as the hospital sector, electricity services, water supply services, telephone services and air traffic control. Although the teachers’ strike does not affect the life, safety and health of students or of any other concerned party, its timing to coincide with the beginning of the school year, and given that the number of affected students would exceed 90% of the number of students in the Kingdom, makes it clear that it would leave a serious impact on the students’ right to education. Furthermore, the nature of the comprehensive government education system may render the education sector one of the vital sectors when it is disrupted for a long period, and in the context of the circumstances in which it took place. Moreover, it explicitly affects the best interests of students, which must not be disregarded when strikes are organised by those in charge of the educational process. The Centre therefore concludes by proposing a reconsideration of the decision of the Bureau for the Interpretation of Laws, which prohibited strikes and banned them in general, which constitutes a violation of the right to strike provided for in the International Covenant on Economic, Social and Cultural Rights, and proposes the establishment of rules and mechanisms to regulate strikes such that the teaching process does not stop completely, while at the same time maintaining it as a right that is lawful in principle.

⁹¹ This was stated in (Case 1569, Paragraph 143(4)), where “the Committee has on numerous occasions declared that strikes are lawful at the national level as long as they are based on economic and social objectives and are not of a purely political nature. Furthermore, the prohibition of strikes may only be accepted where public servants exercising authority in the name of the State are concerned, or employees in the essential services sector in the full sense of the term, meaning by those services any of them the interruption of which could endanger the life, personal safety or health of the whole or part of the population.” And it was stated in the decision on Case (1629, Paragraph 262, and the 1985 Digest, Paragraph 394): “The right to strike may be restricted or prohibited in the following cases: (1) in the public sector, exclusively for employees exercising authority in the name of the State; or (2) specifically in the public services sector (that is, the services the interruption of which could endanger the life of the whole or part of the population, as well as their personal safety and health).”

The formation of a body representing all parties to consider the legitimacy of a strike and its dimensions in sensitive national sectors such as the education sector may be one of the possible mechanisms for providing sound opinion and advice in such cases.

Professional Associations

The year 2014 witnessed the election of new councils for the following professional associations:

a. **The elections of the Council of the Jordan Press Association**, which were held on 25/4/2014, with an overall turnout of (85.7%). The Nazaha Coalition for Monitoring Elections recorded several observations on the conduct of this electoral process, the most prominent of which were: failure to observe the principles of transparency and secrecy during the electoral process; attempts to interfere in the work of the elections committee and to interfere with the will of the voters; the suspension of polling twice owing to utter chaos inside the polling centres; and allowing voters to be photographed inside the polling booths.⁹²

b. **The elections of the Council of the Teachers' Association**, held on 25/3/2014, with an overall turnout of (68.5%). The monitoring team formed by the National Centre for Human Rights to observe these elections recorded the following observations: (a) failure to comply with the electoral campaigning instructions contained in the international instruments and the instructions of the Association; (b) violation of the principle of secrecy of the ballot, and failure to facilitate it by choosing places close to where voters work; (c) the presence of two members of the security forces inside one of the polling centres; (4) the absence of procedures ensuring the integrity of the vote-counting results.⁹³

Demands for the Establishment of New Trade Unions

The year 2014 did not witness any government initiative to issue a law regulating trade-union work for public servants, despite the passage of more than a year since the issuance of Constitutional Court Decision No. (6) of 2013, which provided for the permissibility of establishing a trade union for employees of official and semi-official government institutions, even though such employees are subject, in terms of employment, to the Civil Service Regulation. In 2014, demands also continued for the establishment of a number of professional associations, the most important of which were:

- (a) employees of the Ministry of Public Works and Housing, whose number amounts to (16000) male and female employees;⁹⁴ (b) Sharia lawyers; (c) university professors; (d) workers in the legal accounting profession; (e) workers in the medical and allied health professions.

The official records of the Ministry of Labour indicate that the Registrar of Trade Unions received in 2014 two applications for the registration of two trade unions, one of which was accepted,

⁹² Report issued by the Nazaha Coalition for Monitoring Elections, dated 26/5/2014, published on Al-Wakeel News website www.alwakeelnews.com

⁹³ Report issued by the National Centre for Human Rights, dated 25/3/2014.

⁹⁴ Ad-Dustour Jordanian newspaper, dated 17/4/2014.

thereby registering a trade union for workers in medical laboratories, while the application to register a trade union for workers in the field of aircraft maintenance was rejected. This constitutes an infringement of the right of workers in this profession to establish a trade union of their own to regulate their affairs, defend their interests and represent them before the administrations of the institutions in which they work.

In 2014, pursuant to its Law in monitoring the extent of respect for the principles of human rights and public freedoms in the Kingdom and seeking to halt any infringement thereof, the National Centre for Human Rights received one complaint relating to compulsory membership of the General Union of Workers in Municipalities and the Greater Amman Municipality for employees of the Greater Amman Municipality. Accordingly, the Centre communicated with the Greater Amman Municipality, and an agreement was reached to grant members who do not wish to belong to this trade union the right to withdraw from it.

Assaults on Medical and Educational Staff

The issue of assaults on medical staff has, over past years, received particular attention from the official authorities, professional associations and public opinion, as a matter that must be combated so that it does not turn into a social phenomenon. Despite the efforts made by the competent authorities to limit and eliminate these assaults, a recurrence of such assaults has been observed; the number of assaults on doctors in 2014 reached (29) assaults. In 2014, the Centre received a complaint stating that a doctor working in the public health sector had been beaten by a group of members of the Public Security Directorate. Following investigation, the Centre established the validity of that complaint, and all the official authorities were addressed accordingly; the complaint is still under consideration by the Police Court. Furthermore, (100) cases of assault on teachers were recorded during 2014, of which only (52) cases reached the judiciary.⁹⁵ In view of the increase in cases of assault on doctors and teachers, the National Centre for Human Rights sounds the alarm in view of the serious societal security dimensions entailed by such assaults, which necessitate combating them. However, caution must be exercised against reaching hasty conclusions about the causes of this worrying phenomenon by attributing them solely to a state of tension and nervous temperament in society; institutional, administrative and organisational factors may play a role in this.

With regard to the right to establish professional associations, the government response included the following:

- a. Work is under way on the preparation of a draft law of the trade union for workers in the legal accounting profession. The Centre hopes that this draft will be completed and enacted with the necessary speed, so that those working in this sector may be able to exercise their right to establish a trade union that will regulate their affairs, defend their rights and speak in their name.
- b. Affirming that individuals are not permitted to establish trade unions for the same profession, which constitutes a flagrant violation of the right of individuals to establish trade unions as provided for in the law, a right affirmed by the relevant international standards; the Centre

⁹⁵ Report issued by the Jordan Bar Association, dated 18/1/2015, and the website of the Teachers' Association www.jts.org.jo dated 9 March 2015.

therefore hopes that the amendments will be expedited and the legal restrictions limiting freedom of trade-union pluralism removed.

Recommendations:

To protect the right to form and join trade unions, the National Centre for Human Rights reaffirms the recommendations contained in its previous annual reports, the most prominent of which are:

1. The necessity of amending Chapter Eleven of the Jordanian Labour Law No. (8) of 1996 so as to guarantee the right to form and join trade unions by abolishing all the restrictions that deprive individuals of the right of initiative, which conflict with the Jordanian Constitution and the international instruments ratified by the Hashemite Kingdom of Jordan, while affirming the right of individuals to establish trade unions by way of notification to the Ministry of Labour only.
2. Expediting the issuance of a law regulating trade-union work for public servants.
3. Taking the necessary measures to protect doctors and workers in the medical professions and teachers, and amending the relevant legislation by toughening the penalties for such acts of assault, obliging the assailants to pay fair compensation, and having the judiciary deal with them firmly. Likewise, spreading awareness of the dangers of assaults on this category of workers and the negative consequences thereof for society as a whole. At the same time, reviewing the professional, institutional, organisational and administrative conditions, particularly overcrowding in some medical centres, or the deficiencies in the level of medical services needed by citizens, and the nature of the organisation of the working environment of doctors and the medical system, in particular allowing direct contact between medical staff and patients' companions and relatives.
4. Focusing on the competent ministries holding training courses aimed at providing those working in the medical and educational professions with skills of communication with the public, and gradually qualifying them in that regard.
5. Working to formulate a national strategy to combat the phenomenon of societal violence in general.
6. Studying the impact of working conditions, particularly overcrowding in health care and treatment centres, and the burdening of the government medical system and the Royal Medical Services with responsibilities and tasks that greatly exceed the capacities of their personnel; and likewise the conditions of schools and teachers.

x. The Right to Form and Join Associations

The Jordanian Constitution and the Arab and international human rights instruments guarantee the right of individuals to form and join associations. The Jordanian Constitution referred to the law the task of regulating the manner of forming associations and monitoring their financial resources, and it affirmed the strengthening and protection of this right by prohibiting the issuance of any law that affects the essence of the right to form and join associations or empties it of its content.

Legislation

No new development occurred in 2014 on the legislation governing the right to form and join associations, with the exception of the publication by the Legislation and Opinion Bureau of a draft law amending the Associations Law, which included the amendment of only (9) articles of the Associations Law No. 51 of 2008 relating to procedural matters, in order to remedy certain administrative knots within the work of the Ministry and the Board of the Registry; these proposed amendments did not touch upon the articles which civil society organisations had demanded be amended. Although the proposed provision, which creates a department named the Associations Registry Department enjoying financial and administrative independence, suggests the strengthening of the independence of the Associations Registry, the text does not rise to the minimum required to guarantee the independence of the Registry, since the Registry Department remains subordinate to the Minister of Social Development, who chairs the Board of the Associations Registry Department, which empties the principle of administrative independence of the Registry of its content. In the same context, the Chairman of the Board of the Associations Registry was granted the power to decide on the acceptance of donations from foreign parties, which falls within the powers of the Council of Ministers under the current law. However, the draft amended law did not confine itself to notification alone for the exercise of the right of individuals to establish associations. The draft amended law also maintained the power of the Minister to dissolve an association in the cases exhaustively specified in Article (19), whereas the international standards and best practices require that this power be confined to the judiciary alone.

The National Centre hosted a consultation session between the parties, which included government representatives and representatives of civil society institutions and a number of associations; they reached an agreement in principle on the essence of the required amendments. The issue of deciding on foreign funding, and governance and transparency within associations, remained among the most prominent topics calling for further discussion and dialogue between the parties. However, it was not possible to review the outcome of the consultations and communications that subsequently took place on the proposed recommendations regarding this law, which the parties followed up through an initiative by officials of the Registry at the Ministry of Development, to unify institutional work in this regard. In the same context, the Centre reaffirms its recommendations on the necessity of harmonising the Associations Law with the national constitutional standards, and what was stated in its annual report for the years 2012–2013,⁹⁶ which are consistent with the recommendations issued by the discussion session⁹⁷

⁹⁶ For further information on the recommendations, see the reports of the National Centre for Human Rights for the years 2012–2013, at the website: www.nchr.org.jo

⁹⁷ Four themes were addressed during the meeting, namely: the theme of establishing associations focused on the current challenges associated with the process of registering associations or unions, the multiplicity of the authorities concerned with registration, the conditions to be met by the founding member and the member of the administrative body, the provisions of the association's statute, and the formation of coalitions, networks or any form of cooperation between associations. The second theme concerned the financial resources of associations, focusing on tax laws, tax and customs exemptions, local funding from the private sector, the requirements for obtaining foreign funding, and the regulation on the collection of donations for charitable purposes. The third theme included discussion of monitoring and sanctions, the dissolution of associations' general assembly meetings, the reports and information that associations are required to submit annually and periodically, the determination of the authorities supervising associations, the penalties imposed, and the

organised by the National Centre for Human Rights on 8/4/2014, and which stressed the necessity of expediting the amendment of the provisions of the law to remedy the shortcomings that restrict this right.

Practices

It should be noted that on 13/9/2014 His Majesty the King's Fifth Royal Discussion Paper was issued, entitled "Deepening Our Democratic Transition: Goals, Achievements, and Conventions", in which the paper referred in its third item to the aspiration "for civil society institutions to continue building their capacities, increasing their effectiveness and serving citizens' issues and concerns, and influencing the formulation of policies and working as a national pillar".⁹⁸ Although the number of these institutions has doubled over the past five years to reach more than (6000) institutions, no broad and serious dialogue or systematic follow-up has taken place to translate this idea and other similar ideas into practical reality.

In the same context, the Government's response also included a table of the measures taken by each official authority and the proposed measures. Upon studying the table, the Centre finds the government response to be positive with regard to the right to form and join associations, consisting of: (a) the necessity of developing the legislation governing the work of associations in a manner consistent with international human rights standards; (b) the Government's affirmation of amending the Associations Law so as to ensure that an association is not dissolved except by way of the judiciary; (c) facilitating the procedures for registering associations using modern technology, and introducing electronic registration forms; (d) strengthening the independence of associations by leaving all financial and administrative decisions to the general assemblies; (e) following up the item on good governance and financial and administrative transparency in all associations' statutes. However, the Centre considers that the proposed measures to strengthen this right did not take into account the Centre's fundamental recommendation calling for associations to be established by way of notification, as they confined themselves to proposing the establishment of an independent body whose purpose is to coordinate the work of associations, and to amending the law in force, without referring to the Centre's proposal of registration by way of notification.

Formation of Associations

The year 2014 witnessed an increase in the registration of associations in all regions of the Kingdom, according to the statistics of the Board of the Associations Registry Department at the Ministry of Social Development; (641) associations were registered in 2014, compared with (533) associations in 2013. The number of registered and operating associations in the Kingdom in 2014 thus became (4474) associations, as shown in Table (6). The number of associations in respect of

authority concerned with imposing penalties. The fourth and last theme was devoted to focusing on the sustainability of civil society organisations, building their capacities and training processes, good governance and the extent of the need for policy/strategy aspects showing the Government's orientations towards this sector, the challenges facing voluntary work in general in society, the promotion of voluntary work, and the most appropriate mechanism therefor.

⁹⁸ Discussion Papers, the Fifth Paper entitled: "Deepening Our Democratic Transition: Goals, Achievements, and Political Conventions". See the website: http://kingabdullah.jo/index.php/ar_JO/pages/view/id/255.html.

which a decision of dissolution was issued in the same year reached (108) associations,⁹⁹ most of which were dissolved voluntarily on the basis of a decision of the association's general assembly, or owing to the association's inability to pursue its activities more than a year after its establishment. As for the number of associations by governorate of the Kingdom for 2014, it was as follows: the Capital (1970) associations, Irbid (485) associations, Zarqa (354) associations, Tafileh (117) associations, Aqaba (86) associations, Ma'an (144) associations, Ajloun (189) associations, Jerash (113) associations, Karak (231) associations, Madaba (209) associations, Mafraq (366) associations and Balqa (210) associations.

Table No. (6): Number of Registered and Operating Associations in the Kingdom for 2014¹⁰⁰

Ministry	Number of associations
Ministry of Social Development	2870
Ministry of Interior	680
Ministry of Political Development	116
Ministry of Culture	591
Ministry of Health	61
Ministry of Industry and Trade	12
Ministry of Agriculture	14
Ministry of Environment	82
Ministry of Awqaf, Islamic Affairs and Holy Places	8
Ministry of Information and Communications Technology	4
Ministry of Tourism and Antiquities	31
Ministry of Justice	5
Total	4474

The table was prepared by the Centre on the basis of the data received from the Ministry of Social Development.

In 2014, the National Centre received only one complaint relating to the right to form and join associations, concerning the decision of the Board of the Associations Registry No. (17/2013) rejecting the application to register the establishment of an association named "The Jordanian Foundation for Charitable Works". The rejection was justified on the grounds that the Ministry of Social Development (the Associations Registry) does not register foundations but only associations, and that the application had been submitted by the association's authorised representative, even though it was in the name of "The Jordanian Foundation for Charitable Works" association. The rejection decision included another reason, namely the conviction of the Board members that the founders were unable to achieve the proposed objectives; it should be noted that the Associations Law No. (51) of 2008 enabled those aggrieved to challenge the decision before the High Court of Justice pursuant to the provisions of Article (11/A).

⁹⁹ To view the associations dissolved in 2014, see the website of the Associations Registry at: <http://www.societies.gov.jo/home.aspx>

¹⁰⁰ According to the statistics of the Ministry of Social Development, which include information relating to the associations registered with the Associations Registry Department up to the end of 2014.

Funding of Associations

In 2014, the debate continued between those working in associations and government representatives over the issue of the funding of associations. Owing to what was considered a complication of the procedures for obtaining funding exercised by the Board of the Associations Registry, a number of persons initiating the establishment of associations resorted to registering them in the form of for-profit companies, in order to avoid the issue of delays in the approval of foreign support provided by international and regional organisations. Numerous statements were issued by institutions indicating that, despite the current law containing a provision whereby a funding application is deemed approved after the lapse of “60” days by operation of law should no rejection of the application be received, a number of these institutions were surprised by the interpretation that the “60”-day period runs from the date on which the application reaches the Prime Ministry, which prolongs the waiting period and impedes the association from obtaining funding; consequently, some of them resorted to submitting the application directly to the Prime Ministry.

As for the international donor agencies, they continued to provide grants and assistance in accordance with their institutional frameworks and to announce them upon commencing the implementation of their programme cycle. However, duplication and overlap have been observed in the programmes offered for funding, which necessitates coordination by those donor agencies on priorities with other parties, particularly the National Centre for Human Rights and the National Commission for Women’s Affairs, among others, in order to focus on the themes that will constitute the topics of the proposed National Plan for Human Rights. On the other hand, it is necessary to proceed from the principle that work and the provision of support must be complementary rather than competitive. The Associations Support Fund continued to provide financial support to associations in accordance with the bases and criteria approved in 2013. The total support provided to associations from the Associations Support Fund amounted to (1,415,100) Dinars, compared with (1,257,980) Dinars in 2013. The Ministry of Planning also provided support to certain associations working mainly in the areas of development, energy, water and the environment.

Recommendations

Expeditious review, amendment and development of the Associations Law in a manner consistent with international human rights standards, and regulation of local and foreign sources of funding in a manner that takes into account national needs and the geographical distribution of these associations, with a focus on funding associations working in remote areas and dealing with pockets of poverty, and giving priority to productive projects.

III. Economic, Social and Cultural Rights

i. The Right to Development

The Jordanian Constitution does not expressly refer to the right to development; however, it clearly provides for the guarantee of rights in the economic and social spheres, such as the right to property, the right to education, the right to work and the right to health, which together constitute development rights enshrined in the provisions of the Jordanian Constitution. Furthermore, the Royal initiatives, visions, speeches and Letters of Designation, together with the content of national documents such as the “We Are All Jordan” document, the National Charter, the “Jordan First” documents and the Government’s Executive Programme (2011–2013), constitute national frames of reference for the realisation of the right to development. International standards have likewise guaranteed the development rights of the State and of the individual, as embodied in the Declaration on the Right to Development issued on 4 January 1986, which aims to entrench human development as a human right and makes the human person the central subject of the development process.

Among the positive developments witnessed in 2014 was the Centre’s receipt of the Government’s response to its 2012 report, which stated that “the bodies responsible for preparing the State’s General Budget devote the greatest attention to the priorities and needs of citizens, whether in the health, education or other spheres; these are taken into account when preparing the draft General Budget each year, and the financial allocations necessary to provide educational opportunities to all groups, without discrimination between young and old or persons with special needs, are earmarked, so as to achieve the optimal investment of human resources in accordance with the available financial resources. In the health sphere, public health requirements are secured through the provision of vaccinations for children throughout the territory of the Kingdom without discrimination, in order to ensure comprehensive health coverage for children under the age of six through the health insurance umbrella, with due regard to children with special needs, all of which is taken into account at the stages of preparing the General Budget”. However, a careful reading of the Government’s response reveals that it was, to a large extent, general in nature and made no mention of the policies followed in determining priorities or of how they are applied in practice in the General Budget. In addition, the response did not address the Government’s measures relating to the right to work and the provision of employment opportunities for Jordanian labour as a priority for reducing unemployment rates within Jordanian society. While the Centre considers this a positive step in principle, it expects this aspect to be remedied when preparing the annual budget in the coming years.

Accordingly, Jordan, according to the Human Development Report 2014, remained within the category of countries classified as medium in terms of the Human Development Index. Although it made progress towards achieving the Millennium Development Goals, ranking 77th on the Human Development Index,¹⁰¹ compared with 100th in 2013, it remained within the category of

¹⁰¹ The Human Development Index is a comparative measure of life expectancy, literacy, education and standards of living for countries throughout the world. It is a means of measuring the level of well-being and social welfare, particularly with respect to children. The Index is used to distinguish whether a country is developed, developing or least developed, and

countries classified as medium. Table (7) shows Jordan's ranking on the Development Index for the years 2010–2014.

Table (7): Jordan's Ranking on the Development Index for the Years 2010–2014

Year	Report Title	Jordan's Rank in the Human Development Report	Value Reading
2010	The Real Wealth of Nations: Pathways to Human Development	100	Medium country in development progress
2011	Sustainability and Equity: A Better Future for All	95	Medium country in development progress
2013	The Rise of the South: Human Progress in a Diverse World	100	Medium country in development progress
2014	Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience	77	Medium country in development progress

Table prepared by the Centre on the basis of the data contained in the Human Development Reports issued by the United Nations Development Programme for the years 2010–2014.

In 2014, a number of challenges continued to have an adverse effect on the development process and on the advancement of Jordan's position in the Human Development Report, the most important of which were: rising indebtedness¹⁰² (domestic and external public debt) and the fiscal deficit, as a result of which the Government's austerity policy is expected to continue, adversely affecting the Jordanian individual's right to development. We also find that unemployment rates in the Jordanian labour market continued to rise; the latest survey conducted by the Department of Statistics for 2014 revealed that the unemployment rate in Jordan reached 11.4%, which confirms the continued rise in unemployment rates. Table (8) shows the unemployment rate in Jordan from 2004 until 2014.¹⁰³

Table (8): Unemployment Rate in Jordan, 2004–2014, According to Department of Statistics Data

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Unemployment rate %	14.6	14.8	14	13.1	12.7	12.9	12.5	12.9	12.2	12.6	11.4

Table prepared by the Centre on the basis of data issued by the Department of Statistics.

Although unemployment rates declined over the years from 2004 until 2014, a careful reading of the findings of the report of the Jordanian Department of Statistics on the 2013 survey of newly created jobs¹⁰⁴ reveals the following: (a) the rise in newly created jobs for males at the expense of

also to measure the impact of economic policies on quality of life. The Index was developed in 1990 by the Pakistani economist Mahbub ul Haq and the Indian economist Amartya Sen.

¹⁰² For further information, see the website <http://www.shaabnews.com/text gl.d>, which shows that the public debt amounted at the end of 2014 to (20,555.5) million.

¹⁰³ There are no updated statistics on newly created jobs.

¹⁰⁴ No other report for 2014 has been issued by any official body; accordingly, reliance was placed on this report.

newly created jobs for females;¹⁰⁵ the net number of jobs created for males reached approximately 35 thousand, out of a total of approximately 54 thousand jobs for both sexes; (b) the absence of social insurance for the newly created jobs generated by the private sector; the report shows that more than three quarters of the net jobs created (approximately 41 thousand jobs) were generated by the organised private sector, while approximately 21% were created by the government sector; (c) the growing role of the private sector in generating employment; the report shows that the private sector has provided more jobs than those provided through the public sector in creating new employment opportunities over the past seven years, as is evident from Chart (1); (d) the Capital¹⁰⁶ continues to account for the largest share of job creation compared with the other governorates; (f) the continued adverse impact of demographic shifts as one of the development challenges in Jordanian society, as these shifts have led to an increase in the number of new entrants to the labour market as a result of the rise in natural and non-natural population growth rates,¹⁰⁷ and the continued rise in poverty rates. Poverty remains one of the most important economic challenges facing the development process in Jordan, even though reducing the poverty rate is at the top of the list of goals that the State is striving to achieve. There is no officially approved statistic on the poverty rate in Jordan; the latest statistic shows the value of the poverty index in 2010, which stood at 14.4%,¹⁰⁸ with a poverty gap ratio of 3.6 and an average annual household income of JOD 8,823.9; (g) the lack of coordination in the implementation of projects between the relevant government institutions and civil society institutions, which has resulted in community forces not being involved in identifying projects and monitoring their implementation so as to achieve the maximum possible output for the promotion of the right of individuals to development; (h) the absence of a database identifying the donors funding the implementation of development projects, so as to ensure that such projects do not conflict and are complementary; (i) the absence of a media role for the government and private bodies concerned with providing development loans and grants.

Chart (1): Newly Created Jobs

[Line chart comparing the public sector and the private sector, 2007–2013.]

Department of Statistics, Report on Newly Created Jobs for 2013.

The Development Situation in Certain Remote Village Areas Monitored by the Centre

In 2014, the Centre continued to conduct its field visits to remote villages with the aim of raising awareness of women's rights and human rights and of examining the conditions of the inhabitants of these areas. The most significant problems from which these areas suffer may be highlighted

¹⁰⁵ Notwithstanding the interpretation of the distribution of net jobs by sex, it is noted that there is a difference between 2012 and 2013 in terms of the decrease in net jobs created for males from approximately 35.4 thousand jobs to approximately 35.3 thousand, i.e. a difference of about one hundred jobs, whereas net jobs for females rose markedly from approximately 14.5 thousand in 2012 to approximately 18.4 thousand in 2013.

¹⁰⁶ According to the report, residents of the Capital Governorate accounted for the highest share of net jobs created, while residents of Ma'an Governorate accounted for the lowest share.

¹⁰⁷ Natural: the rise in the number of births. Non-natural: internal and external migration to Jordan.

¹⁰⁸ According to the latest statistic issued and approved by the Jordanian Department of Statistics.

as follows: (a) the absence of health centres in some villages, together with the absence of health oversight of the health centres existing in other villages; (b) high unemployment among the inhabitants of remote areas, particularly among women and girls in most of these areas, even though many of them hold a first university degree; (c) the absence of private-sector investment projects in these areas that would contribute to providing employment opportunities; (d) the insufficient value of the credit loans obtained by families to implement small development projects, coupled with the high interest on such loans, which is incommensurate with the deteriorating economic situation of families, together with the lack of marketing means, particularly marketing skills, that would help families market the products of their already modest projects, ultimately leading to the failure of the majority of these projects; (e) the absence of vocational training centres to help families acquire vocational skills that would assist them in obtaining employment, such as training in sewing and knitting, embroidery, beauty work, cheese and dairy production, painting on mirrors, ceramics, flower arranging and other vocational specialisations needed by the labour market; (g) the lack, in the areas where the families live, of services and development projects, and the failure to provide the following basic facilities and appropriate infrastructure: adequate housing, water pipe networks, electricity lines, street lighting units, means of transport to and from the villages, and specialised schools for girls; (h) the existence of numerous difficulties and challenges facing families in the field of the right to education, consisting of the following: the prevalence of school drop-out in most of the villages visited; the reluctance of students who have dropped out to enrol in vocational training institutions; the problem of the distance of some schools, which makes it difficult for students to reach school and causes them to be late; and the existence of many government schools that do not meet the minimum building requirements, in which students suffer from severe cold in winter owing to the lack or inadequacy of heating.

The Extent of Progress Achieved Towards the Millennium Development Goals in Jordan¹⁰⁹

The overall situation suggests that Jordan has, to a large extent, succeeded in making progress towards achieving a number of the Millennium Development Goals,¹¹⁰ although such progress has been modest in respect of some of them. The report on the extent of achievement of the Development Goals issued by the Ministry of Planning in 2013 indicates that Jordan has either actually achieved the Goals or is close to achieving them, as set out below:

Goal One: Eradicating Hunger and Poverty

Notwithstanding the achievement made with respect to this Goal, namely the reduction of the proportion of the population below the extreme poverty line by more than half, from (6.6%) in 1992 to less than 1% in 2010, the Centre reiterates what it has previously stated regarding the foremost challenge in measuring this Goal, namely the absence of a genuine indicator for

¹⁰⁹ Reliance was placed on the Millennium Development Goals achievements report issued by the Ministry of Planning and International Cooperation for 2013, as no specific report for 2014 had been issued at the time of preparing this report.

¹¹⁰ The Millennium Development Goals comprise 8 goals, 21 targets and 60 indicators for measuring the progress made during the period from 1990 to 2015, by which time the Goals are expected to have been achieved. A list of the goals, targets and indicators contained in the Millennium Development Goals is set out in the table below.

measuring poverty in Jordan, since official statistics rely solely on 2010 data. Moreover, the proportion of the population below the poverty line began to rise again from 2010, standing at 0.25% in that year, and it is expected to rise to 3.3% in 2015. Furthermore, the figures of the National Aid Fund¹¹¹ indicate a higher “proportion of poor women benefiting from assistance compared with men; the proportion of female beneficiaries of the recurrent cash assistance service reached” more than 55% of the Fund’s total, compared with 43% for males.” Likewise, the figures of the Ministry of Social Development indicate that households headed by women are the “greatest beneficiaries” of the Poor Families Housing services; the proportion of women who benefited from housing maintenance and purchase services reached 65%, compared with 35% for men.

Proportion of the Population Below the Extreme Poverty Line (%)

Year	1992	2002	2006	2008	2010...2015
Value shown on chart	6.6	4	2.3	0.25	0.32 / 3.3

Ministry of Planning, Report on the Extent of Achievement of the Millennium Development Goals 2013.

Goal Two: Achieving Universal Primary Education

Notwithstanding the importance of what has been achieved in this field, the Centre stresses that the fundamental challenge in this field lies in ensuring the enrolment and retention of all children in education, particularly girls in remote areas, and in reducing school drop-out. Restoring the quality of education and raising this right to the required level remains the most prominent challenge before those concerned, in addition to the call for linking educational outcomes to the Jordanian labour market.

Table (9): Achievement of Universal Primary Education in Jordan from 1992 until 2012

Indicators	1990/1992	2001/2002	2006	2008	2009	2010	2011	2012	Target for 2015
Net enrolment rate in basic education	86.7	96.2	97.6	97.6	97.6	99.4	99.4	100	100
Proportion of pupils starting Grade 1 who reach Grade 5	92.2	96	99	99	99	99	99	99	100
Literacy rate of the 15–24 age group	97.4	98.7	—	99.1	99.1	99.3	99.3	99.3	100

Source: Report on the Extent of Achievement of the Eight Millennium Development Goals / Ministry of Planning, 2013.

Goal Three: Promoting Gender Equality and Empowering Women

The indicators relating to this Goal revealed that it had been 100% achieved in the areas of gender equality at the basic, secondary and university levels of education. Table (10) shows some of the indicators relating to this Goal.

¹¹¹ Al-Ghad newspaper / 3 March 2004 – <http://www.alghad.com/articles/507274>

Table (10): Extent of Jordan's Achievement of Goal Three on Promoting Gender Equality and Empowering Women

Indicators	1990/1992	2001/2002	2006	2008	2009	2010	2011	2012	2015
Ratio of girls to boys in basic education	94	96	96	96.3	97.8	95.5	95.5	100	100
Ratio of girls to boys in secondary education	105	102	104	104	110	109.7	109.8	100	100
Ratio of girls to boys in higher education	104	112	—		107			—	100
Share of women in wage employment in the non-agricultural sector (%)	11	14.4	13.8	15.7	16.2	16.6	16.9	—	50
Proportion of seats held by women in Parliament (%)	1	5.8	5.8	6.4				12	0

Source: Report on the Extent of Achievement of the Eight Millennium Development Goals / Ministry of Planning, 2013.

However, the practical reality of measuring this indicator reflects otherwise: the World Economic Forum report revealed that Jordan witnessed a widening of the gender gap during 2014, ranking 134th out of 142 countries worldwide, since Jordanian women make up 23% of the workforce in the Jordanian market, yet they earn only 18% of incomes compared with men. This reflects the fact that women's participation in economic and social life remains low. It should be noted that the obstacles preventing women from exercising their role in economic, social and political life in Jordan fall under two determinants: they arise either from the legal frameworks in force or from restrictive social customs that may govern women's conduct.

Goal Four: Reducing Child Mortality

The under-five mortality rate fell from 39 deaths per thousand live births in 1990 to 21 deaths per thousand live births in 2012. The infant mortality rate (death before completing the first year of life) fell from 34 deaths per thousand live births in 1990 to 17 deaths per thousand live births in 2012, while the proportion of children immunised against measles reached 100% in 2012. Chart (3) shows the infant mortality rate and the under-five mortality rate from 2002 until 2015. Notwithstanding these achievements, Jordan still needs further programmes and strategic interventions to reduce newborn mortality and to reduce the under-five mortality rate to 13 deaths per thousand live births, being the Millennium target, by 2015, in addition to striving to reduce the infant mortality rate to 11.3 per thousand live births by 2015, the target shown in the chart below, with a focus on targeting the areas and groups in which child mortality rates remain high.

Chart (3): Infant Mortality Rate and Under-Five Mortality Rate

Series	2002	2007	2009	2010	2011	2012	2015 (target)
Under-five mortality rate	27	21	28	28	28	21	13
Infant mortality rate	22	19	23	23	23	17	11.3

Goal Five: Improving Maternal Health

The maternal mortality rate fell from 48 deaths per (100,000) live births in 1990 to 16 deaths per (100,000) live births in 2012, after the pace of decline accelerated during the last ten years.

Accordingly, Jordan is expected to achieve the Millennium target by 2015 by reaching 12 deaths per (100,000) live births. On the other hand, Jordan has not been able to achieve the remaining indicators relating to improving maternal health; the adolescent birth rate still stood at 4.7% in 2011, whereas the Millennium target is 2%.

Goal Six: Combating HIV/AIDS and Other Diseases

Notwithstanding what has been achieved in implementing the National AIDS Programme since the first case appeared in 1986, statistics indicate that the proportion of the population infected with HIV/AIDS who have reached advanced stages and are able to obtain antiretroviral drugs reached 100% during the period 1990–2012. The rate of incidence of, and death from, tuberculosis (per 100 thousand population) also fell from 14 cases in 1990 to 6 cases¹¹² in 2012. Notwithstanding these achievements, Jordan needs to continue its effective health programmes and to adopt a multi-sectoral health strategy to address the health situation in its social context, particularly in light of the rising rates of chronic diseases that are significantly affected by lifestyle, such as diabetes, cardiovascular diseases and cancer, which have begun to constitute an increasing burden on the health care system.

Goal Seven: Ensuring Environmental Sustainability

Notwithstanding the noticeable improvement in certain environmental sustainability indicators, in terms of the proportion of the population connected to the public water network, which rose from 92.8% to 99% in 2012, as well as the increase in the proportion of the population using sanitation facilities from 48% in 1990 to 68%¹¹³ in 2012, the challenges related to environmental sustainability, specifically the management of natural resources, remain present and are concentrated in population growth, global warming, rising energy prices and the potential repercussions of the financial crisis on the implementation of certain major projects in the Kingdom.

Goal Eight: Developing a Global Partnership for Development

The ratio of external debt to gross domestic product (GDP) remains high, having reached 22.1% in 2011. Foreign direct investment as a percentage of GDP is also in continuous decline; it reached its highest rate in 2006, at 15.8%, and then fell again in 2012 to 4.3%. At the same time, the proportion of households owning a mobile telephone rose, reaching 13.8% in 2012, which in turn led to a decrease in the proportion of households owning a landline telephone, which reached 21.6% in 2010 after having been 57% in 2002. An increase is also noted in the proportion of individuals connected to the Internet and of households owning computers.

¹¹² Report on the Extent of Achievement of the Eight Millennium Development Goals / Ministry of Planning, 2013 (there is no report for 2014).

¹¹³ Report on the Extent of Achievement of the Eight Millennium Development Goals / Ministry of Planning, 2013 (there is no report for 2014).

Recommendations

The Centre reiterates the recommendations set out in its 2013 report, adding thereto the following:

1. Activating the involvement of community forces in identifying and adopting development projects, including monitoring their implementation, so as to achieve the maximum possible output for the promotion of the right of individuals to development.
2. Establishing a unified, operational and periodically updated database to identify the donors funding the implementation of development projects, so as to ensure that such projects do not conflict and are complementary.
3. Adopting policies aimed at reducing internal migration in order to lessen its impact on the infrastructure of the Capital, by working to develop the governorates and through the effective application of the principle of decentralisation in the distribution of development gains.
4. Activating the media role of the personal loan windows of lending bodies, particularly governmental ones, so as to ensure that individuals in poverty pocket areas obtain such loans.
5. The insufficient value of the credit loans obtained by families to implement small development projects properly, coupled with the high interest on such loans, which is incommensurate with the deteriorating economic situation of families, together with the lack of marketing means, particularly marketing skills, that would help families market the products of their already modest projects, ultimately leading to the failure of the majority of these projects.
6. The absence of social insurance for the jobs generated by the private sector and the employment opportunities provided by development projects, which threatens the career future of persons working in such jobs.

ii. The Right to an Adequate Standard of Living

International instruments have accorded particular attention to the right to an adequate standard of living, in view of the importance of this right in human life. Article (25/1) of the Universal Declaration of Human Rights and Article (11) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) have affirmed this meaning. As regards Jordanian national legislation, as is the case with the right to development, the Jordanian Constitution does not clearly and expressly refer to the right to an adequate standard of living. However, Article 6/3 thereof provides that: “The State shall ensure work and education within the limits of its capabilities, and shall ensure tranquillity and equal opportunities for all Jordanians.” Moreover, the goal of achieving economic well-being and prosperity constitutes one of the priorities of the State and of successive Governments, through the continuous emphasis on working to resolve the problems of poverty and unemployment.¹¹⁴

¹¹⁴ His Majesty the King, at his meeting with the President of the Senate and the Committee Chairs on 4/1/2015, stated that “there are challenges facing Jordan and the region during 2015, and with respect to domestic affairs, poverty and unemployment remain among the most important challenges before us”. His Majesty stressed the importance of giving domestic issues, particularly improving the economic situation and its impact on citizens, the importance they deserve,

However, the Government's response concerning the right to an adequate standard of living referred to the governmental efforts in this regard and to the achievements made, without overlooking the obstacles, and stated that it is accordingly working to implement the Centre's recommendations on this matter. Among its achievements in implementing those recommendations were: (a) the adoption of a set of measures to combat poverty, such as the cash support policy, the delivery of support to those entitled to it, and the maintenance of the allocations necessary for the social safety net. JOD 300 million was also earmarked in the budget of the Ministry of Finance as direct cash support for Jordanian families; (b) increasing the allocations of the Ministry of Social Development for anti-poverty programmes by half a million dinars, in addition to completing the third phase of the Poverty Pockets Empowerment Programme 2011–2013, implemented by the Ministry of Planning and International Cooperation in cooperation with national institutions at a cost of JOD 25 million; (c) as regards reviewing the minimum wage, which has not been amended or reviewed since 2012 and stands at JOD 190, the Government justified this on the ground that the matter requires an in-depth study in view of its effects on the economic and industrial sectors. In this regard, the Centre considers it necessary to review the minimum wage in view of its direct impact on citizens' standard of living, and because the minimum wage currently in force is not consistent with current living conditions or with the level of the costs of the minimum requirements of an adequate standard of living; (d) in order to find radical solutions to transport and congestion, the Greater Amman Municipality has developed a programme to upgrade the public transport system. Work is also currently under way, according to the Municipality's plans, to expand the Bus Rapid Transit network; however, the level of achievement in this regard remains far below what is required for citizens to feel its impact to an acceptable degree; (e) an amount of JOD 75 million was earmarked within the capital budget of the Ministry of Finance for the years 2011–2013 for the Governorates Development Fund, which aims to provide the financial and technical support necessary for establishing small productive projects. However, the volume of what the Governorates Development Fund has accomplished remains modest in terms of both quantity and quality, as it is necessary to focus on the quality of these development projects and their impact on providing employment opportunities and combating poverty. There are also problems relating to the marketing of the products of the projects funded by the Governorates Fund, which prevent the achievement of the desired objective of providing income to citizens and combating poverty; (f) the Centre commends the measures that the Ministry of Finance intends to implement to activate oversight of public funds, which would protect such funds from waste, through training and qualifying the staff of the oversight units and expanding the Government Financial Management Information System (GFMS). The Ministry will also proceed with preparing an annual report on financial oversight of the public sector.

pointing to the need to attract investment to Jordan in view of its major role in creating employment opportunities and combating the problems of poverty and unemployment. His Majesty also emphasised the importance of distributing investments across the various regions of the Kingdom so as to contribute to creating employment opportunities for citizens, taking into account the economic advantages of each region of the Kingdom, particularly with respect to energy generation, water and transport projects.

The year 2014 witnessed a rise in net public debt¹¹⁵ compared with its level in 2013 by JOD 1,459 million, or 7.6%. It also witnessed a rise in the inflation rate¹¹⁶ (average consumer prices) to 2.8% compared with 2013. Chart (4) shows the ratio of net public debt to GDP for the years 2011–2014; the net debt balance includes the amounts borrowed to cover the accumulated cash deficit of the National Electric Power Company, which led to an increase in net public debt from 62.2% to 80.3% of GDP in 2014. The energy sector is regarded as the greatest challenge facing the Jordanian economy and public finances. According to a number of experts,¹¹⁷ it would be difficult to reduce the public debt ratio to below 60%, even if the Government were to pursue genuine policies to control expenditure and refrain from increasing taxes, in order to support growth rates and stimulate the economy.

Chart No. (4): Ratio of Public Debt to GDP for 2014 Compared with Previous Years

Year	2011	2012	2013	2014
Debt to GDP	65.50%	75.50%	80.10%	80.30%

Chart prepared by the Centre on the basis of the Government Finance Bulletin – Ministry of Finance.

Poverty Rates and Means of Combating Poverty

Poverty is a major development problem requiring the State to adopt a comprehensive policy to improve the lives of the poor and the socially deprived, by providing them with economic opportunities and integrating them into society. Notwithstanding the efforts exerted by the Government to combat poverty, the number of poor people is increasing and poverty rates remain stagnant. Through the National Poverty Reduction Strategy¹¹⁸ for the years 2013–2020, the Government has sought to work in two directions: first, containing poverty, and second, reducing it, with a view to lowering the poverty rate to 6% in 2020 from the current rate, estimated at approximately 14.4%. However, there are external factors that may affect the implementation of the Strategy, such as the Syrian refugee issue, which will contribute to increasing poverty rates as a result of the crowding of Syrians and their competition with Jordanians for employment opportunities, services and the like. The Ministry of Planning and International Cooperation, in cooperation with a number of institutions, has also implemented a programme¹¹⁹ targeting 32

¹¹⁵ Ministry of Finance – General Government Finance Bulletin – Issue No. 12, January 2015. Net public debt for 2014 reached approximately (20,555.5) million dinars, or (80.3%) of the estimated GDP for 2014, compared with (19,096.8) million dinars, or (80.1%) of GDP, for 2013, an increase of 0.2 percentage points.

¹¹⁶ Department of Statistics: the rise in the inflation rate is attributed to increases in the rents group by 6.9%, tobacco and cigarettes by 13.9%, the clothing and footwear group by 9.9%, education by 4.5% and medical care by 6.9%, whereas the most prominent commodity groups whose prices fell were the vegetables group by 2.8%, the fuel and lighting group by 0.8%, dairy products and eggs by 0.2%, and personal care by 0.3%.

¹¹⁷ Radio Al-Balad, 24/12/2014, at the link <http://ar.ammannet.net/news/241246>

¹¹⁸ The National Poverty Reduction Strategy 2013–2020 aims to contain and reduce poverty and inequality in the current socio-economic environment in Jordan by adopting a holistic, results-focused approach targeting the poor and vulnerable households (below the middle class), in order to reduce the poverty rate to approximately 6% by 2020. The Strategy comprises five main pillars: 1- Social welfare and gender. 2- Pro-poor employment and entrepreneurship. 3- Comprehensive education and health services. 4- Pro-poor agriculture and environment. 5- Pro-poor transport and housing.

¹¹⁹ The project's achievements as at 12 October 2014, according to statements made by the Director of the Local Development Programmes and Productivity Enhancement Directorate at the Ministry of Planning and International

poverty pockets; however, the implementation of such programmes is carried out through the relevant bodies dealing with pockets identified on the basis of the Household Expenditure and Income Survey for 2008 and 2010. According to the research working paper prepared by the World Bank¹²⁰ in 2014, 18.6% of Jordanians fall below the poverty line during certain periods of the year, in addition to the poverty rate specified in government reports, which stands at 14.4%. This indicates that one third of the population of the Kingdom is vulnerable to poverty at certain times of the year and for specific periods. The authors of the research paper indicated that they relied on the Household Income and Expenditure Survey to determine poverty levels in Jordan on a quarterly basis, i.e. every three months. The National Centre considers it necessary to assess poverty levels on a continuous basis by adopting the methodology used in preparing that research paper, rather than waiting for the household survey conducted every four years.

The high level of poverty in Jordan and the stability of its rate are attributable to several factors, including: (a) the development policies pursued, which are implemented on the basis of economic liberalisation, such as the liberalisation of foreign trade and the liberalisation of prices, which contributed to the closure of many Jordanian industries, such as the ceramics and plastics industries, resulting in the loss of hundreds of jobs, as well as the rise in commodity prices at rates exceeding wage rates. Looking at the income brackets of Jordanian employees¹²¹ in 2014, we find that 30.3% of employed Jordanians have a monthly income of less than JOD 300. Taking into account that a worker may be responsible for a family of no fewer than three persons, this means that the per capita share does not rise much above the absolute and extreme poverty lines, which stand at JOD 814.0 and JOD 336.0 per person per year respectively; (b) the policies pursued to protect the poor are subject to numerous criticisms in the absence of a body to coordinate the work of the institutions concerned with providing them with assistance; moreover, the difficulty of obtaining loans for small and micro-enterprise programmes, the limited amounts of funding and the lack of awareness prevent the poor from being empowered by and benefiting from such loans.

Unemployment Rates and Means of Combating Unemployment

Unemployment rates in Jordan continue to rise. Although the unemployment rate declined in 2014 to 11.9%, compared with 12.6% in 2013, according to the statistics of the Department of Statistics,¹²² Chart No. (5) shows unemployment rates during 2014 compared with previous years.

Cooperation to Al-Ghad newspaper in 2014: (1,526) productive and family projects were implemented in the targeted areas, providing approximately (1,735) employment opportunities. In addition, (137) lending portfolios were implemented in cooperation with the local bodies benefiting from the programme.

¹²⁰ The research working paper was presented at a dialogue session organised by the Economic Policy Development Forum entitled “Poverty in Jordan... Measuring It Anew”, in which experts from the Ministry of Planning and the Department of Statistics participated, on 8/6/2014. The paper is available on the World Bank website.

¹²¹ Department of Statistics, at the link: http://www.dos.gov.jo/owa-user/owa/emp_unemp.show_tables1?lang=A&year1=2014&round=3&t_no=34

¹²² Department of Statistics: the unemployment rate for the fourth quarter of 2014 reached 12.3%, an increase of 0.9 percentage points over the third quarter of the same year. The unemployment rate for males stood at 10.9%, compared with 19.1% for females, and the unemployment rate was high among holders of university degrees, reaching 16.8%, compared with other educational levels. At the governorate level, the highest unemployment rate was recorded in Ma'an Governorate, at 21.2%, and the lowest in Madaba Governorate, at 9.1%. It is worth noting that unemployment rates among young people in the two age groups (15–19) years and (20–24) years reached 35.4% and 29.3% respectively during the fourth quarter of 2014. Link: http://www.dos.gov.jo/dos_home_a/main/archive/unemp/2013/Q4.pdf

The data of the Civil Service Bureau¹²³ also indicated that there were more than a quarter of a million job applications according to the 2014 competitive list, as new applications submitted to the Civil Service Bureau according to the approved competitive list for 2014 increased by 16% compared with the approved competitive list for 2013.

Chart No. (5): Unemployment Rate for 2014 Compared with Previous Years

Year	2011	2012	2013	2014
Unemployment rate (%)	12.9	12.2	12.6	11.9

Chart prepared by the Centre on the basis of Department of Statistics data. An important observation must be made in this regard: the figures issued by the Department of Statistics on unemployment rates at times stagnate and at other times tend to decline, which has prompted a number of economists¹²⁴ to warn that this decline may be economically unjustified in light of the recession and economic downturn the Kingdom is experiencing, and consequently to conclude that the unemployment figures issued by the Department of Statistics may not reflect the true figures for the phenomenon of unemployment in Jordan.

The high unemployment rate in Jordan is attributable to the weakness of the economic and educational policies pursued by the Government. Official plans and studies are based on the assumption that Jordanian society generates between (60–70) thousand new job seekers annually, whereas in reality society produces more than 100 thousand new job seekers annually,¹²⁵ in addition to the decline in the capacity of the Jordanian economy to generate new job opportunities. Furthermore, the flooding of the Jordanian market with competing goods, without working to support and empower Jordanian industry, has led to the closure of many industries, such as the ceramics and tiles industries and others, which has resulted in the loss of many job opportunities¹²⁶ available in the market, in view of Jordan's commitment to the Stand-By Arrangement¹²⁷ concluded with the International Monetary Fund.

¹²³ Civil Service Bureau: Study on the Reality of Supply and Demand for Academic Specialisations in the Civil Service for Holders of University Degrees and Intermediate Diplomas 2013/2014. The number of applications reached (35,247) in 2014, compared with (30,413) applications in 2013.

¹²⁴ Dr. Omar Al-Razzaz, in a lecture delivered at the Society for International Affairs entitled “The Jordanian Economy and the Challenge of Job Opportunities for Youth” on 9/12/2014, in which he put forward the concept of the “waiting generation”, namely the category of young people waiting to move from the stage of study and youth to the stage of stability, whether in finding employment, building or forming a family, or otherwise. This category suffers a great deal of frustration and repression, and it is incumbent upon the State to provide them with job opportunities.

¹²⁵ Phenix Center for Economic and Informatics Studies – paper entitled: “Jordanian Youth: Big Dreams in the Face of Big Challenges”.

¹²⁶ Phenix Center for Economic and Informatics Studies – policy paper: “Strengthening National Efforts to Combat Poverty in Jordan”.

¹²⁷ The Jordanian Government concluded a Stand-By Arrangement with the International Monetary Fund in August 2012 for a period of 36 months ending in August 2015, in the amount of USD 2.06 billion. Jordan's national economic programme aims to maintain macroeconomic stability through: the implementation of fiscal, monetary and structural policies capable of addressing the challenges and stopping the revenue losses recently incurred by the State; reducing the primary deficit (excluding grants) by approximately 6% of gross domestic product; directing subsidies to those entitled to them; and other measures.

Food Security and the Enhancement of Agricultural Production

1. The importance of the agricultural sector stems from its being the main source for achieving food security; it is also a source of livelihood for more than one million Jordanian farmers. It therefore contributes to reducing the problems of unemployment and poverty, as it is one of the sectors providing the most job opportunities and is directly linked to many industrial sectors, whether in the field of production inputs such as pesticides and fertilisers or the food industry that depends on agricultural products, in addition to the transport and trade sector. Despite the importance of this sector and the Government's affirmation of the need to support it, 2014 witnessed an aggravation of the problems of those working in this sector, which led many farmers to refrain from cultivating their land and increased the debts of others, who have come to face the threat of imprisonment for their inability to meet their obligations towards agricultural companies and lending institutions; there are 4,000–5,000 farmers being prosecuted. In view of this deteriorating situation, those working in this sector staged a sit-in in Dabouq on 8/6/2014, in which they called on the Government to support them in the face of accumulated losses and rising production costs. However, the security services demolished the sit-in tent at the request of the Greater Amman Municipality. The National Centre for Human Rights contacted the Jordan Valley Farmers Union¹²⁸ to ascertain the problems of the sector and the conditions of farmers, and the President of the Union summarised these problems as follows:

1. Failure to compensate Jordan Valley farmers for the losses they incurred as a result of frost waves and the rise in the level of the Jordan River, whose flooding submerged hundreds of dunums of agricultural land adjacent to the river.
2. The rise in the wages of migrant labour, which has placed an additional burden on farmers. According to the President of the Jordan Valley Farmers Union, the status-regularisation process being implemented by the Ministry of Labour has contributed to creating conditions that some have exploited to obtain new permits for construction work and the like.
3. Failure to find solutions to the marketing problem: according to the same source, neighbouring countries market their produce by selling it at retail (by the kilo), whereas Jordanian produce is marketed in packaging crates, which burdens the farmer with huge sums as the price of the crates. It should be noted that there have been attempts since 1980 to establish a crate bank with the aim of reducing the financial cost to farmers by renting crates from it instead of purchasing them; however, to date, this bank has not seen the light. The General Union of Jordanian Farmers had also submitted to the Prime Ministry the idea of a project for producing field crates,¹²⁹ which was later referred to the Ministry of Agriculture, and to date this idea remains shelved.

¹²⁸ Telephone call with the President of the Jordan Valley Farmers Union on 27/1/2015.

¹²⁹ The project was put forward in the 2013 report of the National Centre for Human Rights... Field crates are used in various regions of the world, being the most advanced means of saving time, effort and money in the agricultural process. The objectives of the pioneering project for producing field crates are: 1- Reducing the costs of the agricultural production process. 2- Utilising farm mulch and recycling it to manufacture plastic crates, thereby mitigating the negative environmental effects of those materials. 3- Preserving the produce and keeping it in a good, firm condition despite shipping, loading and unloading operations. 4- Limiting the use of polystyrene crates, which have a negative environmental impact in terms of harm to livestock and to public facilities such as culverts, tunnels and manholes, owing to the ease with which they are blown about. 5- Limiting the waste of money on purchasing crates, whether polystyrene, wooden or cardboard, in

4. The cancellation of contract farming,¹³⁰ which accounted for approximately 20% of the cultivated area, as a result of the events in Syria, which had been the export gateway to the countries of Eastern and Western Europe.
5. The closure of packing workshops, which used to employ dozens of workers, leaving only two workshops out of 29.
6. The rise in the prices of production supplies owing to the absence of effective oversight, particularly after the abolition of the oversight previously exercised by the Jordan Valley Farmers Union.
7. Water scarcity and the decline in the capacity of the Jordan Valley Authority to provide sufficient water to cover the needs of the agricultural sector, and the diversion of a large part of the water of the King Abdullah Canal to the capital, Amman, which has driven farmers to dig wells at depths ranging between 40–70 m to save their crops from drought, which in turn has resulted in fines and fees imposed on them by the Ministry of Water as the price of the water from those wells.

For all of the above, the National Centre considers that there is no alternative to a radical reconsideration of the State's strategy towards the agricultural and livestock sector, and to studying the problems of farmers and sheep breeders, with a view to developing plans and time-bound programmes to resolve them.

The Transport Sector

The development of the public transport system has a positive impact at the economic, social and environmental levels, particularly given that 52% of Jordan's energy bill goes to the transport sector.¹³¹ In 2014, Jordanians, through the popular initiative "Ma'an Nasel" (Together We Arrive),¹³² called for a solution to the congestion problem witnessed in the governorates of the Kingdom, through: (a) providing information on public transport services by distributing maps of public transport routes at stations and public places; (b) adherence to designated stops and schedules, as well as adherence to all stations along the routes; (c) providing a unified electronic payment system, and taking into account the granting of discounts to citizens in the categories of students, workers, employees and older persons, by providing weekly/monthly/annual cards for saving purposes; (d) designating special bus lanes on major streets, since a bus carrying one hundred people is more entitled to pass than a car carrying a single person; (e) qualifying and training bus drivers and attending to their professional and living conditions; (f) immediate attention to the cleanliness and maintenance of buses in terms of engines and seats, the provision

the local market, as the price is paid only once and the crates can withstand more than one production season, depending on the manner of use. 6- Limiting the spread of pests among farmers where used polystyrene or wooden crates are used for more than one harvest.

¹³⁰ Contract farming: a form of vertical integration whereby the farmer is contractually bound to supply a specific quantity and type of produce to a processing or marketing enterprise. The buyer agrees in advance to pay the farmer a specific price and often provides technical advice and inputs (the cost of the inputs is deducted from the farmer's revenues once the produce is sold to the buyer).

¹³¹ Statement by the Minister of Transport on the programme "Sawt Hayat" on 29/2/2015.

¹³² Ma'an Nasel – Public transport is the right of us all, at the link: <https://www.facebook.com/ma3an.nasel>

of information, and ensuring that public transport vehicles are smoke-free. The National Centre for Human Rights calls for the study of all the recommendations contained in the petition¹³³ delivered to the Mayor of Amman on 2/10/2014, and for consideration of their implementation on the ground. The Centre also observed the persistence of the problems it had referred to in its annual report for 2013, namely the poor organisation of the movement of passenger vehicles, the failure to adhere to precise schedules for arrival at passenger gathering points, the long intervals between bus service schedules, the failure of buses to adhere to designated routes, and overloading.

The Water Sector¹³⁴

The year 2014 witnessed the amendment of the Water Authority Law¹³⁵ in order to preserve water resources, ensure their sustainability and protect national water security, by toughening the penalties against anyone who tampers with water transmission and main lines and wastewater treatment plants, in addition to anyone who causes pollution or digs groundwater wells without a licence. The status of judicial police was also conferred on employees of the Water Authority and personnel of the companies it owns, as designated by the Minister or the Secretary General. In implementation of the Water Strategy, the Ministry of Water worked to adopt a policy of involving the private sector in the management of water and sanitation service facilities throughout the Kingdom, with a view to raising the level of services provided to citizens, continuing to improve water quality, training and qualifying human resources, and reducing the rate of water loss. The year 2014 also witnessed the Ministry of Water and Irrigation's continuation of the extensive campaign it began in 2013 to protect water resources and to deal with and backfill illegal wells. According to statements by the Minister of Water and Irrigation, 560 wells had been backfilled by the end of 2014 out of a total of approximately 1,500 illegal wells. However, at the beginning of 2015, farmers from all governorates of the Kingdom staged sit-ins and protests in front of the Prime Ministry against the backfilling of the wells, as these are what irrigate their crops and water their sheep, and owing to the failure to provide an alternative for irrigating their crops.¹³⁶ The

¹³³ The Ma'an Nasel petition: "To His Excellency Mr. Aqel Biltaji, Mayor of Amman: We, the undersigned Jordanian citizens, demand our right to safe, organised, clean and fair mobility within and between Jordanian cities, in the capital Amman in particular and throughout the homeland in general. We sign the petition of the popular initiative 'Ma'an Nasel' because we believe that our right to mobility will be secured only by a modern, integrated public transport system. We call upon you and upon the Government not only to accelerate work on the new public transport projects, but we also call upon you to improve immediately the services existing today, which are used by millions of citizens, migrants and guests of Jordan. We appeal to you to rescue our streets from the stifling traffic crises that waste the money of the people and the State, burn time and nerves, and destroy the environment."

¹³⁴ Jordan is the third water-poorest country in the world and the second water-poorest Arab country according to the standards of the World Health Organization.

¹³⁵ The amending law was published in the Official Gazette, Issue No. 5289, dated 1/6/2014.

¹³⁶ In a letter addressed by MP Faisal Al-A'war to His Majesty the King setting out the problem of farmers in Jordan, he stated that the Azraq water basin has an area of twelve thousand seven hundred square kilometres and extends from Syria in the north to Azraq and to Saudi Arabia in the south; that approximately one thousand wells have been dug in this basin within the Syrian border and hundreds of wells within the Saudi border, in addition to wells dug in Mafraq; and that twenty-two wells were then dug in Azraq to secure drinking water for the governorates. Consequently, this basin and the farms of Azraq are not the only problem with respect to water loss. The problem is multi-dimensional, and any decision to backfill any of the farmers' wells will not end the problem as long as there is multi-faceted depletion of this basin, whether in Syria or Saudi Arabia, or by the drinking-water wells located along the course of the basin, which operate night and day. The

Centre considers it necessary for the Ministry of Water to study the problems of farmers regarding water for irrigating crops and watering livestock, and to regulate the digging of wells in a manner that strikes a balance between preserving water resources and protecting livestock and agricultural wealth, especially since the backfilling decision does not end the problem as long as there is multi-faceted depletion by neighbouring countries.

It is worth noting that the per capita share of available water declined during 2014 to 130 cubic metres,¹³⁷ meaning that Jordan is 87% below the global water poverty line.¹³⁸ In addition to the drought and lack of rainfall facing Jordan, the large numbers of refugees it has received over decades, beginning in 1948, have had a negative impact on the per capita share of available water. According to data of the Ministry of Water and Irrigation, the Disi project was designed to provide 100 million m³ annually, that is, enough to cover approximately (20–25)% of Jordan's drinking water needs. A report prepared by the Water Working Group of the Jordan Economic Monitor¹³⁹ indicated that, despite the limited resources and the low per capita share of water, management plays an important role in allocating resources among economic sectors. The water sector in Jordan has suffered from administrative weakness resulting from the departure of numbers of qualified personnel at a time when successive governments barred new recruitment, accompanied by the absence of training plans to qualify replacements for current employees, in addition to the contribution of weak sector financing to limiting the sector's capacity to finance projects and to sustain and maintain existing facilities.

The Centre also observed the suffering of citizens in some villages of the governorates with respect to the poor distribution of water and its failure to reach their homes in a manner that meets their daily needs, particularly in summer. Some citizens in those villages complained that water reached them for only one hour per week, as is the case in the villages of Bani Kinanah District, the villages of Ajloun, the villages of Karak, and the villages of Madaba Governorate. In addition, many citizens in various governorates of the Kingdom and in major cities, such as some neighbourhoods in the city of Salt, suffer from their homes not being connected to the sewerage network, which may lead to odours being emitted from cesspits and to the possibility of drinking water contamination, not to mention the environmental damage resulting from the use of this means of wastewater disposal. The Centre further observed the phenomenon of procrastination in repairing broken pipelines and damaged valves in a number of governorates of the Kingdom, which results in the waste of tens of metres of water.

Recommendations

The Centre reaffirms the following recommendations for reducing levels of poverty and unemployment and raising the standard of living of citizens:

problem is therefore not the farms, as evidenced by the fact that the Azraq oases had dried up before the farms were established decades ago.

¹³⁷ Statements by the Minister of Water and Irrigation on 6/1/2015.

¹³⁸ According to the World Health Organization, the global water poverty line is 1,000 m³ annually, while the severe water poverty line is 500 m³ annually.

¹³⁹ Economic Policy Development Forum – Jordan Economic Monitor, Report of the Water Working Group, July 2013. <http://www.epdforum.org/UploadFiles/Water%20Resources%20Paper-2013.pdf>

- Developing the public transport sector in order to restore the confidence of its users and to enable the largest number of citizens to rely on it, and studying the recommendations submitted in the “Ma’an Nasel” petition delivered to the Mayor of Amman and considering their implementation on the ground.
- Addressing the problem of unemployment by working to strengthen the partnership between the public and private sectors, training young graduates and qualifying them for the labour market, and stimulating investment in the various governorates of the Kingdom, taking into account the economic advantages of each region.
- Allocating a judicial chamber in the courts dedicated to cases of attacks on water resources, with a view to raising the level of general and specific deterrence in order to protect water resources and networks from attack.
- Developing the water sector by building the administrative, technical, engineering, financial, economic and legal capacities of this sector, and launching awareness-raising and educational campaigns for school and university students and farmers.
- The adoption by the Ministry of Labour of clear policies to regulate the migrant labour market and to control its leakage from the agricultural sector to other sectors, by not permitting the transfer of a work permit from one sector to another except after clearance from the former employer, and by abolishing the price differences between permit fees.
- Protecting groundwater resources by determining the quantities of water for agriculture and linking them to the area permitted to be irrigated and the types of crops, and encouraging farmers to use modern irrigation methods by providing them free of charge.
- Supporting the agricultural sector and farmers, through:
 - Raising the capital of the Agricultural Credit Corporation, and considering the possibility of deferring the repayment of loans owed by farmers to the Corporation for 2014–2015, and waiving the interest accrued thereon.
 - Reducing the share of the capital, Amman, of the water of the King Abdullah Canal, and allocating it to agriculture.
 - Re-operating the tomato paste factory so as to absorb the large quantities that farmers are unable to market, and establishing companies to market agricultural produce so that farmers do not remain at the mercy of traders and exporters.
 - Exempting farmers from the sums assessed against them by the Ministry of Water and Irrigation as the price of the water from the wells they dug.
 - Providing financial support to the Jordan Valley Farmers Union to enable it to serve farmers.

iii. The Right to Work

The Jordanian Constitution, in Articles (6/2) and (23), guarantees the right to work for all citizens, and obliges the State to direct and advance the economy to achieve this end. Accordingly, Labour Law No. (8) of 1996 was enacted to regulate the foundations of the contractual relationship between workers and employers, to set out the rights and benefits enjoyed by workers, and to

establish the legal measures guaranteeing this right. Jordan has also published in the Official Gazette the International Covenant on Economic, Social and Cultural Rights, which addresses, in Articles (6, 7, 8) thereof, the right of individuals to enjoy just and favourable conditions of work that guarantee equal employment opportunities for all workers; fair, equitable and equal wages for all without discrimination; a decent living; working conditions in which safety and health are ensured; and the reasonable limitation of paid working hours, including rest and leisure.

The International Labour Organization has issued (189) international conventions, of which Jordan has ratified a total of (25),¹⁴⁰ in particular the fundamental conventions, with the exception of Convention No. (87) concerning Freedom of Association, and International Convention No. (198) concerning decent work, adopted on 16/6/2011, which includes the protection of the rights of domestic workers.

Furthermore, 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, set out adequate and comprehensive details of all the guarantees and rights of migrant workers that must be respected.¹⁴¹ The Centre calls on the Government to accede to this international convention.

It should be noted that in 2014 the Centre received the Government's response to the recommendations contained in its 2012 report. With regard to the right to work, the response indicated that the Government had taken a package of measures in respect of these recommendations, namely:

1. Activating the provisions of the Anti-Trafficking in Persons Law, and establishing shelters for its victims.
2. Adopting a national referral system by the National Committee for the Prevention of Trafficking in Persons, with the aim of making known the services provided by all the bodies represented on the National Committee, in 2011. It should be noted that, as at the date of writing the Centre's report for 2014, no such system had been formally issued in legal form.
3. Issuing the Regulation on Shelters for Victims and Persons Harmed by Trafficking in Persons Crimes, No. (30) of 2012.
4. Designing and implementing numerous training programmes for law enforcement personnel, judges and public prosecutors, with the aim of building their capacities and determining mechanisms for identifying victims of trafficking in persons, in addition to establishing a 24-hour

¹⁴⁰ The most important of these conventions include: 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.

¹⁴¹ The most important provisions of this Convention for the protection of migrant workers and their families include 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 work reasonable hours; the right to rest; freedom from sexual harassment; the right to form trade unions; and the right to freedom of religious belief and freedom of opinion and expression).

hotline to receive calls in several languages, including Bengali, Indonesian, Hindi, Filipino, Sri Lankan and Chinese.

5. Activating the Instructions on the protection of domestic workers by reducing the working hours of domestic workers to (8) working hours per day; obliging employers to open a bank account for the domestic worker; requiring that the employer be notified of where the worker will spend her leave, rather than requiring the employer's consent thereto; obliging employers not to withhold the worker's passport; and assigning labour inspectors to each of the embassies of the labour-sending countries to ensure coordination and cooperation with them; and other measures aimed at providing greater protection for domestic workers.

6. Organising inspection campaigns on factories to verify their compliance with the provisions of the Labour Law.

Legislation

In 2014, the Government sent the Provisional Labour Law No. 26 of 2010 to the House of Representatives, which referred it to the House's Labour, Social Development and Housing Committee. The Committee discussed its articles with the participation of a number of representatives of civil society organisations, the National Centre for Human Rights, trade unions, and the chambers of industry and commerce. The Committee approved the articles of the law in agreement with the partners; however, the Speaker's Office did not include it on the agenda of any of the sessions of the House of Representatives held to date, and consequently it has not been enacted. Despite the passage of nearly twenty years since the promulgation of the Labour Law, 2014 did not witness any governmental initiative to issue a regulation specific to workers in the agricultural sector, which means that they are not effectively covered by the provisions of the Labour Law. Nor did the Government establish in 2014 a national referral mechanism for the protection of victims of trafficking in persons and exploited migrant workers that would ensure the application of human rights and cooperation and coordination among the bodies working in this field.

Policies and Practices

In 2014, the Ministry of Labour undertook a number of measures to promote and protect labour rights, the most prominent of which were:

- a. Carrying out numerous visits to establishments, factories and shops: the Ministry carried out (88,208) inspection visits, issued warnings to (11,871) establishments, and issued (24,034) violation notices against non-compliant establishments, according to the Ministry's report.
- b. The Ministry's continued receipt and follow-up of labour complaints: the number of labour complaints received by the Ministry of Labour in 2014 totalled (844), of which (573) were resolved.
- c. Issuing a decision granting migrant workers a period of two months to regularise their status, from 16/3 to 15/5/2014.

d. The launch by the Ministry of Labour of numerous programmes and initiatives aimed at helping job seekers obtain employment. Data of the Ministry of Labour, through the cumulative employment report of the employment and labour directorates, indicate that a total of (24,248) persons had been placed in employment as at 31/12/2014, out of (25,745) male and female job seekers.

e. Despite the numerous measures taken to protect labour rights, the Centre observed in 2014 the persistence of numerous violations of workers' rights on the ground, the most prominent of which were: (a) workers working overtime without any allowance or compensation, particularly in some small and medium-sized private establishments; (b) the continued arbitrary dismissal of workers by some workplaces; (c) wage disparities between male and female workers in the private sector; (d) the failure to cover all private-sector workers under social security, or coverage based only on a wage that is not the actual wage.

Domestic Workers

Despite the efforts made by the Government to protect domestic workers through a series of measures in this regard, such as the inclusion of these workers within Jordanian labour laws and the issuance of numerous regulations specific to this category of workers, such as the Regulation on Domestic Workers, Cooks, Gardeners and Persons of Similar Status No. (90) of 2009 and its amendments, and the Regulation Governing Private Offices Engaged in the Recruitment and Employment of Non-Jordanian Domestic Workers No. (89) of 2009, the Ministry of Labour announced during 2014 that it was in the process of issuing an amended regulation for the latter Regulation, which would include a number of positive measures for the protection of domestic workers, consisting of the following:¹⁴²

- a. Establishing a shelter for domestic workers who refuse to work or who have left work.
- b. Granting the Minister of Labour broad powers to control offices that violate the Labour Law, ranging from a warning to the closure of the office and the withdrawal of its licence.
- c. Obliging the householder or the office to obtain an insurance policy for the worker from any legally licensed company, covering the worker with insurance benefits that include health insurance, insurance against leaving or refusing work, and insurance against accidents and death.
- d. Classifying offices into three categories, with the bases and criteria for classification to be determined by Instructions issued by the Minister of Labour.¹⁴³

Despite these efforts made to improve the working environment and to provide further safeguards to address violations of the rights of domestic workers, the Centre observed numerous violations of the rights of this category of workers, consisting of: (a) some domestic workers being subjected to beating and abuse by some employers or office owners; (b) the continued withholding by some

¹⁴² It should be noted that 2015 witnessed the issuance of Regulation No. 12 of 2015 on Private Offices Engaged in the Recruitment and Employment of Non-Jordanian Domestic Workers, which included the positive measures referred to in the statements of the Ministry of Labour during 2014, at the link: www.alrai.com/article/678080.html

¹⁴³ It should be noted that this Regulation was published in the Official Gazette, Issue No. (5327), dated 16/2/2015.

employers of passports belonging to the workers; (c) the worker not receiving the wages due; (d) long working hours and not being granted a weekly day off.

Employment of the Children of Jordanian Women Married to Non-Jordanians

The Centre commends the decision of the Council of Ministers of 9/11/2014, which granted the children of Jordanian women married to non-Jordanians priority, after Jordanian citizens, in working in professions restricted to Jordanians, and exempted them from work permit fees. This decision is considered a step towards addressing this humanitarian issue and towards ending the suffering of these persons and their families. However, the Centre finds that imposing a condition of permanent residence in the Kingdom for a period of (five years) on the mother in order for her to benefit from these facilities constitutes an unjustified restriction that deprives many children of Jordanian women of the enjoyment of their right to work, since the right to travel to and from the homeland is guaranteed and protected for every citizen and may not be derogated from in any way.

Social Security

Despite the promulgation of Social Security Law No. (1) of 2014, which has contributed to providing greater protection and security for citizens and workers through coverage of the following insurances: old age, death, work injury, sickness or unemployment, and through the expansion of the coverage base so that it now includes the self-employed, employers and general partners working in their establishments, which will contribute to providing greater social protection for the beneficiaries of insurance benefits, the Centre finds that the social insurance system provided by the Social Security Corporation is still not comprehensive of all the insurances set out in the relevant international conventions. Health insurance remains outside this system, with the exception of government employees and their dependants; and unemployment insurance has been replaced by insurance against loss of employment, which suffers from certain shortcomings. Moreover, the mechanisms for calculating retirement pensions remain unjust and do not provide decent standards of living for the majority of retirees. In addition, this system falls short of including workers in the informal sectors in social security, not to mention that the proportion of women covered by social security remains low, their number having reached (297,195) female subscribers.

Occupational Safety and Health

Data issued by the Social Security Corporation indicate that the number of injuries resulting from work accidents in 2014 reached (15,348) injuries.¹⁴⁴ This points to the weakness of the measures taken by employers to protect workers in their establishments and to apply the occupational safety and health standards guaranteed by legislation, in addition to weak oversight by the inspectors of the Ministry of Labour and the Social Security Corporation, owing to the shortage of qualified human resources for inspecting institutions and establishments to verify their compliance with

¹⁴⁴ These injuries were distributed as follows: (14,106) males and (1,242) females; the number of injuries among persons of Jordanian nationality reached (12,607), and among non-Jordanian nationalities (2,741).

occupational safety and health standards; the total number of occupational safety and health inspectors among the staff of the Social Security Corporation is (7) inspectors.¹⁴⁵

The State of Wages

The year 2014 did not witness any initiative to raise workers' wages or to raise the minimum wage. In 2014, some workers also continued to receive wages below the minimum wage of (190) Jordanian dinars. Workers in some private schools are among the segments most exposed to violation in this respect; data of the Ministry of Labour indicate that the gender wage gap in the private education sector reaches (42%).¹⁴⁶ Likewise, the male and female teachers in literacy schools, whose number is estimated at approximately (500), also receive a salary below the minimum wage, in addition to not being covered by social security and health insurance. The same applies to those employed in secretarial work in the private sector. The Centre affirms that these violations clearly indicate the lack of a decent life for this category of workers, particularly when the rising price levels of various goods and services are taken into account, which will lead to the expansion of the poor workforce and a widening of the gap between rich and poor, thereby constituting a fundamental infringement of the principle of social justice.

Labour Protests

A specialised report issued by the Jordan Labour Watch¹⁴⁷ indicated that the number of labour protests carried out in Jordan in 2014 reached 474 protests. The number of participants in these protests was estimated at approximately 250 thousand workers, and the demands of these protests were as follows:

- a. Increasing wages or allowances, or demanding additional salaries (accounting for 32.2%).
- b. Protesting against the application of instructions or new regulations that caused harm to workers (accounting for 25.5%).
- c. Protests demanding the provision of job opportunities (accounting for 17%).
- d. Protests demanding a combination of benefits, such as determining and regulating working hours, payment of end-of-service gratuity, changing the job titles of workers in some sectors, the absence of job security, and delays in the payment of salaries and financial entitlements (accounting for 11.2%).
- e. Labour protests carried out against dismissal from work (accounting for 5.7%).
- f. Labour protests demanding permanent employment status (accounting for 2.5%).
- g. Labour protests demanding the establishment of new trade unions (accounting for 1.5%).

¹⁴⁵ As stated by the Director of the Occupational Safety and Health Directorate, Social Security Corporation, on Sunday, 15/3/2014.

¹⁴⁶ Ministry of Labour, Achievements of the Women's Labour Directorate for 2014.

¹⁴⁷ Phenix Center for Economic and Informatics Studies, Report on Labour Protests for 2014.

h. Protests demanding the provision of occupational safety and health requirements in workplaces, protesting against the arrest of a number of workers, demanding the provision of health insurance, and demanding leave (accounting for 4.4%).

The report indicated that the most significant imbalances from which the labour market suffers consist of low wage rates in the public and private sectors, and that approximately two thirds of workers in Jordan receive monthly wages of 400 dinars or less. This is in addition to the deterioration in the level of working conditions for the majority of workers, in that broad sectors do not enjoy the fundamental labour rights provided for in Jordanian labour legislation and the relevant international standards.¹⁴⁸

Agricultural Labour

Despite the recommendations repeated in the Centre's previous annual reports calling for the issuance of a regulation determining the provisions governing workers in this sector, and notwithstanding that Article (3) of Labour Law No. (8) of 1996 so provides, such a regulation has not been issued to date,¹⁴⁹ which points to the continuation of the violations suffered by agricultural workers, the most prominent of which in 2014 were the following: (a) trafficking in work permits for migrant workers by unlawful means by some brokers, and even by some ordinary citizens, and the exploitation of some categories of these workers by applying to the Ministry of Labour for work permits for them in their own names, nominally only, in return for sums of money from these workers; (b) many workers holding agricultural work permits working in other sectors, such as the construction sector, or working on a daily-wage basis; (c) the failure to cover the majority of workers in this sector with health insurance and social security; (d) the withholding by some employers of the passports of the migrant workers employed by them, and making some of them sign papers and promissory notes to ensure that they do not abscond; (e) the continued work of women and children in this sector without the provision of appropriate working conditions for this category of workers.

Child Labour

The year 2014 witnessed the continuation of the phenomenon of child labour, specifically in the informal sectors, and in particular the crafts sectors, such as vehicle repair shops, vehicle spare parts shops, blacksmith and carpentry workshops, and restaurants, with the vast majority of these children not receiving any type of vocational training, which endangers their safety. In addition, some of them are subjected to verbal, psychological and physical violence and ill-treatment, and become involved in unhealthy behaviours, such as drug use, smoking, alcohol consumption and harassment. It is noted that a large part of this work, by its nature, constitutes hazardous work for children and falls within the classification of the worst forms of child labour in accordance with international conventions.

¹⁴⁸ Phenix Center for Economic and Informatics Studies, Report on Labour Protests in Jordan, 2014.

¹⁴⁹ It should be noted that this provision was introduced under Amending Law No. 48 of 2008.

Combating Trafficking in Persons

Data of the Anti-Trafficking Unit / Public Security Directorate for 2014 indicate the registration of 58 trafficking cases, resulting in (165) victims, broken down as shown in Table (11). It is worth noting that shelter was secured for (122) female victims, 28 of them at Dar Al-Wifaq Al-Usari (Family Reconciliation House) and 94 at the premises of the Jordanian Women's Union.

Table (11): Number of Victims of the Crime of Trafficking in Persons

Type of crime	Male	Female	Total
Sexual exploitation	1	42	43
Organ removal	4	0	4
Domestic labour (forced labour)	30	72	102
Workers (forced labour)	9	7	16
Total	44	121	156

Table prepared by the Centre on the basis of data issued by the Public Security Directorate.

Analysis of these figures shows that the rate of trafficking in persons cases is increasing, despite the governmental efforts made in recent years to combat this crime, represented by the issuance of Law No. (9) on Combating Trafficking in Persons, the formation of the National Committee for the Prevention of Trafficking in Persons, and the launch of the National Strategy to Combat Trafficking in Persons, which included preventive measures as well as strict punitive measures. The Regulation on Shelters for Victims and Persons Harmed by Trafficking in Persons Crimes was also issued, and the Council of Ministers approved on 4/2/2014 the establishment of a house for the care of victims of trafficking in persons, and the designation of Dar Al-Wifaq Al-Usari for this purpose pending the preparation of the aforementioned house. However, it appears that the circumstances Jordan is going through, represented by the increasing numbers of refugees and attempts to exploit their difficult conditions, have contributed to the spread of this phenomenon. To confront this heinous crime, the Centre considers: (a) the need to activate the means and mechanisms for protecting victims; (b) assisting and rehabilitating victims, which requires the speedy establishment of a fund for this purpose; (c) establishing and activating specialised judicial chambers in the courts, with the assignment of trained and qualified judges to hear trafficking in persons cases; (d) abolishing the requirement of the Public Prosecutor's approval provided for in the 2012 Regulation on Shelters for Victims and Persons Harmed by Trafficking in Persons Crimes, and establishing a national referral mechanism for victims of trafficking in persons.

Recommendations

- Expediting the completion of the constitutional procedures necessary for enacting the draft law amending the Labour Law, concerning the provisions contained therein, and the Provisional Labour Law No. (26) of 2010.
- Establishing a national mechanism for dealing with victims of trafficking in persons, a "national referral system", beginning with identification and ending with the voluntary return of victims, and establishing an independent and funded financial fund to provide assistance and support to victims of trafficking in persons, in order to secure all their needs, such as medical treatment, food and travel tickets.

- Working to raise awareness of the international instruments and frames of reference relating to trafficking in persons, and organising more awareness-raising workshops for those working to combat such trafficking (judges, public prosecutors, security personnel), since there is still weakness in distinguishing between trafficking in persons crimes and other criminal acts.
- Providing more than one shelter for victims of trafficking in persons, dedicated to such victims, so that they are not accommodated in care homes dedicated to cases of domestic violence or juveniles, for example; cooperation with civil society organisations in the management of those shelters is possible.
- Expediting the issuance of the regulations necessary for regulating the rights of agricultural workers, so as to ensure that they are subject to health insurance and social security.
- Reconsideration by the competent authorities of the determination of the minimum wage, in a manner commensurate with the economic conditions in the Kingdom and that achieves an adequate standard of living for citizens.
- Intensifying oversight of child labour, and activating the role of labour inspectors in this regard, so as to ensure that violators are apprehended and effective legal measures are taken against them.
- Linking educational outputs to the needs of the labour market in order to reduce the problems of poverty and unemployment.
- Reviewing the legislation relating to trafficking in persons and addressing its shortcomings and imbalances so as to bring it into conformity with international standards.
- Increasing the number of inspectors, whether affiliated with the Ministry of Labour or with Social Security, particularly with regard to occupational safety and health.

iv. The Right to Education

Legislation

The right to education is enshrined in the Constitution under the chapter on the Rights and Duties of Jordanians; Article (6/2) thereof provides that: “The State shall guarantee work and education within the limits of its capacity, and shall guarantee tranquillity and equal opportunities to all Jordanians”. Article (19) further provides that “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 prescribed by law and are subject to the control of the Government in respect of their curricula and orientation”, while Article (20) affirms that “Basic education shall be compulsory for Jordanians and free of charge in Government schools”. Jordan is also a party to the international human rights instruments that guarantee the right to education, affirm that basic education shall be compulsory and free of charge, and guarantee freedom of education and the right of individuals to establish private educational institutions under the supervision of the State.

The Educational Process

The year 2014 witnessed the continued enforcement by the Ministry of Education and the relevant authorities of measures to control the General Secondary Education Certificate (Tawjihi) examinations by combating and reducing cheating,¹⁵⁰ which contributed significantly to restoring the standing of this examination and instilling confidence in students and their families, in addition to improving the level of performance as a result of activating the principle of competitiveness. Despite these measures, however, a number of incidents of violence and defiance were recorded in some General Secondary Examination halls,¹⁵¹ whether by students, parents, promoters of forged questions, persons with personal interests and beneficiaries, or persons infiltrating the General Secondary Examination, which posed a threat to the lives of those working in such halls, both invigilators and supervisors, as a result of threats with weapons, the breaking of school windows and the pursuit of teachers without their being protected by the various agencies, in addition to the negative impact thereof on the integrity of the examinations.

The overall pass rate in the results of the General Secondary Education Certificate examination for the 2014 summer session, which stood at 40.2%, also raised certain questions and criticisms, particularly in the Jordan Valley (Al-Aghwar) and Badia areas. In confirmation thereof, the statistics on the audit of the results of the General Secondary Examination for the last winter session in the schools of the Directorate of Education of the North-Western Badia District showed that the pass rate in (25) schools was zero per cent, and that there were (6) schools for girls and (19) schools for boys, out of a total of (21) secondary schools in the Directorate, in which no one passed. In the District of Dhiban, the number of students from the Jabal Bani Hamida area who sat the General Secondary Examination was (89) male and female students, of whom only one female student passed. Moreover, all students failed in (13) schools in Al-Aghwar. Although these results appear worrying on the one hand, they are, on the other, highly beneficial to the educational process, since they have revealed the actual level of study and education in terms of the quality of education provided by schools in those areas and in the Kingdom in general, in addition to having entrenched the principle of competitiveness and merit that the educational process at university level also requires. Accordingly, public and private universities must reconsider this sensitive principle, and the Government must also give due attention to the principle of social justice by providing schools with the necessary requirements in terms of teachers, curricula, supervision and school infrastructure, and must also affirm the role of the family in following up on their children in schools.

Quality of Education

Despite Jordan maintaining, in 2014, a low level of illiteracy at a rate of 6.7%, the year 2014 witnessed the persistence of certain challenges impeding the provision of an environment that guarantees the enjoyment of education at the actual level, the most important of which were: (a)

¹⁵⁰ In 2014, approximately (3,050) male and female students were barred from sitting the examination as a result of their violation of the Instructions.

¹⁵¹ The best example thereof is the refusal of (34) private-study students at Al-Hasa Basic School to sit the examination, in protest against the measures taken against violators of the regulations and instructions in the current General Secondary Examinations, including the searching of students and the monitoring of cases of cheating.

the acute shortage in the number of teachers in the various specialisations,¹⁵² which prompted the Ministry of Education to address this shortage by restructuring its directorates, under which (5,000) administrative posts will be abolished and those working in them will be transferred to work as teachers in the field, with the potential impact this entails on the quality of education as a result of this number of untrained and unqualified teachers lacking the necessary experience entering the profession. This notwithstanding, the restructuring of certain directorates in the Kingdom, which suffer from an inflated number of administrative staff that may reach up to (250) employees in excess of the need in such directorates, is considered an acceptable and positive administrative measure for reducing administrative overstaffing in the Ministry; (b) the persistence of the phenomenon of school drop-out, and the inability of the official authorities and the family to control it, as the drop-out rate of students at the basic stage in all schools for the year 2013–2014 stood at 0.27% for females and 0.24% for males, while in Ministry of Education schools alone it stood at 0.30% for males and 0.25% for females.

To address this phenomenon, the Ministry of Education is implementing an educational programme for drop-outs, the number of learners enrolled in which reached approximately (1,500) students in the 2013–2014 academic year; (c) the announcement by the Minister of Education of a statement to the effect that a study conducted by the Ministry had revealed the inability of 20% of students in the first three grades to read and write. Accordingly, the Ministry will focus on the first three grades, will lighten their curricula in a balanced manner, and will equip the student with skills appropriate to his/her grade and age. The Ministry is also in the process of reviewing the curricula of students with special needs, in a manner commensurate with their abilities, in cooperation with the relevant national institutions in this field.

The National Centre for Human Rights considers these steps to be a sound approach; however, they must be followed and accompanied by complementary steps on the part of the Ministry and the Government to address any negative effects that will necessarily appear upon the implementation of any reform policy such as those adopted by the Ministry of Education, so as not to give rise to victims, particularly among schools described, figuratively, as “less fortunate”, whereas they are in reality less fortunate in the first place, since the level of services and infrastructure in terms of the conditions of the educational process, and perhaps the economic circumstances of the family and adequate means of transport, are unavailable; (d) the persistence of a number of challenges relating to school infrastructure, the most important of which is the continued existence of rented government schools, the number of which reached (902) schools out of a total of (2,791); (e) the increased burden on schools as a result of the increase in the number of foreign students, particularly Syrians, resulting in overcrowding in many of these schools; (f) the poor condition of the infrastructure of certain schools, particularly in remote areas. For example: the parents of students studying at Al-Jufa Secondary School for Boys (Southern Shouneh District / Balqa Governorate) prevented their children from attending school on the second day of the second semester, in protest against the cutting off of water and electricity to the school. A number of parents of students at Muthallath Maleeh School in the District of Dhiban likewise complained of the absence of glass in the school windows after they had been smashed

¹⁵² It should be noted that the number of the Ministry’s employees amounts to (110) thousand employees and teachers, of whom (80) thousand are teachers and administrators in the field, distributed over (3,545) schools in (43) directorates.

during the General Secondary Examination. The National Centre for Human Rights calls upon the Ministry of Education and the Government to proceed to study the situation of the schools whose results in the General Secondary Examination were extremely low, to identify the causes thereof, and to determine the parties responsible for addressing the causes of the shortcomings that led to these low results.

Although in 2014 the Government increased the Ministry's budget to the equivalent of 11% of the State's general budget, so that it reached (903,131,000) dinars, increasing financial support is not necessarily always the most appropriate and sole remedy; the study required in respect of these low rates may reveal other deficiencies in the educational process that need to be addressed by means other than money. The Government's response to the Centre's recommendations contained in its report for 2012 also clarified that the Ministry had undertaken multiple efforts to improve the safe school environment, the most important of which were: (a) the preparation of a ten-year plan for the construction of school buildings in all governorates of the Kingdom, aimed at addressing population growth and abolishing the double-shift system, by equipping new buildings at a rate of (20) schools annually, as well as building (300–400) additional classrooms annually to address overcrowding in schools, in addition to the existence of a five-year plan to dispense with rented school buildings, which constitute approximately (24%) of existing school buildings, after the needs of each governorate for new school buildings to replace rented buildings had been determined, at an estimated cost of (640) million dinars; in addition to dealing with the increase in the number of Syrian students in government schools by opening evening centres for them in areas witnessing unacceptable overcrowding in student numbers.

Education of Syrian Refugees

In 2014, the Jordanian Government continued to provide education services to Syrian refugee students in Jordan; the number of Syrian refugee students in government schools reached approximately (129,058) students, of whom approximately (24,000) students study in camp schools and approximately (106,000) students in government schools spread across all governorates, concentrated mainly in the directorates of (Irbid Qasabah, the North-Western Badia, Al-Ramtha, Mafraq Qasabah and Amman First). Many schools were able, with great difficulty, to absorb the increase in the number of students therein, which placed additional pressures on them owing to their limited capacities in terms of classroom space relative to the number of students, the shortage of teachers, and the increased pressure on infrastructure (sanitary facilities and teaching aids).

It should be noted that in 2014 the Ministry of Education facilitated the admission to schools of Syrian students who do not have identity documents, as admission procedures were carried out on the basis of the security card, and introduced programmes for students who had interrupted their studies. It also exempted such students from school fees and the price of textbooks, the cost being covered by international assistance, while non-governmental organisations in turn pay the cost of stationery.

The Ministry, in cooperation with several international bodies such as the European Union and UNICEF, also provides support for the education of refugees inside the camps and pays teachers'

salaries and students' fees, but these do not cover the costs of infrastructure; the Ministry needs to cover the costs of building (50) new schools for Syrian students.

Among the important issues on which the Centre considers that the Ministry of Education, the representatives of international bodies and the local civil society institutions assisting the Ministry in the field of the education of Syrian students must focus is combating the phenomenon of school drop-out, since neither the Ministry nor any of these bodies has an accurate survey of cases of drop-out among Syrian students, although the situation on the ground indicates a rise in this phenomenon, particularly among females, owing to cases of early marriage. The Ministry also needs to secure financial support to cover the costs of educating these students.

Literacy and Adult Education

In 2014, the Ministry of Education continued to implement literacy and adult education programmes; the number of literacy centres for the 2014–2015 academic year reached (415) centres, a lower number than in the previous year, which stood at (479) centres, of which (28) centres were for males, with (325) enrolled students, and (387) centres for females, with (4,421) enrolled female students. As for adult education and literacy centres in Correction and Rehabilitation Centres, their number amounts to (20) centres, of which (19) are for males, in which (222) students study, and one centre for females, in which (24) female students study. As for juvenile care centres, (34) students study therein.

In 2014, the problems from which the literacy and adult education programme suffers persisted, the most important of which may be summarised as follows:

- a. The low remuneration granted to the teacher, estimated at (1.6) dinars per hour, which has reduced teachers' interest in teaching in this programme.
- b. The decline in the number of persons enrolled in home study; their number in 2013 amounted to (4,496) students, whereas the number enrolled in 2014 amounted to (4,737) students.
- c. Students of the home-study programme continuing to pay the price of textbooks, amounting to approximately (25) dinars, (20) dinars in fees, and (10) dinars for a level test, which is inconsistent with the principle of free education affirmed by international law.

Kindergartens

The 2014/2015 academic year witnessed a rise in the kindergarten enrolment rate to 59%, compared with 58% for the 2013/2014 academic year. These services are provided through (1,139) kindergarten sections at the second preparatory level (KG2). By contrast, the number of kindergartens in the private sector in 2014 amounted to (1,456) kindergartens, and the number of children enrolled therein to (86,874) children, which indicates that the largest proportion remains in the hands of the private sector. In 2014, the same challenges to which the Centre referred in its previous reports on kindergartens persisted. Accordingly, the Centre affirms that 2014 witnessed the emergence of the problem of overcrowding in schools in the central region, in addition to the Ministry's failure to provide means of transport for students, given that they are of a young age and in need of protection.

Curricula

In 2014, the Ministry of Education undertook a set of measures aimed at developing school curricula, consisting of the following: (a) changing the curricula of the first three grades for the 2014–2015 academic year within its plan to change school curricula; the updating covered the subjects of Arabic language, mathematics, science, Islamic education, art education and national education. Focus was also placed on integrating human rights concepts into these curricula; (b) the national education textbook was replaced with a teacher's guide only, and periods and marks were allocated to it; (c) the preparation of guides for the subjects of sport and art so as to become more engaging and to meet students' needs; (d) the development of a music period alongside the art period, with the art period to include the areas of drama, drawing, fine arts and the performing arts. Authors from among school teachers and/or educational supervisors participated in the preparation of this plan, in addition to a committee supervised by university professors, and the curricula of grades four, five, six and nine will be updated for all subjects as of the 2015–2016 academic year. However, the National Centre for Human Rights was not involved in presenting its recommendations and its prior evaluation of these curricula in terms of the concepts that ought to be integrated into the curricula; hence the pressing need emerges for an evaluation and analysis of these curricula to be carried out with a view to ascertaining the extent to which they integrate these concepts.

Cultural Centres

In 2014, the Directorate of Private Education at the Ministry of Education closed (137) cultural centres for failing to regularise their status in accordance with Cultural Centres Instructions No. (1) of 2009. The Directorate also warned one hundred other cultural centres as a result of their violation of the educational legislation governing the operation of cultural centres, which prohibits centres from giving remedial lessons based on the curricula of the Ministry of Education, among other violations.

The Teachers' Association

The National Centre for Human Rights monitored the conduct of the elections of the Jordanian Teachers' Association on 25/3/2014, in order to ascertain the extent of compliance with the holding of free, fair and transparent elections in conformity with international standards. The most important observations of the Centre on the electoral process were as follows:

- (a) Non-compliance with the instructions on electoral campaigning, whether those contained in the Association's Instructions or in international standards; electoral campaign material was observed on the walls and gates of schools and on the internal buildings in which voting takes place, the most prominent of these violations being the presence of large banners for certain candidates on the buildings of polling centres.
- (b) The recruitment of school students to carry out electoral campaigning for certain candidates, under the supervision and accompanied by teachers from government and private schools; the Centre observed the presence of these students in polling centres and noted that they were not attending their classes, despite classes not having been suspended on that day; indeed, the Minister of Education had affirmed to the educational family the

necessity of proceeding to the ballot boxes to take part in the elections, and then returning to their workplaces.

- (c) The flagrant violation of the principle of secrecy, manifested in the securing of the secrecy of polling booths, which were in full view of the committee and the delegates.

In 2014, the Teachers' Association also organised a strike demanding a set of demands aimed at improving the professional conditions of teachers, which ended, after continuing for several weeks following the start of the academic year, as a result of long and difficult negotiations between the Association and the Ministry.¹⁵³

Private Education

In 2014, the Directorate of Private Education at the Ministry of Education completed the preparation of the final draft of the new Regulation on Private Schools and submitted it to the relevant authorities, in preparation for the procedures for its adoption in accordance with the legal rules. The draft Regulation included a statement of the bases for the classification of private schools, namely: (1) the location of the school; (2) the facilities available therein; (3) the quality of the basic and additional programmes it provides to students; (4) the qualifications of the staff working therein. On the basis of these criteria, the amount of the tuition fee per semester is determined. The Regulation also contains provisions aimed at preserving the rights of those working in these schools, by determining the minimum wage for teachers' salaries, in accordance with special criteria determined by a regulation to be issued for this purpose as well.

It should be noted that the Government's response to the Centre's recommendations contained in its report for 2012 included that the Ministry of Education had taken a number of measures capable of limiting the increase in school fees, including:

- Circulating to private educational institutions the necessity of concluding a student registration contract to be signed by the parent, setting out the school fees, the manner of their payment and the services provided by the school.
- Affirming that the files of students wishing to transfer shall not be withheld for financial reasons, since the resolution of financial disputes between the school and parents requires recourse to the judiciary, without affecting the interest of the student and his/her regular attendance at school.
- Circulating to private schools the requirement to provide the Ministry, at the beginning of each academic year, with a statement containing the school fees for the school's sections and grades.

Higher Education

The Higher Education and Scientific Research Law No. (23) of 2009 regulates the educational process in higher education. It should be noted that the objectives of higher education set out in Article (3) of the Higher Education Law do not include a provision affirming the guarantee of the

¹⁵³ For further details on the teachers' demands, what was achieved thereof and the effects arising therefrom, see the right to form trade unions in this report.

right to higher education on the basis of merit and equality in accordance with international standards for the right to higher education. The year 2014 did not witness any amendment to the Higher Education and Scientific Research Law, which means that the provisions affecting the independence of universities, to which the Centre referred in its report for the previous year, remain in force.¹⁵⁴

University Fees and Admission Criteria

In 2014, the same challenges and problems to which the Centre had previously referred in its reports for previous years persisted,¹⁵⁵ and the Centre did not observe any governmental steps or initiatives to address and overcome these problems and challenges, other than the announcement by the Ministry of Higher Education of an intention to study the freezing of exceptions in university seats that are granted through the Council of Higher Education to the children of members of the Council of Higher Education, its secretaries-general, members and staff in the Ministry. It is noted that this study covers only a minor part of the exceptions in the field of university admission.

In 2014, a meeting was held of (13) presidents of private universities, following which a statement was issued in which the presidents of private universities affirmed the unconstitutionality of the parallel programme in public universities, owing to its failure to realise the principle of equality among Jordanians, and demanded adherence to a proportion not exceeding 20% of the total number of students admitted competitively in each specialisation, and not of the total number of students admitted to the university. The said university presidents also called for an immediate freeze on admission to specialisations in public universities that do not meet the special accreditation standards.

The Phenomenon of University Violence

In 2014, a specialised study¹⁵⁶ on university violence was published under the title “Jordanian Universities Enter the World Rankings through the Gateway of Violence”,¹⁵⁷ the most important findings of which were as follows: (a) the number of quarrels in universities (public and private) during the period (2010–2013) amounted to (296) quarrels, the year 2011 having the highest number of quarrels, amounting to (88) quarrels; (b) the number of participants in the quarrels amounted to (399) students; (c) these quarrels resulted in the death of seven persons, the serious injury of (31) persons, moderate injuries to (57) persons and minor injuries to (155) persons, as well as heavy losses to university property; (d) all cases of death and serious injury were Jordanian students, while (23) expatriate students were injured; (e) there were no statistically significant differences in respect of participants in the quarrels on the basis of the university admission criteria, since students admitted under the competitive system and under exceptions participated

¹⁵⁴ See the Report on the State of Human Rights in the Hashemite Kingdom of Jordan for 2013, p. 107.

¹⁵⁵ See the Centre’s report for 2013, p. 108, and the Centre’s report for 2012, p. 140.

¹⁵⁶ The study relied in its sources on data from the Public Security Directorate, the Jordan News Agency (Petra), the websites of universities, the researcher’s contacts and his personal interviews with certain students, and the publications and dialogues of the National Campaign for Students’ Rights (Thabahtoon).

¹⁵⁷ The study was prepared by researcher Mahmoud Jamil Al-Jundi, a member of the Jordanian Society for Political Science.

in the quarrels in similar proportions, in addition to there being no statistically significant differences in respect of participants in the quarrels on the basis of the grade point average, since students of different levels participated in the quarrels. However, a relative preponderance was recorded for students whose grade point average is less than 60%; (f) participation in the quarrels was confined to male students, and the proportion of female students participating did not exceed 1%; (g) regional tribalism constituted the highest proportion of participation in the quarrels, followed by helping a friend, and then other reasons; (h) firearms were used (58) times during the quarrels that occurred within the period of the study; (i) students enrolled in humanities faculties constituted the highest proportion in the number of quarrels and in the number of quarrel participants, at a percentage exceeding 89%; (j) the findings of the study showed that four public universities in particular had experienced no quarrel during the period of the study, and likewise their students did not take part in quarrels in other universities; (k) first-year students constituted the highest proportion of the number of participants in the quarrels, followed by second-year students, and it was found that the recurrence of quarrels was the most prominent characteristic among those who quarrelled, while the nature of the problem ranged between a first occurrence and one connected to previous quarrels inside and outside the university; (l) the quarrels resulted in the suspension of studies for one day (41) times, for a week or less (8) times, and for more than a week (5) times, while (47) students were referred to the judiciary, (19) students were finally expelled and (906) students were temporarily expelled. A further (542) students were given a final warning. The study called for encouraging dialogue among students in a good manner and for addressing student issues through the media in a serious manner, and for narrowing the gap between teacher and student so that the relationship is based on the foundation of teacher and learner. It further called for affirming the role of the teacher as a role model and of the university as an intellectual factory, together with democratic management and communication with students and the teaching staff.

In an attempt to curb the phenomenon of university violence, the year 2014 witnessed a set of measures, the most important of which were: (a) the approval by the House of Representatives of an amendment to the Universities Law under which the employees authorised in writing by the president, who work on guarding the public university, its branches and facilities and on maintaining its internal security, were granted the status of judicial police, within the limits of their competences, in order to confront the phenomenon of university violence. The Centre considers that this amendment may affect academic freedom, and that the solution to the problem of university violence must proceed from a focus on raising students' awareness of the values of tolerance and human rights, and on taking fair measures and holding accountable whoever resorts to violence in universities; (b) the Ministry of Political and Parliamentary Affairs, the Administration of the University of Jordan and the National Democratic Institute prepared to implement a programme through which the doors would be opened to licensed Jordanian political parties to present their programmes to male and female students at the University of Jordan, by setting up a tent for one day for each party wishing to do so (repeated several times during the year), which male and female students visit to hear its programme.

Student Elections

A team from the National Centre for Human Rights monitored the elections of the University of Jordan Students' Union on 27/3/2014 in order to ascertain the extent of compliance with the

holding of free, fair and transparent elections in accordance with international standards. The team recorded a number of observations on these elections, the most important of which were:

- (a) The absence of a unified mechanism for determining the location and form of the polling booth; the team recorded a flagrant violation of the standards of secrecy in terms of the failure to provide secrecy for the booth, which opened the way for the polling committee and delegates to see what was taking place inside it, thereby affecting the freedom of the voter.
- (b) The absence of clear instructions for the ballot paper; some ballot papers were signed by the chairman of the polling committee and stamped, while others were confined to either the signature or the stamp, and some were neither signed nor stamped. In addition, the placing of the phrase “Student’s Name” in the space designated for selecting the faculty-level candidate caused confusion among some students between the name of the candidate and the name of the voter, leading them into error, at a time when there was no unified mechanism for dealing with such errors; some relied on the mechanism of crossing out the erroneous name and writing the name of the candidate, while others relied on destroying the ballot paper and replacing it.
- (c) The presence of unconcerned persons other than the polling committee, candidates, delegates and observers inside some polling centres, and the disorderly entry of voters into the polling hall in turn, as this took place collectively.
- (d) It was observed that some ballot boxes were numbered and others were not numbered; it was also observed that a list of the names of voters was present in some polling centres but not in others.
- (e) The presence of tribal gatherings supporting certain candidates, which created a state of pressure and a kind of intimidation, and consequently prevented some students from entering the polling centres to vote, particularly female students and voters of the Islamic movement.
- (f) The occurrence of incidents of violence that led to injuries among students, including candidates, voters and supporters, and university professors and university security staff, the breaking of glass and furniture, and the use of sound bombs, which led to the suspension of voting in the Faculty of Arts approximately one hour before its official time.
- (g) The electoral campaigning was characterised by a tribal and regional dimension through slogans, printed campaign material and other practices suggestive of defiance, which spread an inappropriate atmosphere. The responsible authorities and university security did not take the decisive measures sufficient to address these practices, which affected the proper conduct of the elections.

The Centre also monitored the elections of the Hashemite University clubs, which were held on 27/2/2014, and its team observed no substantial irregularities affecting the electoral process in terms of its integrity and soundness; however, there were certain observations relating to the organisational procedures, the most prominent of which were:

- a. A large proportion of students having no idea of the club elections, which resulted in weak participation in the student clubs; the number of members of those student clubs amounted to

(5,500) students out of a total number of (29,800) students at the University, which indicates weak awareness of the importance of student clubs.

b. The unsuitability of the date set for the elections, which coincided with the examination period, resulting in a low turnout of students to vote and in the inability of candidates to conduct strong electoral campaigning.

c. The unsuitability of the election hall; all ballot boxes (three boxes for each club) were placed in a single hall, which led to a state of overcrowding that made it difficult for students to cast their votes, particularly students of the Engineering Club, the number of whose members reached more than (2,000) members, the total number registered for the three clubs being more than (4,000) members. The Centre's team recommended that a second box be placed for the Engineering Club in order to ease the pressure, and the election administration responded thereto.

d. The proximity of most candidates' delegates to voters, and their attempts to influence them inside the polling hall, which restricted the freedom of voters.

Notwithstanding the foregoing observations, the Centre's team recorded the following positive aspects on the part of those in charge of and implementing the elections, the most important of which were:

1. Good security arrangements, which prevented the occurrence of any quarrels or incidents of violence, without such arrangements negatively affecting the integrity of the electoral process.
2. The non-interference of the University administration in the electoral process of the student clubs.
3. Making membership of the club available electronically, which constitutes a facilitating opportunity for some students to join; however, the period designated for this was insufficient, which reduced the opportunities to join.

Academic Freedoms

Despite demands for the establishment of an association for professors and staff of universities in order to organise and protect their rights, these demands have not been met by the issuance of a law for its establishment. There are also challenges facing professors, researchers and students arising from the interference of the executive authority in policies relating to curricula and the appointment of members of the teaching staff, and from the failure to adopt elected national committees composed of academics to undertake the process of recruiting, seconding or promoting professors, in order to guarantee the values of merit, integrity and transparency, whether in respect of the selection of professors or the admission of students.

Recommendations

In light of all the foregoing, the Centre recommends that a set of measures be taken to provide protection for the right to education, the most prominent of which are the following:

- Amending the Education Law so as to guarantee and affirm the necessity of directing education towards consolidating respect for human rights and fundamental freedoms, and

so as to also include both kindergarten stages within the compulsory stage, and not merely the kindergarten (KG2) stage.

- Abolishing the sales tax on stationery used by students.
- Issuing a regulation for the classification of private schools, in response to Article (32/b) of the Education Law, and controlling increases in the school fees charged by such schools.
- Establishing an adequate and effective monitoring mechanism and system that guarantees the adherence of educational institutions to the objectives and aims of education and to the standards set by the State for the right to education.
- Amending the Teachers' Association Law so as to take into account international standards in terms of freedom of trade union organisation and its independence from the Government, and activating the role of the teacher in educational policy.
- Strengthening the infrastructure of the school network by increasing expenditure on education as far as possible, with a view to building more schools and increasing the number of teachers, ending reliance on rented schools and the double-shift system gradually and in a manner appropriate to the needs of society.
- The necessity of linking the Ministry of Education and the Civil Status Department, in order to identify students who are of school age and have not enrolled in schools.
- Developing the services provided in schools, particularly heating, providing playgrounds, sports fields and laboratories, attending to cleanliness and sanitation, and ensuring that these schools are safe places.
- Strengthening programmes to curb the phenomenon of school drop-out.
- Strengthening literacy programmes and empowering them financially in order to curb this phenomenon and eliminate its effects, expanding drop-out culture centres to cover the various governorates, and generalising the education of inmates of Correction and Rehabilitation Centres in all centres without exception.
- Involving the National Centre for Human Rights in providing advisory opinion on the integration of human rights concepts into school curricula.
- Activating student councils and similar programmes in students' management of their own affairs, in addition to activating parents' councils, so as to participate in developing the educational environment.
- Improving the conditions of teachers, particularly salaries and allowances, building their capacities on a continuous basis, and establishing effective measures to monitor violations of their rights in private-sector schools.
- Reconsidering the admission criteria in public universities and reducing exceptions, so as to create a fairer and more equitable educational system.
- Adopting human rights education in university education, by generalising a human rights course for all students, whether as a general course or within each specialisation, and permitting the establishment of student clubs for human rights.
- Establishing a comprehensive national policy to combat university violence.

- Establishing an association for university professors and staff.

v. The Right to Health

The right to health is a fundamental human right that is indispensable for the enjoyment of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity.

The Jordanian Constitution contains no reference to the right to health or to its guarantee for citizens, notwithstanding the amendment of some of its Articles in 2011. International instruments, however, have accorded the right to health particular attention in view of the importance of this right to human life, as provided for in Article (25) of the Universal Declaration of Human Rights of 1948 and Article (12) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Jordan ratified on 28/5/1975 and which was published in the Official Gazette on 15/6/2006.

At the level of national legislation, the Public Health Law, the Ministry of Health Law and the Jordan Medical Association Law contain provisions affirming the responsibility of the State for the provision of health care in its various forms.

Primary Health Care

The Ministry of Health provides primary health care services through its health directorates, which number (12), as well as through an extensive network of health centres covering all population settlements in the Kingdom. Through these centres, general medicine, dentistry, public health, maternal and child health and health education services are provided, in addition to certain specialised services.¹⁵⁸ Table (12) shows the number of these centres in 2014.

Table (12): Number of Health Centres in the Kingdom in 2014

Comprehensive Health Centre	Primary Health Centre	Branch (Village) Health Centre	Maternal and Child Health Centre	Dental Clinic	Chest Diseases Centre
95	375	205	448	387	12

Table prepared by the Centre on the basis of data issued by the Ministry of Health.

In 2014, (48) primary and comprehensive health centres obtained accreditation¹⁵⁹ from the Health Care Accreditation Council of Jordan,¹⁶⁰ out of (50) centres that had been qualified to obtain such accreditation. This Council regulates the standards of primary health care, in addition to family planning. These standards include the following: (a) integration with the local community; (b) the role of organisation and management; (c) success in information management; (d) continuous

¹⁵⁸ Ministry of Health Strategic Plan 2013–2017.

¹⁵⁹ Ministry of Health website.

¹⁶⁰ The Health Care Accreditation Council is an independent, non-profit institution established in 2007 with the aim of the continuous enhancement and improvement of the quality and safety standards of health services and programmes in Jordan. The Health Care Accreditation Council has obtained accreditation of all its standards from the International Society for Quality in Health Care (ISQua).

capacity to care for beneficiaries; (e) education of beneficiaries and their families; (f) continuous work on improving quality and beneficiary safety; (g) support for beneficiary care; and (h) the competence of human resources.

The Centre carried out **monitoring visits** to a number of health centres in Amman, particularly in East Amman, namely: **the Sweileh Comprehensive Health Centre, the Khraibet Al-Souq Comprehensive Health Centre and the Al-Thira' Primary Health Centre, being among the centres that have obtained accreditation**, with a view to ascertaining the level of the health service provided to patients. Notwithstanding the generally positive results of the visits, the Centre's team recorded a number of shortcomings and observations, the most important of which were: (a) the occasional unavailability of certain medicines; (b) the absence of clear instructions to patients on the issuance of official documents; (c) overcrowding of patients during vaccination periods; and (d) failure to observe the queue.

The Centre's team also carried out **visits to the Al-Muqabalain Centre and the Al-Hilal Maternal and Child Health Centre** in order to monitor the level of the service provided to patients. The results of the monitoring showed that these two centres suffer from a number of problems, the most important of which are: (a) a shortage in the number of nursing staff; and (b) the age of the buildings and the failure to maintain them on a regular basis.

Combating Communicable Diseases

The Centre noted that the Ministry of Health carried out, in 2014, a number of child vaccination campaigns aimed at limiting the spread of communicable diseases. Table (13) shows the details of these campaigns.

Table (13): Vaccination Campaigns Carried Out by the Ministry of Health in 2014 for Children under Five Years of Age

No.	Campaign	Vaccine	Target Group	Number of Beneficiaries
1	Comprehensive national campaign	Oral polio	Children under (5) years	898869
2	Comprehensive national campaign	Oral polio	Children under (5) years	1084776
3	Limited campaign for high-risk areas	Oral polio	Children under (5) years	178337
4	Limited campaign for high-risk areas	Oral polio	Children under (5) years	229007
5	Comprehensive national campaign	Oral polio	Children under (5) years	1138653
6	Comprehensive national campaign	Oral polio	Children under (5) years	1186227

Table prepared by the Centre on the basis of data issued by the Ministry of Health.

Secondary and Tertiary Health Care

Secondary health care services and some tertiary health care services are provided through a number of hospitals. Table (14) shows the distribution of hospitals among the various sectors in the Kingdom.

Table (14): Distribution of Hospitals among the Various Sectors in the Kingdom

Health Sector	Number of Hospitals	Number of Beds
Ministry of Health	31	4618
Royal Medical Services	12	2439
King Abdullah I (the Founder) Hospital	1	501
Jordan University Hospital	1	534
Private sector hospitals	58	3989
Grand total	103	12081

Table prepared by the Centre on the basis of data issued by the Ministry of Health.

A team from the Centre carried out a monitoring visit to Al-Hussein Hospital/Salt, during which it recorded a number of shortcomings, the most important of which were: (a) the age of the buildings and poor periodic maintenance; (b) a low level of cleanliness, manifested in the emission of foul odours and the presence of bed sheets and patients' food leftovers thrown on the floor; (c) the lack of adequate ventilation, lighting and cleanliness in the detention cell located in the hospital; and (d) the emergence of discrimination in the treatment of patients through the prevalence of *wasta* (personal connections) and favouritism in the provision of medical services.

It should be noted that the Sixty-Second Annual Report of the Audit Bureau, issued in 2013, referred to numerous important observations concerning a number of hospitals and health centres, a large part of which coincide with the observations of the National Centre regarding the cleanliness of Al-Hussein Hospital and other matters.

When the Centre's team carried out an inspection visit to Prince Hamzah Hospital, a number of shortcomings were recorded, the most important of which were: (a) a total lack of cleanliness and the emission of foul odours from inside the hospital; (b) overcrowding of patients in the hospital corridors; (c) the presence of patients' food leftovers thrown on the floor in the hospital's passageways and corridors; and (d) the most important matter with respect to Prince Hamzah Hospital, however, relates to its special system, which differs from that of the other Ministry of Health hospitals: notwithstanding the low level of service and care therein, patients are dealt with on the basis of private sector prices, in addition to (70%) of the cost being charged, at private sector prices, to the Civil (Government) Health Insurance. Moreover, its budget is not subject to the oversight of the Audit Bureau. Consequently, it has become an example of a discriminatory policy between the employees and physicians of the Ministry of Health, on the one hand, and citizens, on the other, in addition to opening the door to tax evasion with government support.

Food and Drug Control

In a positive initiative, the Jordan Food and Drug Administration responded to the information set out by the Centre in its Tenth Report (2013) concerning food and drug control. Upon examination of this response, the following observations may be recorded:

1. The response confirmed the accuracy of what was stated in the Centre's report regarding the emergence of the phenomenon of the use of expired stimulants and hormone injections, which resulted in the death of (14) persons. The Centre values the measures taken by the Administration to address this phenomenon, which consisted of: (a) the issuance of the Instructions on the Licensing and Advertising of Athletes' Foods for the year 2013, issued pursuant to the Food Control Law in force; (b) the formation, pursuant to these Instructions, of a specialised committee to license athletes' foods and regulate their advertising, the said committee following the scientific principles and procedures adopted nationally and internationally to verify the safety of these substances; and (c) the tracking of these substances in the markets by the Administration's staff in order to ensure that they are free of any undeclared pharmaceutical substances.

2. The response set out the measures undertaken by the Administration to promote the human right to access safe food and medicine, which consisted of the following:

- (a) Carrying out inspection visits to food establishments in the Kingdom, which numbered (105,687) visits in 2014, of which (96,291) were unannounced visits, resulting in (24,332) warnings, (1,617) violations referred to the courts and (2,072) cases of closure and suspension of production, while (4,536) tonnes of foodstuffs seized in the markets were destroyed, either because they had expired, showed signs of spoilage, or on the basis of a laboratory result establishing their unfitness.
- (b) The food laboratories received more than (27,316) samples and conducted more than (278) thousand tests on them; the percentage of non-compliant samples unfit for human consumption amounted to (4.8%).
- (c) Monitoring foodstuffs expected to pose health risks; the most important activities carried out by the Administration in this field were:

1. Monitoring foodstuffs in food supplements: (57) samples of food supplements used for slimming were collected, and three preparations were found to contain pharmaceutical substances whose use in food supplements is not permitted; these preparations were withdrawn and their importation was prohibited.

2. Monitoring vegetable oils in labneh: a specialised programme was implemented to monitor vegetable oils in all types of this product, owing to the recent spread of fraud in its manufacture by producers in the dairy sector through the addition of hydrogenated vegetable oils to skimmed milk powder with the aim of reducing costs and increasing profits, which constitutes a violation of the technical and health rules applicable to these products. (60) samples were collected, (14) of which were in violation of the Jordanian technical regulation, which demonstrates the non-compliance of dairy sector producers with the technical regulation and the adulteration of the product. It should be noted that the necessary measures were taken in terms of inspecting the producing factories and withdrawing samples of the labneh in circulation in the markets.

- (d) The Administration carried out (1532) inspection visits to pharmaceutical establishments, during which (231) violations were detected; the Administration also closed, during 2014, (75) of those establishments that had committed violations.
- (e) Reducing the price of (227) medicines compared with 2013.
- (f) A decline in the percentage of counterfeit medicines to no more than (1%) of the medicines in circulation in the Jordanian market. The number of seized counterfeit medicine cases amounted to (34) cases during 2013 and (8) cases during 2014.
- (g) Preparing and adopting a mechanism for the pricing of cardiac stents, and issuing a circular on its application.
- (h) The seizure of tens of tonnes of counterfeit and unlicensed cosmetics by the Administration's staff, the security authorities and the Royal Department for Environment Protection; the offenders were referred to the courts and the materials were destroyed in accordance with due procedure.

In 2014, cases of food poisoning declined from (423) cases in 2012 to (113) cases this year. Nevertheless, this year witnessed a number of poisoning incidents affecting a large number of citizens in several areas of the Kingdom, the most important of which were:

1. The poisoning incident that occurred in the town of Waqqas/Northern Jordan Valley on 21/4/2014, in which (142) persons in that town were poisoned after eating a meal of hummus from a restaurant. When an epidemiological investigation of the area was conducted to determine the causes of the mass infection, it was found that the water tanks on its roof were in breach of health requirements, lacked cleanliness and were dirty on the inside, and the Administration considered it likely that this was the cause of the poisoning. The Ministry of Health, for its part, considered it likely that the non-potable water used in preparing the food (the hummus meal) was the cause of the poisoning. The restaurant was closed and its owner was referred to the judiciary.¹⁶¹
2. The poisoning cases that occurred in the Mleih area/Madaba Governorate during the period 13–16/10/2014, in which approximately (60) persons in that area were poisoned owing to the contamination of foodstuffs (hummus, fowl and falafel) with the *Shigella* bacterium, which was transmitted to the foodstuffs by one of the workers in the area's restaurants. In light of this, the Centre formed a team to investigate the circumstances of the incident. Its report concluded that there were certain factors contributing to the occurrence of poisoning cases, including the absence of health oversight over commercial premises in the area, the lack of objective follow-up by the parties concerned, and weak coordination between the Ministry of Health and the other parties concerned. The response of the Ministry of Health dated 1/12/2014 confirmed the finding of the Centre's team report that the source of the poisoning (*Shigella*) was one of the workers in the restaurant. As for the Centre's observations on the manner in which the parties concerned dealt with this incident and the measures they took to address it, they may be summarised as follows, according to what was indicated in the report of the visiting team:

¹⁶¹ This information on the poisoning incident was obtained from the Ministry of Health and the Jordan Food and Drug Administration on 21/4/2014.

- (a) Weakness in the management of the case: the source of the contamination remained unidentified for a week, which created a state of resentment and anxiety among citizens owing to their not knowing the truth of what was happening.
- (b) The absence of objective follow-up by the Ministry of Health team and those concerned, in that no genuine field survey of the infected cases and their treatment was conducted; follow-up was confined solely to the cases that presented to Princess Salma Hospital, while the remaining cases that presented to the Mleih Health Centre and Al-Nadeem Hospital in Madaba Governorate were excluded. Local residents estimate that the number exceeded seventy cases, some of whom merely visited a pharmacy and took the same treatments dispensed to the infected persons as a preventive measure on the part of the residents.
- (c) Delayed coordination between the Ministry of Health and the Jordan Food and Drug Administration, in that the former is required to notify the latter once it has established that the causes of the poisoning stem from a foodstuff; this is a slow procedure which, if adhered to, may contribute to the spread of poisoning cases. The correct course is for the Ministry of Health to notify the Jordan Food and Drug Administration directly, as a preventive measure to seize unhealthy foodstuffs suspected of being the cause.

Conditions of Health Personnel

The President of the Jordan Nurses and Midwives Council (Nurses' Association) commended the amendment made to Article (111) of the Civil Service Regulation concerning sick leave, and pointed to the need to amend the provisions relating to the overtime allowance and the technical allowance, and to apply the positive features contained in the Civil Service Regulation, such as unpaid leave and secondment, which contribute to solving the problem of unemployment for all occupational categories and alleviate poverty.

In July 2014, nurses of the Ministry of Health, with the support of the Nurses' Association, carried out an open-ended strike in protest against the Ministry of Health's failure to respond to their demands, which consisted of the need to grant nurses technical allowances and overtime pay to those not receiving it, and not to reduce the incentive rates they receive, in addition to other demands. The strike ended after the Ministry of Health responded to the nurses' demands. In this context, the President of the Nurses' Association affirmed in a press statement that the end of the work stoppage came following an agreement reached with the Ministry of Health on all issues relating to nurses' working conditions and living conditions.

The phenomenon of assaults on medical personnel continued: the President of the Nurses' Association announced that a nurse at Jamil Al-Totanji Hospital had been assaulted by a woman while performing her humanitarian duty, on 13/7/2014.

In 2014, the Ministry of Health, in coordination with the Civil Service Bureau, appointed approximately (1500) medical, nursing, technical and administrative staff to its establishment. The appointments included (200) physicians, (284) male and female nurses, engineers, accountants and administrative staff, and other posts in the various categories. These appointments are unprecedented in terms of numbers, professions and distribution across the governorates. The Centre hopes that these appointments will enable the Ministry to reinforce hospitals and health

centres with the various categories of personnel, enabling it to meet the increasing demand for health services and the increasing number of patients.

The Government's Response to the Recommendations Contained in the Centre's Report for 2012

Health Insurance

1. The Government's response to the recommendations contained in the Centre's report for 2012 concerning the provision of free treatment for children suffering from dwarfism and short stature stated that patients with growth hormone deficiency causing dwarfism are treated and followed up in hospitals and health centres, care being provided to all children covered by the health insurance umbrella, as well as to children who are not covered and who are referred by the Unit of the Royal Hashemite Court and the Prime Ministry.

2. The Government's response further states that the value of the medical treatments provided by the Ministry of Health amounted to approximately (106) million dinars to cover the various categories, including beneficiaries of the National Aid Fund and persons not covered by health insurance under the age of (6) years and over (60) years of age. This allocation was increased to (155) million dinars in the Ministry of Health's budget for 2014, in order to meet the challenges.

3. The response also referred to the initiative of the Ministry of Industry, Trade and Supply to form the Committee for Awareness, Guidance and Oversight of the Industrial Sector, with the participation of the Ministry of Health, the Jordan Food and Drug Administration, the Ministry of Environment, the Ministry of Labour, the Ministry of Water and Irrigation and the Greater Amman Municipality, with the aim of unifying the work of the oversight committees operating in the fields of food and drug safety, the environment, public safety and occupational health over local factories within a single committee comprising all the parties concerned; this committee carries out field visits to verify the safety of foodstuffs.¹⁶²

Recommendations

For the protection of the right to health, the Centre reiterates its previous recommendations, with emphasis on the following:

- Developing and improving the quality of primary health care services, in view of their health and financial cost-effectiveness, given that the cost of secondary and tertiary health care consumes a total of (85%) of health allocations, whereas primary care consumes less than (10%) thereof.
- Activating public health monitoring and evaluation mechanisms so as to include needs identification, analysis of the causes of problems, data collection and interpretation, monitoring of trends, conducting research and evaluating results.

¹⁶² The Government's response to the recommendations contained in the Report on the State of Human Rights in the Hashemite Kingdom of Jordan for 2012, issued by the National Centre for Human Rights.

- Activating the role of the Higher Health Council as a national body achieving coordination and cooperation among the existing health sectors.
- Developing family medicine programmes in comprehensive health centres in order to reduce the burden of referrals to hospitals.
- Regulating the prices of treatment services so as to guarantee citizens access to the best level of health care, in accordance with a tariff that takes into account the economic circumstances of citizens.
- Imposing health oversight on sports centres, especially bodybuilding centres, in order to prevent the use of injections and stimulant hormones which cause serious harm to those who use them improperly.
- Providing the necessary support to the Food and Drug Administration so that it may continue its oversight efforts over food and food establishments.
- Providing awareness-raising programmes on the dangers of immunodeficiency disease (HIV/AIDS), and on non-discrimination against persons living with it.
- The Ministry of Health and the Ministry of Education activating the school health programme, especially in remote areas and in private schools that do not comply with this programme, while at the same time strengthening health oversight over government school canteens in order to ensure the quality and safety of the foods sold therein.
- Working to eliminate manifestations of discrimination between the staff of Prince Hamzah Hospital and the other physicians and medical staff of the Ministry of Health, and ceasing to charge (70%) of the cost of treatment therein to health insurance on the ground that it operates on the basis of the private sector system; this practice is discriminatory among the employees of the Ministry of Health, as well as among citizens, by providing a better service to a limited category of health insurance beneficiaries at the expense of the taxpayer and out of the allocations of the Civil (Government) Health Insurance.

vi. The Right to a Healthy Environment

Although the Jordanian Constitution contains no provision on the right to a healthy environment, the numerous international conventions ratified by Jordan guarantee this right.¹⁶³ It is likewise

¹⁶³ The Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat – 1971. The Convention on the Prohibition of the Development, Production and Use of Biological and Chemical Weapons – 1972. The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter – 1972. The 1978 Protocol 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 Secretariat of the Vienna Convention and the Montreal Protocol for the Protection of 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 Convention on Climate Change – 2003. The Stockholm Convention on Persistent Organic Pollutants – 2004.

guaranteed by the Environmental Protection Law No. (52) of 2006 and the regulations and instructions issued thereunder. At the legislative level, the Jordanian Government adopted in 2014 a set of environmental legislation pursuant to the Environmental Protection Law No. (52) of 2006, the most important of which are: the Instructions on the Management and Handling of Used Mineral Oil Waste for the year 2014; the Instructions on the Management of Polychlorinated Biphenyls and Materials Contaminated therewith for the year 2014; the Instructions on the Import and Production of Plastic Bags and the Waste Resulting therefrom for the year 2014; the Instructions on Hazardous, Prohibited and Restricted Waste for the year 2014; the Environmental Audit Instructions for the year 2014; the Instructions on the Collection of Fees Charged by the Ministry of Environment for the Provision of its Services for the year 2014; and the Instructions on the Bases for Studying Projects Eligible to Obtain Funding and Support, Evaluating such Projects, Following up their Implementation and the Manner of Oversight thereof for the year 2014.

In 2014, the Jordanian Government also adopted a set of environmental legislation pursuant to the Provisional Agriculture Law No. (44) of 2002, the most important of which are: the Instructions on the Protection of Agricultural Land No. (17/Z) for the year 2014; the Instructions on the Treatment of Wooden Packaging and Packing Materials Used in the Packing of Consignments No. (16/Z) for the year 2014; the amended Instructions on the Licensing, Establishment and Operation of Olive Presses No. (12/Z) for the year 2014; the Instructions on the Licensing Conditions for the Production, Preparation, Storage, Handling, Trading and Advertising of Agricultural Fertilisers and Plant Growth Regulators No. (10/Z) for the year 2014; the Instructions on the Technical and Health Conditions Required in Zoos, Circuses, Shops Selling Animals and Ornamental Fish and Birds, and Shelter, Training, Breeding and Animal Care Centres No. (3/Z) for the year 2014; the amended Instructions on the Licensing of Imported Feed Materials No. (2/Z) for the year 2014; the amended Decision on Agricultural Services Fees No. (6/Z) for the year 2014; the amended Decision on Agricultural Services Fees No. (15/Z) for the year 2014; the Measures Recommended through the Plant Health Committee No. (13/Z) for the year 2014; and the Measures Recommended through the Plant Health Committee No. (24) for the year 2014.

The National Centre takes note of the Government's response to the Report on the State of Human Rights for 2012, which included an important part concerning the nuclear reactor project. The response stated that an environmental and social impact assessment study of the project had been prepared by the Queen Rania Al-Abdullah Centre with the participation of specialists, and that the environmental impact assessment study of this project had been approved by the Ministry of Environment, on condition that the radiological component be licensed by the Radiation and Nuclear Work Regulatory Commission and that an environmental impact assessment study be conducted for the radioactive waste treatment plant prior to the operation of the reactor, with adherence to the protective measures specified in the study, in addition to the approval of the Department of Antiquities.

Environmental Policies and Performance

The relationship between sustainable development and environmental quality is a close and direct one: the sound management of resources in a manner that protects the environment can spare the country the negative consequences that may arise from resource scarcity and competition for

access to resources. Moreover, while the environmental challenges arising from pollution and climate change may be less dangerous in the immediate term than other economic and political challenges, the effects of these challenges are longer in duration, wider in scope and less amenable to remedy and correction once they have occurred. The environmental challenges in Jordan are concentrated in the fields of **water, energy, desertification, the management of waste of all kinds, and biodiversity**.

The environmental situation continued to deteriorate very considerably in 2014, particularly in the northern governorates, as a result of the displacement of approximately (1.4) million Syrians into the territory of the Hashemite Kingdom of Jordan. This has constituted a heavy and growing burden on the Kingdom's infrastructure and a depletion of its already limited natural resources. This new reality has had a negative impact on development and environmental plans and programmes, particularly through encroachment on the per capita share of water, the increasing quantities of waste generated by the camps and the methods of its disposal, and the inadequacy of wastewater treatment systems, which has caused serious damage to the neighbouring areas as a result of the indiscriminate dumping of waste and wastewater. Groundwater sources in those areas have also been exposed either to pollution or to depletion, and in some cases to both.

The National Centre notes that the Ministry of Environment developed a number of environmental policies during 2014, the most important of which were: (a) the issuance of a national policy for the management of electrical and electronic waste for the purpose of regulating this sector and the sound methods for the disposal of such waste; (b) the development of general policies to limit and reduce the negative effects of plastic bags on the environment; and (c) the preparation of an environmental licensing and inspection policy with the aim of defining the roles and responsibilities of the various oversight bodies and promoting decentralisation through the establishment of sub-licensing committees in the environment directorates in the governorates, in order to facilitate the procedures for granting environmental approvals to investors and to serve citizens in their places of residence. The question of implementation, oversight and accountability for violations, however, remains another matter.

In 2014, the Ministry of Environment launched the Jordanian Cleaner Production Programme. Through its participation in the 10-Year Framework of Programmes on Sustainable Consumption and Production (10YFP), as well as the SWITCH-MED programme, Jordan is currently developing, in cooperation with the United Nations Environment Programme, a national action plan for sustainable consumption and production. This programme has targeted three main sectors, namely: sustainable transport, waste management, and organic and sustainable agriculture. The Centre hopes that this national plan will be one of the important tools for achieving the National Green Growth Strategy.

Climate Change

The Kingdom, like many developing countries, is among the countries affected by, rather than contributing to, the phenomenon of climate change; Jordan has begun to suffer from the negative effects of this phenomenon. These effects include rising temperatures; an increase in the area affected by drought as a result of fluctuating rainfall; recurrent heatwaves; a marked decrease in the quantities of available water (groundwater and surface water) as a result of declining water

flows; and a scarcity of water available for irrigation, thereby affecting the right to a healthy environment.

Air Pollution

In 2014, the Ministry of Environment put into operation the electronic air quality monitoring system project, installing (12) stations distributed as follows: (7) stations in the capital, (3) stations in Zarqa and (2) stations in Irbid, to monitor ambient air quality, with funding from the French Development Agency in the amount of (1.5) million euros, covering (75%) of the Kingdom's population. The Centre hopes that this project will contribute to identifying the causes of air pollution in Jordan, which will help in establishing mechanisms to reduce such pollution and thereby ultimately strengthen the human right to a healthy environment.

In 2014, Jordan succeeded in phasing out the chlorofluorocarbons used in the various industrial sectors, which are considered ozone-depleting substances, in compliance with the Vienna Convention and the Montreal Protocol for the protection of the ozone layer, which it ratified, three years ahead of the deadlines set by the Protocol. Jordan also succeeded in phasing out methyl bromide, which is used in combating soil pests, as it is a substance harmful to the environment and to human health and safety, in addition to its negative effect on soil quality.

Water Resources and Sanitation

The Ministry of Environment, in cooperation with the Royal Scientific Society, monitors water quality in five sectors, namely: groundwater, surface water, flood and valley (wadi) water, dam water, and effluent from wastewater treatment plants. The National Centre is following with great interest the national plans, not yet implemented, relating to the protection and rehabilitation of the Zarqa River (Sail Al-Zarqa). The Major Projects Unit at the Prime Ministry developed a plan for the rehabilitation of the Zarqa River in cooperation with the Spanish Agency, and the Ministry of Environment earmarked in 2013 the allocations set out below for the completion of the plan:

1. (850) thousand dinars for the upgrading of the Ain Ghazal station, allocated to the Water Authority for the construction of an odour-removal unit.
2. (2) million dinars allocated to the Jordan Valley Authority for the implementation of the content of the action plan for the rehabilitation of the Zarqa River.
3. (200) dinars allocated to the Ministry of Municipal Affairs to carry out a comprehensive urban planning and development study for the development of the area within the Zarqa River rehabilitation plan.
4. (30) thousand dinars allocated to the establishment of a database on the Zarqa Basin, to be implemented by the Ministry of Environment in cooperation with the Hashemite University.
5. (20) thousand dinars allocated to the preparation of an awareness campaign for the preservation of the Zarqa River, to be implemented by the Ministry of Environment through one of the environmental non-governmental associations.

The Ministry of Environment submitted a study on the Zarqa River rehabilitation plan to both the Ministry of Municipal Affairs and the Jordan Valley Authority for its implementation, held a

preparatory meeting to present this concept, and requested the formation of a joint committee of all relevant parties to follow up the implementation of the works under the proposed plan. However, up to the time of the preparation of this report, owing to the failure of the Ministry of Municipal Affairs and the Jordan Valley Authority to inform the Ministry of Environment of the measures taken in this regard, these allocations have not been disbursed and, consequently, the Zarqa River has not been rehabilitated.

In 2014, the Council of Ministers approved the executive plan submitted by the Ministry of Environment for the rehabilitation of the Ekaider landfill, at an estimated cost of (37.5) million dinars. This plan aimed to address solid waste and the treatment of olive mill wastewater (*zibar*), industrial wastewater and the sound management of solid waste. The cleaning and rehabilitation of a number of ponds designated for olive mill wastewater was completed through the self-reliant efforts of the staff of the Local Services Council and the Ministry of Environment, in accordance with international specifications and standards, enabling all the northern governorates to dispose of olive mill wastewater in an environmentally sound manner. In 2014, the Ministry of Environment also completed the preparation of the master plan for the development of the Ekaider landfill, which will be implemented in three phases starting from 2015 at an estimated investment cost of approximately (12.5) million dinars for the first phase; the door will also be opened to investors to implement capital projects in the field of waste recycling and waste-to-energy conversion.

During 2014, treatment units for olive mill wastewater generated by olive presses were established in several areas of the Kingdom, and a station for the treatment of industrial wastewater was established in Al-Hassan Industrial Estate in Irbid Governorate.

Protection of Nature and Biodiversity, and Combating Desertification

The year 2014 witnessed a number of government measures aimed at protecting nature and biodiversity, the most important of which were: (a) the Government began implementing the Roadmap for the Rehabilitation and Development of Rangelands in the Jordanian Badia, through the conclusion of agreements between a number of ministries and associations to serve the central and northern Badia areas for the purposes of rehabilitating artesian wells, providing thousands of dunums with water-harvesting techniques, planting tens of thousands of pastoral shrubs, constructing water reservoirs (*hafa'ir*) and dams, constructing road networks with a length of (70) km, vaccinating and immunising tens of thousands of livestock, and providing sheep breeders with barley free of charge; approximately (49) thousand tonnes of barley were distributed free of charge to approximately (25) thousand sheep breeders in the Badia, and approximately (50) thousand tonnes of barley were distributed to approximately (27.5) thousand sheep breeders in all the governorates of the Kingdom; (b) the Ministry of Environment commenced the rehabilitation of the Phosphate Hills area, a comprehensive document having been prepared for the rehabilitation of this area in Russeifa District. The value of the projects to be implemented under the plan amounted to (30) million Jordanian dinars, provided by the Jordan Phosphate Mines Company to complete the rehabilitation process. The document was presented to His Excellency the Prime Minister, who issued his directives to expedite the implementation of the plan in cooperation with the relevant parties. A tender was awarded for the establishment of an environmental park as a first phase of the rehabilitation, at a cost of five million Jordanian dinars, pursuant to the Royal

Directives. The next phase will include the creation of green spaces and a car park together with a driver training centre, as well as the establishment of a light industries zone providing job opportunities for the residents of the area, in addition to covering the phosphate hill, reducing the degree of its slope and constructing terraces around it so that it becomes part of the park; (c) during 2014, the Environmental Protection Fund contributed to the implementation of several environmental campaigns, including the planting of a total of (32) thousand eucalyptus and ornamental palm seedlings near cesspits in the areas of Lib, Mleih, Bani Hamida and Dhiban/Madaba Governorate, with the aim of reducing the pollution of water sources in the area, as well as addressing certain environmental hotspots, including the pollution in the Khalidiya and Dhilail areas/Zarqa Governorate and the Sarhan Municipality/Mafraq Governorate, where large quantities of animal waste, cattle waste and animal carcasses were removed, in addition to dredging the Bireen stream bed and removing the waste and stagnant water discharged from the Abu Nseir treatment plant, and carrying out a clean-up campaign and the removal of rubble and solid and liquid waste in the Baqa'a Basin area; and (d) the declaration of the Fife Reserve and the Qatar Reserve as nature reserves, and of the Wadi Ibn Hammad area as a special protection area. In addition, the Jordanian Ministry of Environment initiated the review and updating of the National Biodiversity Strategy and the National Strategy to Combat Desertification at the end of 2014. (e) The Government's preparation of the fourth and fifth national reports and their submission under the Convention on Biological Diversity and the Convention to Combat Desertification.

On the other hand, the set of principal environmental challenges to which the Centre referred in its previous reports persisted in 2014, centring on water scarcity, desertification and urban sprawl at the expense of agricultural land. In 2014, attacks on forest trees became strikingly apparent, particularly in the Ajloun areas.

Waste and Its Management

Notwithstanding the efforts made by the Greater Amman Municipality and the municipalities to collect and treat waste—in 2014 the Greater Amman Municipality collected (1,121,540) tonnes of waste, compared with (1,048,612) tonnes in 2013, as shown in Table (15)—a number of challenges and obstacles affecting the human right to a healthy environment were observed to persist in 2014, the most important of which were: (a) violations of the laws and regulations in force in the Greater Amman Municipality by shop owners, the construction sector and street vendors; (b) the random dumping of debris and waste, non-compliance with the instructions, and the creation of health nuisances as a result of abandoned vehicles; (c) the failure of some hospitals to dispose of medical waste by sound scientific methods; (d) the low value of the site-hardship allowance paid to workers at the Al-Ghabawi landfill and the transfer stations department, this increment amounting to one and a half dinars for ordinary days and seven dinars for Fridays and official holidays, including religious feasts; (e) the low allowance paid to drivers working at the Al-Ghabawi landfill, which amounts to seven dinars for ordinary days and ten dinars for Fridays and official holidays; (f) the non-inclusion of the employees and workers working in certain departments of the municipalities or the Greater Amman Municipality within the perimeter of the waste landfills or waste collection points (transfer stations) in the infection allowance, set at (50) fifty dinars; and (g) the insufficiency of the milk distributed to workers at the Al-Ghabawi landfill,

as the Greater Amman Municipality distributes one bag of milk weighing (800) grams per month to each employee.

Table (15): Quantities of Incoming Waste

Source	2013 (quantity in tonnes)	2014 (quantity in tonnes)
Areas	14815	34018
Stations	801933	860123
Private sector	22888	15319
Municipalities	801933	860123
Destruction	3052	5478
Total	1048612	1121540

Table prepared by the Centre on the basis of data from the Greater Amman Municipality.

Monitoring and Inspection

The regulatory bodies, represented by the Ministry of Environment, the Royal Department for Environmental Protection, 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, the Water Authority and the National Environmental Movement, monitor the environmental situation in the Kingdom by applying the laws, regulations and instructions on environmental protection to establishments whose activities may affect the environment. The most important means of oversight that they exercise are the following:

a. Licences

In 2014, the Central Licensing Committee granted (1224) licences, compared with (1461) licences in 2013. By contrast, the Committee rejected (451) applications for the licensing of industrial, agricultural and craft projects out of (1675) applications, compared with (326) applications for the licensing of industrial, agricultural and craft projects out of (1461) applications in 2013, owing to their contravention of the environmental conditions for the licensing of investment projects, as shown in Table (16).

Table (16): Environmental Licences and Their Number

Result of licence applications	2013	2014
Approved	1135	1224
Not approved	326	451
Total	1461	1675

Table prepared by the Centre on the basis of data issued by the Ministry of Environment.

b. Environmental Assessment and Audit Studies

In 2014, an environmental audit study for violating establishments was approved, and the terms of reference of (7) establishments were reviewed, compared with the review of (6) environmental audit studies and the approval of (4) environmental audit studies in 2013.

c. Violations

In 2014, the Royal Department for Environmental Protection issued violations against (61800) establishments for breaching the law in various parts of the Kingdom, compared with (55967) violations in 2013. The year 2014 recorded a marked increase in the number of environmental violations relating to vehicles, which reached (21487) violations, compared with (13467) violations against vehicles during 2013. In addition, certain factories, industrial workshops and commercial shops continue to pollute the air, although these violations decreased in 2014 to some (4231) violations, compared with (4957) violations during 2013, distributed as shown in Table (17).

Table (17): Type and Number of Environmental Violations

Type of violation	Animal	Plant	Marine	Water	Workshops	Health	Vehicles
2013	439	158	3	344	4957	36501	13467
2014	409	201	8	352	4231	34862	21587

Table prepared by the Centre on the basis of data issued by the Royal Department for Environmental Protection.

d. Warnings and Closures

In 2014, the Ministry of Environment also addressed a number of warnings to development establishments in the Kingdom and closed some of them, the warnings amounting to (125) and the closures to (38), compared with (89) warnings and (19) closures during 2013, as shown in Table (18).

Table (18): Number of Warnings and Closures

Measure	2013	2014
Warning	89	125
Closure	19	38

Table prepared by the Centre on the basis of data issued by the Ministry of Environment.

Recommendations

In light of the foregoing, the National Centre reaffirms all the recommendations set out in its previous report and recommends that a number of measures be taken to provide protection for the right to a healthy environment, the most prominent of which are the following:

1. Working to find technical environmental solutions, in coordination with the private sector, for the treatment of waste in general, and working to implement programmes for waste separation and sound methods of waste disposal.
2. Establishing a national programme for the protection of forest trees to ensure that they are not attacked, by granting broader powers to those responsible for protecting them.
3. Developing an awareness-raising strategy on the dangers threatening the environment and their impact on health, food and development.

vii. Cultural Rights

Article (15/2)¹⁶⁴ of the Jordanian Constitution guarantees the right to participate in cultural life. This right is likewise guaranteed by the international conventions¹⁶⁵ ratified by Jordan and published in the Official Gazette, foremost among them the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹⁶⁶ In addition, Jordan has ratified numerous conventions in the field of intellectual rights, such as the Berne Convention for the Protection of Literary and Artistic Works of 1986, the WIPO Copyright Treaty, and many other international conventions.¹⁶⁷

First: Cultural Heritage

a. Tangible cultural heritage,¹⁶⁸ which comprises sites, structures and remains of archaeological, historical, religious, cultural or aesthetic value. Jordan¹⁶⁹ is ranked first in the world in terms of the availability of tourist sites, numbering some (100) thousand archaeological and tourist sites spread across the various governorates of the Kingdom. Among the positive measures taken by the Ministry of Tourism in 2014 to upgrade and safeguard tourist places of archaeological and cultural value was the launch of (52) projects to advance the tourism sector in Jordan, the most prominent of which were: (a) the launch of the transit tourism project; (b) the launch of the Arab tourism project, and coordination and follow-up with government bodies to facilitate the entry of Arab tourists through the various border crossings, and the increase of facilities and incentives to enrich their experience and extend the duration of their stay in the Kingdom; (c) the intensification of the Ministry's efforts during the summer period and school and university holidays to encourage domestic tourism through the preparation of tourism programmes and various introductory leaflets; (d) the launch of the religious tourism project in all regions of the Kingdom,

¹⁶⁴ Article 15/2 of the Constitution provides that: "The State shall guarantee freedom of scientific research and of literary, artistic, cultural and sporting creativity, provided that it does not contravene the provisions of the law or public order and morals."

¹⁶⁵ Jordan has ratified most of the international conventions relating to the cultural sector, such as: the Convention on the Protection and Promotion of the Diversity of Cultural Expressions; the Convention for the Safeguarding of the Intangible Cultural Heritage; the Convention on the Protection of the Underwater Cultural Heritage; the Convention concerning the Protection of the World Cultural and Natural Heritage; the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; and the Convention for the Protection of Cultural Property in the Event of Armed Conflict, with its Regulations and the First Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954, and the Second Protocol to the Convention of 1999.

¹⁶⁶ Article (15) of the International Covenant on Economic, Social and Cultural Rights provides that cultural rights are the right of everyone to take part in cultural life, to enjoy the benefits of scientific progress and its applications, and 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.

¹⁶⁷ Which imposes a tripartite obligation on States: to respect, to protect and to fulfil. In this regard, reference is made to Article 2/1 of the Covenant, which obliges the State to take steps. In general, however, the obligations of the State in the field of economic, social and cultural rights are described as progressive rather than immediately applicable, in view of the financial resources that the State must allocate for the full realisation of these rights. Nevertheless, the Committee on Economic, Social and Cultural Rights indicated in its General Comment No. 3 (1990) that "while the full realization of the relevant rights may be achieved progressively, steps towards that goal must be taken within a reasonably short time after the Covenant's entry into force for the States concerned. Such steps should be deliberate, concrete and targeted as clearly as possible towards meeting the obligations recognized in the Covenant."

¹⁶⁸ It should be noted that the Ministry of Tourism is the official umbrella body for the care of this aspect of culture.

¹⁶⁹ *Al-Dustour*, 23/12/2014.

focusing on all aspects relating to the development of services, routes and introductory materials concerning all Islamic and Christian religious sites—this activity being crowned by the reception of His Holiness Pope Francis in Jordan—in addition to the launch of the museum-city project in Salt; and (e) the launch of the “Jordan Is Sweeter” (*Al-Urdun Ahla*) programme, under which nine tourist routes were selected from the north of the Kingdom to its south and a number of festivals were held in many Jordanian cities. Moreover, the media campaign “Tourism Is Our Capital” was launched, which aims to raise citizens’ awareness of the archaeological and cultural value of tourist sites, to prevent their vandalism and to encourage domestic tourism.

However, the tourism sector in Jordan suffered from a number of challenges in 2014, the most prominent of which were:

a. The exposure of many archaeological sites to neglect and vandalism, which the Department of Antiquities attributed to the lack of the necessary allocations for guarding, maintenance, restoration, cleaning and the like.

b. Citizens’ weak desire to visit archaeological and historical sites, owing to a lack of awareness of their importance, the limited services provided at these places and the weak infrastructure of these sites, in addition to citizens’ purchasing power.

c. The political crises and regional events in the region, which have adversely affected tourism in the Kingdom.

d. The continued digging and excavation by many persons in search of antiquities, buried artefacts and treasures, which exposes antiquities to the risk of damage to their archaeological and historical value.

b. Intangible cultural heritage,¹⁷⁰ which includes traditions, customs, aesthetic or spiritual beliefs, colloquial languages, forms of artistic expression and folklore. The year 2014 witnessed a number of positive developments in this field, the most important of which were: (a) the registration of 25 cultural associations; (b) the opening of the Jordan Museum in the Ras Al-Ain area in the capital, Amman; (c) the Ministry’s undertaking of a number of activities to establish a national cultural database according to the type of cultural product and the entity producing it, the most important of which were the publication of the Dictionary of Jordanian Writers and Authors and the drawing up of a map of culture; (d) the completion of a large part of the Dictionary of Jordanian Heritage Vocabulary, which the Ministry seeks to achieve in the coming period; (e) the adoption of the Cultural Development Plan for the years 2013–2016. The Ministry sought to organise and coordinate the dates of national festivals and conferences so that they would not all coincide in particular months of the year; however, it was unable to complete the work on this matter, since the bodies that participate in and organise these events are unable to change the dates on which they are held; (f) the completion of the preparation of the draft “Arabic Language Protection” Law,¹⁷¹ and its subsequent referral to Parliament (the National Assembly) to proceed with the

¹⁷⁰ It should be noted that the Ministry of Culture is responsible for safeguarding this aspect of cultural heritage.

¹⁷¹ It should be noted that, in the final stages of the preparation of this report, Parliament (the Senate and the House of Representatives) passed the draft Arabic Language Protection Law of 2014. http://petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=193109&CatID=13

procedures for its enactment in accordance with the provisions of the Jordanian Constitution; (g) the provision of financial support to (574) cultural bodies. The annual support¹⁷² provided to cultural bodies during 2014 amounted to (2067) dinars, compared with (2091) dinars in 2013; and (h) the Ministry's support for these bodies through support for projects or the holding of artistic evenings and cultural events. To make up the shortfall in funding for cultural events, the Ministry called upon well-off citizens, as well as private and civil institutions, to assume the responsibility incumbent upon them towards society and the homeland; however, the support provided was very meagre, as in 2014 the Ministry received support only from the Greater Amman Municipality and the Abdul Hameed Shoman Foundation. This in turn reflects the scant interest in culture in view of the prevailing circumstances and the economic conditions which Jordanian citizens are experiencing.

On the other hand, the Centre monitored a number of challenges faced by cultural life in Jordan during 2014, the most important of which were: (a) the freezing of the Creative Full-Time Grant scheme, through which the Ministry used to provide full or partial support for the publication of books, on the understanding that the field of creativity in publishing would be opened under another name, namely the "Ministry of Culture Awards for Creativity", on which consultations and meetings began in late 2014. This led to the postponement to 2015 of many approvals for support for the publication of books submitted to the Ministry in 2014; the number of books that obtained the Ministry's approval for support after October 2014 amounted to only (38) books (23 partial support and 15 full support); (b) the abolition of the Culture Support Fund owing to the lack of financial allocations, since the budget allocated to the Ministry for 2014 was lower than that for 2013, amounting to (7,946,000) dinars; and (c) the scarcity of adequate resources and the meagre support provided by the private sector, in addition to the weak infrastructure of the cultural sector in the governorates of the Kingdom and the concentration of cultural activity in the capital, Amman.

Second: The Arts

The challenges facing Jordanian artists persisted in 2014, the most prominent of which were: (a) the scarcity of film and television production and the limited participation of the private and capitalist sector in the television industry; (b) the absence of material and moral support for Jordanian artists; (c) the failure to accord importance to the arts in school education, as the [art] teacher is looked down upon by members of society, art classes are confined essentially to drawing, not to mention the failure to provide the requisites for teaching the arts in schools; (d) the deprivation of Jordanian artists of professional stability owing to weak production; (e) the lack of adequate health insurance (in this regard, it should be noted that agreement was reached to grant them health insurance under Article 31 of the Health Insurance Regulation, but the Syndicate rejects this offer because it places members of the Syndicate on an equal footing with expatriates); (f) the restriction of membership in the Syndicate to Jordanian artists, which has deprived many artists who have served Jordanian art of joining the Syndicate; (g) the failure of the Intellectual Property Law to cover certain works of art, resulting in the counterfeiting of the works of Jordanian artists and the violation of their intellectual rights; (h) the failure of Jordan Television

¹⁷² Modest support covering only the rent of premises and support for certain projects.

and the Ministry of Culture to archive all artistic and literary works, and the placing of obstacles in the way of Jordanian artists obtaining their archived works of art; (i) the lack of the infrastructure necessary for artistic creativity in Jordan in general and in the governorates in particular, as there is a shortage of theatres and musical instruments; and (j) the abolition of the Culture Support Fund owing to the lack of the necessary funding, together with the imposition of numerous fees and taxes on works of art, which adversely affects the income of Jordanian artists.

Third: Intellectual Property

The number of works deposited with the National Library/Deposit Department in 2014 reached six thousand works. Jordan is thus considered the leading country in the field of publishing in the Arab region; the piracy rate fell to (57%); and Jordan is considered the fourth Arab State in the field of copyright protection. It should be noted that during 2014, (470) cases relating to violations of and infringements upon copyright were referred to the courts.

On the other hand, the Centre recorded challenges in the field of intellectual property during 2014, the most prominent of which were: (a) the unavailability of works at reasonable prices commensurate with citizens' purchasing power, which tempts them to buy counterfeit copies and creates difficulty in enforcing the law;¹⁷³ (b) the absence of an agent for most works, since an agent's presence depends on citizens' purchasing power, which is the pretext invoked by dealers in counterfeit works; (c) the non-payment of the work-hardship allowance to the employees of the Copyright Protection Office at the National Library Department, in view of the threats and danger to which the Office's employees are exposed during their field work; and (d) the lack of adequate means of transport for the members of the Copyright Protection Office, bearing in mind that their staff is relatively small (8 employees) and that they have no other branches in the governorates of the Kingdom.

Fourth: The Right to Enjoy the Benefits of Scientific Progress and Its Applications, and Respect for the Freedom of Scientific Research and Creative Activity

The information technology policies adopted by the Government over the past four years have contributed to increasing the rate of Internet use at the level of ADSL (fixed line) and third and fourth generation (wireless), resulting in an increase in the Internet penetration rate and in the possibility of accessing sources of knowledge (with the exception of unauthorised sources, in order to preserve the intellectual property rights of their owners or pursuant to the exceptions set out in the Information Systems Crimes Law). The Ministry has worked to spread Knowledge

¹⁷³ The discussions during the Human Rights Council's consideration at its twenty-sixth session (corresponding to 1 April 2014) of the annual report of the United Nations High Commissioner for Human Rights on the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development / report on the seminar on the right to enjoy the benefits of scientific progress and its applications, addressed the question of the compatibility of the international intellectual property regime with human rights norms and standards, and the need to introduce significant amendments to ensure a balanced regime fully consistent with human rights norms and standards. There is an existing challenge, namely striking a balance between the interests of inventors and the interests of society. It was pointed out that the Committee on Economic, Social and Cultural Rights considers that a balance between the two categories of rights can be struck, but that they are indeed in tension. This tension is evident in areas such as access to medicines, access to books and other educational materials, and plant patents, where copyright law, for example, may conflict with the right to education, and patent law with the right to food and health.

Stations throughout the Kingdom, their number having reached 197 stations, and has provided training to more than 200 thousand citizens.

The legislation and policies applied in the Kingdom have contributed to supporting scientific research, since the Jordanian Universities Law¹⁷⁴ obliges universities, whether public or private, to allocate (5%) of their budgets to support scientific research and (2%) to scholarships, to be spent within 3 years, failing which this amount shall be transferred to the account of the Scientific Research Support Fund. The Scientific Research Support Fund provides support for scientific projects, scientific conferences, scientific research and postgraduate students; in 2014, (4,000,695) dinars of the Fund's budget were allocated for these purposes. In order to support the Fund's resources, an article was added to the amended Scientific Research Law in 2014 permitting the deduction of 1% of company profits for the benefit of the Scientific Research Support Fund; its application was then suspended in 2010. A programme providing support for master's theses through the Scientific Research Fund was introduced, and an agreement on research cooperation was signed with the Arab Republic of Egypt to conduct joint research. In addition, the Jordanian Government computerised education and provided laptop computers at preferential prices to students of Jordanian universities.

In 2014, the National Innovation Strategy was launched, prepared by the Higher Council for Science and Technology in cooperation with the Ministry of Planning and International Cooperation and with the support of the World Bank and the Korea International Cooperation Agency. The estimated cost of the projects proposed in the strategy amounts to some 14 million dinars.

Recommendations

In light of this situation, the National Centre for Human Rights reaffirms the recommendations set out in its previous annual reports, with emphasis on the following recommendations:

- Ensuring the maintenance, sustainability and protection of heritage sites through the Department of Antiquities.
- Providing adequate and qualified guarding for tourist sites of archaeological value, and improving the infrastructure of the services provided at those sites.
- Reviving the Culture Support Fund by earmarking the allocations necessary for the resumption of its work in the budget of the Ministry of Culture.
- Distributing cultural activities and events equitably across all governorates.
- Calling upon the Government and Parliament to involve the private sector in enacting laws relating to the tourism sector.
- Paying an occupational-hazard allowance to the employees of the Copyright Protection Office, and increasing its staff.

¹⁷⁴ The Scientific Research Law (Item 2 of Paragraph (a) of Article 10), in addition to Article (26) of the Jordanian Universities Law.

- Increasing cooperation and exchange with developed countries in the field of communications technology that enhances information technology systems, and making knowledge accessible to all, particularly among marginalised segments of the population and the inhabitants of remote areas.
- Improving the programmes implemented for the computerisation of education, and increasing attention to language teaching, since language constitutes a major obstacle to researchers' access to knowledge.
- Encouraging cooperation and communication at the international level in the field of scientific research, the dissemination of knowledge and the exchange of information, and the holding of specialised scientific conferences, and increasing the share of private-sector participation in supporting scientific research, particularly applied research.

IV. Rights of the Most Vulnerable Groups and Their Need for Protection

i. Women's Rights

The Jordanian Constitution guarantees the principle of equality among all Jordanians, Article Six thereof providing that “Jordanians shall be equal before the law with no discrimination between them in rights and duties, even if they differ in race, language or religion.” The same Article provides that “The family is the foundation of society, the pillars of which are religion, morals and patriotism; the law shall preserve its legitimate entity and strengthen its bonds and values,” and that “The law shall protect motherhood, childhood and old age, shall care for young people and persons with disabilities, and shall protect them from abuse and exploitation.” Article (23) of the Constitution also refers to the necessity of specifying special conditions for the work of women and juveniles. On another level, the Government published the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in the Official Gazette on 1/8/2007, whereby it became part of the body of national legislation; however, Jordan has maintained its reservations to Articles (9/2 and 16/c, d and g) of the Convention.¹⁷⁵ It is noteworthy that the Government's response to the recommendations of the National Centre for Human Rights in its report for 2012 contained no reference to the recommendations on women's rights set out in that document.

Women's Rights in 2014

1. The issuance of Council of Ministers Decision No. 6415 of 9/11/2014 approving the package of facilities for the children of Jordanian women married to non-Jordanians in the following areas: (a) **Basic and secondary education:** full equality between the child of a Jordanian woman and [the child of] a Jordanian man; (b) **Health insurance:** the minor child of a Jordanian woman shall benefit from the same insurance allocated to his mother; (c) **Work:** the right of the children of a Jordanian wife [married to] a non-Jordanian to work in professions restricted to Jordanians, immediately after Jordanian citizens, and the exemption of the children of Jordanian women from work permit fees; (d) **Ownership and investment:** the enjoyment of the right of ownership and investment and of obtaining a private-category driving licence, provided that the child of the Jordanian woman obtains a residence permit; (e) **Issuance of an identification card:** the child of a Jordanian woman shall have the right to have the Civil Status Department issue him [an identification card] within six months from the date on which the application of these facilities begins.
2. Instructions for the implementation of the above-mentioned Council of Ministers Decision were issued, setting out the conditions under which the children of Jordanian women married to non-Jordanians may benefit from the said facilities.

¹⁷⁵ It should be noted that Jordan withdrew its reservation to the fourth paragraph of Article (15) of the Convention on the Elimination of All Forms of Discrimination against Women, concerning women's right to freedom of movement, residence and domicile.

3. 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 sixth national report under the Convention on the Elimination of All Forms of Discrimination against Women, in response to the international obligation contained in Article (18) of the Convention, which the Government ratified and which was published in the Official Gazette on 1/8/2007. The report covered the period from December 2009 to March 2014. The Government submitted the report to the Secretary-General of the United Nations in December 2014 as a national report setting out, quantitatively and qualitatively, developments relating to the advancement of women through the implementation of the provisions of the Convention in all fields, including education, health, employment, and economic and social development. The report concluded that Jordan had made notable progress in a number of the Convention's areas, both at the level of legislation and at the level of the measures taken to achieve gender equality and to improve the status of women in accordance with the Constitution, the laws and the public policies of the State. The report also referred to the efforts made to mainstream gender in plans, strategies and public policies, and to measure the extent of responsiveness to certain indicators and recommendations contained in the concluding observations of the Committee on the Elimination of Discrimination against Women upon its consideration of the fifth report in 2011. It is noteworthy that Jordan still maintains its reservation to Article (9/2) concerning the granting to women of equal rights with men with respect to the nationality of their children, and also still maintains its reservation to Paragraphs (c, d and g) of Article (16) concerning marriage and family relations.

4. Jordan's ratification in March 2014 of the International Labour Organization's Social Security (Minimum Standards) Convention¹⁷⁶ No. 102, whereby Jordan became bound to implement its provisions on the branches of old-age, invalidity, death and employment injury insurance and survivors' rights. This Convention enters into force twelve months after the date on which its ratification is registered, pursuant to Article (79/3) of the Convention. Jordan is the second Arab State, after Libya, at the Arab level in the continents of Asia and Africa to ratify this Convention, and it has become bound not to reduce insurance benefits at any stage of the reform of its social security system to a level below the minimum internationally accepted standards. Furthermore, the pension of a deceased woman, whether she died while a pensioner or died while an insured person in active employment, is inherited in full by those entitled to it, as in the case of a man's pension.

5. With regard to the political empowerment of women, two women were appointed to the Board of Commissioners of the Independent Election Commission (IEC) on 23/4/2014, bringing the participation rate of women on the Board to 40%, after their participation rate on the Commission's previous Board had been 0%. The Centre values this step, which came in response to the Centre's demands in its report for 2013.

¹⁷⁶ Convention No. 102 is one of the International Labour Organization conventions concerning workers' rights to social security. It consists of 15 parts and an annex relating to the International Standard Industrial Classification of All Economic Activities. The Convention takes account of the diversity of and differences between social security systems in the countries of the world; it therefore does not oblige them to apply all branches but leaves them the choice according to what suits their circumstances. The Government ratified this Convention in respect of the parts relating to employment injury benefit, old-age benefit, invalidity benefit and survivors' benefit.

6. The increase in the rate of women’s participation in the judiciary: the number of women judges rose in 2014 to (175) women judges, whereas in 2013 it had been (142) women judges, bringing their proportion of the total number of judges to 18%, after it had previously been 15.5%. A Jordanian woman was also appointed as a dispute-settlement judge at the international court for the settlement of disputes.

7. The issuance of Regulation No. 96 of 2014 amending the Civil Service Regulation, published in the Official Gazette on 16/10/2014. Article (106/c) thereof grants a female employee one month’s leave in the event of her husband’s death. Paragraph (b) of Article 25 was also amended to read as follows: “The family allowance shall be paid to a female employee if her husband is incapacitated, or if she is the provider for her children, or if she is divorced and does not receive legal maintenance for her children, and their ages do not exceed (18) years.” While the Centre values this amendment—the Centre having replied to the Government’s response that the [Civil Service] Bureau is working with the competent bodies to establish nurseries once suitable premises and circumstances are available—the Centre emphasises the necessity of including in the Civil Service Regulation provisions obliging official institutions to provide nurseries for the children of female employees, which would increase the rate of women’s participation in economic life. The Centre also replied to the Government’s response concerning the non-payment of the family allowance to female employees on the same conditions as the allowance paid to men—namely, that the man is the one responsible for maintenance—by emphasising the necessity of paying the family allowance to female employees on the same conditions as the allowance paid to men; otherwise, this contravenes the provisions of Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women, which Jordan ratified and published in the Official Gazette in 2007.

8. The launch by the Ministry of Social Development in July 2014 of the Communication Strategy on Gender-Based Violence for the years (2014–2017), which aims to employ a correct understanding of customs and traditions to curb violent behaviour in society, and to generate attention to the issue of violence at the level of decision-makers and the target group of perpetrators and victims.

9. The National Centre for Human Rights prepared a report on the role of the Centre and governmental and non-governmental institutions in following up the implementation of the recommendations of the Amman Declaration and Programme of Action issued by the Eleventh Conference of National Human Rights Institutions. The report adopted the method of descriptive studies and focus groups to collect data, by reviewing the legislative framework of women’s rights in Jordanian legislation with a view to determining the extent of its consistency with international standards and identifying best practices for the promotion and protection of women’s rights, as well as a general review of the policies of official and unofficial institutions (civil society institutions) concerned with the promotion and protection of women’s rights, through what the plans, programmes, strategies and initiatives of these institutions contained with a view to promoting and protecting women’s rights, and the extent to which these policies are consistent with international standards, national legislation and the principles of the Amman Declaration and Programme of Action. The report reached a number of recommendations, the most prominent of which were to call upon governmental and non-governmental institutions to work in remote areas to raise women’s awareness of all their rights, and to encourage and call upon the media to

highlight the importance of engaging with and investing in remote villages wherever they may be in Jordan, and in all fields, so that they do not become a burden on the other cities but rather a useful, productive and complementary tributary to them.

10. In the Government's response to the Centre's recommendations for 2013, [it was stated] that the Centre had not included in its previous report that the Jordanian National Commission for Women had submitted a list of demands to the members of Parliament, including its demand to increase the quota for women's representation at the local and national levels to a minimum of 30%. While the Centre affirms the importance of this list concerning reforms in the field of policies and the call for the amendment of legislation that discriminates against women, which the National Centre and civil society institutions participated in preparing together with the National Commission, the Centre emphasises the necessity of overcoming all the challenges impeding women's access [to representation] at a minimum of 30%, through the amendment of legislation so as to guarantee the allocation of seats for women in national bodies and institutions.

On the other hand, the Centre records the persistence of the same shortcomings affecting women's rights to participate in public life that were referred to in the National Centre's annual report for 2013, namely:¹⁷⁷

- (a) The Government's failure to ratify the Optional Protocol¹⁷⁸ to the Convention on the Elimination of All Forms of Discrimination against Women. Notwithstanding the response of government institutions regarding the non-ratification of the Protocol, namely that this recommendation was not accepted by Jordan in the Kingdom's second Universal Periodic Review (UPR) before the Human Rights Council, the Centre insists on the ratification of the Optional Protocol; (b) notwithstanding the increase in the rate of women's participation in political life, women have not obtained equal opportunities with men; (c) the failure to appoint any female Sharia judge in the Sharia judiciary; (d) the failure to adopt the draft Regulation on the Maintenance Advance Fund, prepared by the Chief Justice Department since 2011; (f) notwithstanding the affirmation by the revealed religions, and the confirmation by the Personal Status Law, of women's right to inheritance, the persistence of erroneous customs, traditions and social legacies sometimes prevents women from enjoying their right to inheritance. Women are sometimes themselves the cause of depriving themselves of this right, owing to their fear of being ostracised by the family or of being harmed by some of their male siblings or the other heirs, in addition to society's sometimes negative view of a woman who claims her inheritance and her ignorance of the laws and procedures relating to the division of the estate. Some heirs also try to placate a woman into waiving her right in exchange for giving her a small sum of money, and if she does not agree, she is ostracised; some fathers also transfer their funds and property to their male children during their lifetime by way of fictitious sale. Depriving women of inheritance stirs up resentment and hatred among

¹⁷⁷ For further details on the content of these shortcomings, see the Report on the State of Human Rights in the Hashemite Kingdom of Jordan for 2013, p. 136 et seq.

¹⁷⁸ Adopted and opened for signature and ratification by United Nations General Assembly resolution on 9/10/1999, it entered into force on 22/12/2000. The Protocol grants [the Committee competence] to receive individual complaints from individuals claiming to be victims of a violation, before the Committee on the Elimination of Discrimination against Women.

members of the same family; accordingly, awareness-raising among women and men of women's right to inheritance, and to obtain it as prescribed in Islamic Sharia, must continue.

Women's economic rights: In 2014, the Economic and Social Council issued a policy paper on the work of Jordanian women, addressing women's rights to work as set out in the Jordanian Constitution and the Labour Law. The study also showed that women's participation in economic life in the capital differs from that in other areas, which is attributed to the scarcity of job opportunities in those areas, the scarcity of employment-generating projects and lack of awareness. Moreover, dealing with social challenges, particularly those relating to the role and work of women, is always among the other important considerations that escape the minds of those who formulate public policies, and those concerning women's work in particular. The policy paper also set out the reasons for women's weak economic participation, including: (a) women's excessive caution about entering the world of business and the economy; (b) lack of awareness of their economic rights; (c) the multiplicity of responsibilities falling upon them in relation to the family and child-rearing; (d) the difficulties relating to working conditions and the workplace, long working hours and the failure to adapt the workplace in a manner that takes account of women's nature and needs; and (e) the exploitation and sexual harassment of women. The study reached a number of recommendations, including: (a) the necessity of raising the awareness of communities, particularly outside the capital, of the importance of women's participation in economic life; (b) the study of all legislation regulating women's work and its redrafting so that its provisions are consistent with one another and any conflict between them is removed; and (c) the promotion and marketing of part-time work and the highlighting of its advantages.

The Situation of Women's Rights in Remote Areas

The National Centre for Human Rights follows up the situation of women in remote areas deprived of services; the Women's Rights Unit at the National Centre for Human Rights visited 49 villages distributed across all the governorates of the Kingdom, as shown in Table (19). The Centre's previous report referred to the challenges and violations to which women are exposed in the said villages.¹⁷⁹

Table (19): Visits Conducted by the National Centre for Human Rights to Remote Areas

Governorate	Villages
The Capital	Umm Al-Rasas, Armeel, Northern Khashafiya, Southern Khashafiya
Madaba	Falha, Al-Nahda, Al-Shaqiq, Eastern Dhuhaiya, Western Dhuhaiya
Al-Balqa	Al-Karama, Al-Jofeh, Dirar, Northern Tawal
Al-Zarqa	Al-Qunayya, Umm Rumana, Rujm Al-Shouk, Bani Hashem villages
Al-Karak	Al-Lajjoun, Jarma, Ghor Fifa, Ghor Al-Safi
Al-Tafila	Jurf Al-Darawish, Aima, Irhab, Arweim
Ma'an	Abu Al-Alaq, Al-Mahatta, Al-Naqab
Aqaba	Al-Risha, Al-Rahma, Al-Quwaira, Al-Disa, Al-Quraiqira

¹⁷⁹ For further information on these visits, please refer to the Report on the State of Human Rights in the Hashemite Kingdom of Jordan for 2013, p. 138.

Governorate	Villages
Irbid	Al-Mashare', Al-Sheikh Hussein, Lower Mukhaiba, Aqraba
Al-Mafraq	Al-Ain, Al-Dujainiya, Hayyan, Bal'ama
Ajloun	Balas, Al-Safina, Al-Sakhna, Balas
Jerash	Al-Majar, Souf, Al-Hawaya, Al-Mansoura

Table prepared by the Centre on the basis of the visits conducted by its team.

The Centre made a number of recommendations, including urging the Government and the competent bodies to work to improve the level of services in municipalities, villages and elsewhere, in a manner that ensures the promotion of local development and the raising of the economic level of their inhabitants, which would in turn be reflected positively in women's enjoyment of their rights.¹⁸⁰ In light of the Centre's follow-up of remote areas, it values the plan prepared by the Government for the years 2013–2016, which includes enhancing participation in the public and private labour market sectors and providing a better social safety net for women; however, it hopes that attention will reach remote areas deprived of services.

Violence against Women

The figures and statistics issued by the Family Protection Department of the Public Security Directorate (PSD) indicate that crimes of violence against women during 2014 were as shown in Table (20).

Table (20): Crimes of Violence against Women in 2014 Compared with 2013

Years	Sexual	Physical	Number of female victims
2013	785	1319	2128
2014	717	1496	2270

Table prepared by the Centre on the basis of data issued by the Family Protection Department/Public Security Directorate.

With a view to curbing crimes of violence against women, the National Council for Family Affairs has taken several measures to curb these crimes were as follows: (a) the issuance of a Guide on Accreditation and Quality Control Standards for Services Provided to Cases of Domestic Violence;¹⁸¹ (b) the issuance of a Guide on Procedures for Dealing with Cases of Domestic Violence, "Case Reception and Management", with the aim of unifying the workflow procedures for the provision of services by the institutions or bodies responsible for dealing with cases of domestic violence; (c) the issuance of a Guide on the Procedures of Shelters in Receiving Cases of Domestic Violence, with the aim of clarifying the workflow procedures for the provision by such shelters of services related to the reception of cases of domestic violence.

¹⁸⁰ It should be noted that, in the final stages of the preparation of this report, a Council of Ministers decision was issued approving the National Employment Initiatives for 2015, new programmes focusing on employment in the governorates and remote areas with higher unemployment rates and on the employment of women at various levels and in various positions.

¹⁸¹ The National Council for Family Affairs.
<http://www.ncfa.org.jo/Default.aspx?mid=500&ctl=details&tabid=112&articleID=728&language=ar-JO&checkType=>

While the Centre values the efforts made by governmental and non-governmental institutions to protect women from violence, in view of the negative effects that violence has on women, the family and society, overcoming violence against women still faces a number of challenges, most prominently the persistence of certain customs and traditions that regard it as an acceptable phenomenon, in addition to the existence of certain legislation that discriminates against women. The Government's response to the Centre's recommendations for 2012 revealed the existence of a draft Law on Protection from Domestic Violence and of amendments to the Civil Retirement Law; however, the constitutional procedures for the enactment of this law have not been completed. Accordingly, the Centre hopes that both will be brought into force at the earliest opportunity.

Recommendations

In order to promote and protect the rights of women, the National Centre for Human Rights recommends that a number of legal and practical measures be taken, the most important of which are:

1. Ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women concerning individual complaints.
2. Adopting further temporary special measures, including the adoption of a quota system and preferential treatment, in order to promote the inclusion of women in education and the economy, and continuing to provide incentives to promote women and their employment in the private sector.
3. Amending the Labour Law to abolish any legal restrictions on the participation of women in any activity, and to include an explicit prohibition of discrimination against women in the workplace.
4. Cooperation among all concerned bodies to combat violence against women, using the full range of legal, social, cultural and educational tools and means.
5. Strengthening the political participation of women and enabling them to access decision-making positions on an equal footing with men.
6. The concerned bodies should give the utmost attention to women's attainment of their inheritance rights.
7. Expediting the adoption of the Alimony Advance Fund Regulation.¹⁸²

¹⁸² It should be noted that, during the final stages of the preparation of this report, the Government decided to adopt the Alimony Advance Fund Regulation. While the Centre values this step, it hopes that the implementation of the provisions of this Regulation will contribute to alleviating the suffering of women in this area.

ii. The Rights of Persons with Disabilities

The Jordanian Constitution guarantees the rights of persons with disabilities and protects their dignity from abuse and exploitation,¹⁸³ including respect for the inherent dignity of persons, their individual autonomy, the freedom to make their own choices, and their independence.¹⁸⁴ The Kingdom's policy and obligations towards persons with disabilities derive from Arab-Islamic values, the Jordanian Constitution, the Universal Declaration of Human Rights, the principles and provisions set forth in the International Convention on the Rights of Persons with Disabilities, and the Law on the Rights of Disabled Persons No. (31) of 2007.

In 2014, Jordan participated in the proceedings of the Seventh Session of the United Nations Conference of States Parties to the International Convention on the Rights of Persons with Disabilities,¹⁸⁵ held at United Nations Headquarters in New York, at which delegates reviewed the progress achieved in promoting and protecting the rights of persons with disabilities, assessed the challenges facing their countries, and identified future steps regarding the implementation of the provisions of the International Convention on the Rights of Persons with Disabilities. During the Conference, Jordan's representative stressed the pressing need to continue developing a comprehensive post-2015 development agenda that highlights disability as a development issue,¹⁸⁶ and emphasised the need to devote special attention to combating stereotyping and to equal access to social services by working to overcome inequality, combat poverty and remove barriers.

Positive Developments Monitored by the Centre in 2014

The year 2014 witnessed a number of practices that contributed to the promotion of the rights of persons with disabilities, the most important of which were: (a) the circular issued by the Prime Ministry aimed at promoting the right of persons with disabilities to obtain employment opportunities through the application of the percentage stipulated in Article (4/c/3) of the Law on the Rights of Disabled Persons No. (31) of 2007, namely (4%) of the number of employees in governmental and private institutions where the total number of employees exceeds (50). In follow-up thereto, and in this context, the Council of Ministers approved the appointment of (172) persons with disabilities on the 2014 general schedule, out of a total of 1365 applications submitted; (b) the Higher Council for the Affairs of Disabled Persons assisted General Secondary

¹⁸³ The constitutional legislator expressly provided, in Paragraph 5 of Article 6 of the Constitution as amended in 2011, for the protection of the rights of persons with disabilities, stating: "The law shall protect motherhood, childhood and old age, shall care for young people and persons with disabilities, and shall protect them from abuse and exploitation."

¹⁸⁴ Article (7) of the Constitution.

¹⁸⁵ Jordan was represented in the proceedings of this session by the Higher Council for the Affairs of Persons with Disabilities.

¹⁸⁶ It should be noted that the participants in the proceedings of the session identified the pillars of development policies as follows: 1- access to quality education at all its stages; 2- access to quality health care services, including early detection services and medical interventions; 3- improving the collection, analysis and monitoring of disability-related data; 4- strengthening national efforts for the equitable treatment of the rights and needs of persons with disabilities through international cooperation and the mobilisation of the resources of the public and private sectors and civil society organisations to this end; 5- focusing on the role of monitoring and implementing the Convention at the national level; 6- focusing on the issue of young persons with disabilities.

Education students with disabilities in submitting their applications electronically for unified admission, with the Council and the liaison offices in the three regions receiving 127 students; (c) the National Aid Fund provided cash assistance to families of persons with disabilities in (8368) recurrent cases in 2014; (d) the Ministry of Education provided the necessary facilities for General Secondary Education students with disabilities by designating examination centres in buildings that comply with the building code for persons with physical disabilities, providing sign language for persons with hearing impairments, and at the same time providing a scribe to assist students with visual impairments. It should be noted that students with physical disabilities recorded the largest number of students who passed the General Secondary Education Certificate Examination (“Tawjihi”), numbering 54 students, while the number of students with visual impairments was 43 and with hearing impairments 29. In general, students with disabilities receive a 90% discount on total university fees, pursuant to the decision of the Ministry of Higher Education agreed upon between the Council and the Ministry. These students also benefit from the HRH Prince Ra’ad Grant for Students with Disabilities, an amount granted to the student at the beginning of each semester as assistance in meeting his or her study needs; (e) the establishment of a special fund to support students with disabilities at the Faculty of Arts of the University of Jordan, which aims to support the educational process for persons with disabilities, achieve social justice, integrate them into society and prepare them to enter the labour market side by side with their peers, by creating a friendly and suitable environment for them and providing the means and services that facilitate their university life; (f) a number of civil society organisations and international institutions, such as the Swedish Relief Foundation, implemented new programmes to integrate students with intellectual disabilities into the educational process, with inclusion classes opened in (16) schools and associations across the Kingdom, staffed by qualified and trained female teachers to deal with this category of children; (g) the Al-Sadaqa (Friendship) Society for the Blind, with the support of the King Abdullah II Fund for Development / Democratic Empowerment Programme, implemented a training programme for women and girls with disabilities, under which, on 12/4/2014, (35) blind women received intensive training on the most important issues of violence, violations, trafficking in persons and early marriage, in addition to the national laws and the national and international conventions protecting women’s rights; (h) the holding of training courses for practising the profession of sign language interpretation, whereby the Higher Council for the Affairs of Disabled Persons awarded (70) male and female sign language interpreters a licence to practise the profession; (i) the issuance by the Council of Iftaa, Islamic Research and Studies, in February 2014, of a general fatwa prohibiting the hysterectomy of girls with intellectual disabilities, given that this practice constitutes a violation of the rights of girls with intellectual disabilities; (j) the signing of a Memorandum of Understanding between the Higher Council for the Affairs of Disabled Persons and the Public Security Directorate to provide video communication for persons with hearing impairments through a unified toll-free number from all communication networks, in order to enable the Directorate to respond to the emergency security, traffic or service needs of persons with disabilities; (k) the Ministry of Health continued to issue health insurance cards to children with disabilities, in addition to their families benefiting from free health insurance; (l) the National Centre for Human Rights held a series of activities aimed at raising awareness of the rights of persons with disabilities in (17) schools and associations that include children with disabilities, which targeted more than (510) participants from among school teachers and representatives of associations working in this field.

On the other hand, the National Centre for Human Rights monitored a number of challenges and obstacles impeding the rights of persons with disabilities in 2014, the most important of which were the following:

- (a) The low rate of participation of persons with disabilities in the Jordanian labour market. A 2014 report issued by the Jordan Labour Watch entitled “Employment of Persons with Disabilities: Legal Gaps and Deprivation of Their Basic Rights”¹⁸⁷ confirmed that the employment rate of persons with disabilities in the public sector does not exceed 1.0%, and is only approximately 0.5% in the private sector. The report also showed that employers resort to numerous legal subterfuges to avoid employing persons with disabilities, in addition to the difficult working conditions suffered by persons with disabilities; (b) the difficult working conditions of persons with disabilities due to the failure to provide them with appropriate environmental accommodations, and the low wages of those working in the private sector, as large numbers of them earn monthly wages below the minimum wage of 190 dinars per month; in addition to the underestimation of their abilities and the poor working environment available to them, which does not provide the minimum environmental accommodations, the lack of suitable public transport, and the refusal of most drivers to transport them, which compels them to take up marginal jobs unrelated to the skills they possess. This suffering is greater for women with disabilities, as they are subjected to considerable psychological pressure, foremost among which is society’s non-acceptance of them and of their disability; (c) the National Centre for Human Rights monitored several cases of abuse of residents of care centres for persons with disabilities, most notably: (a) a beneficiary was subjected to physical violence at the Karak Care and Rehabilitation Centre, and the case was referred to the Public Prosecutor in Karak Governorate; (b) a child with an intellectual disability benefiting from a private-sector care home in the capital, Amman, was subjected to violence by one of the resident female supervisors at the home; (c) the continued suffering of children with moderate and mild intellectual disabilities, manifested in their non-admission to private schools and the small number of government schools equipped to receive this category of students, on the pretext of the high financial cost of equipping schools to receive them. The Centre considers it necessary for the Ministry of Education to expand the equipping of government schools to receive this category of students by allocating part of its budget for this purpose, in compliance with the provisions of the Jordanian Constitution and the Education Law, which affirms that education is compulsory for Jordanian students at the basic stage; (d) more than (250) students with disabilities have been deprived of schooling at educational centres affiliated with charitable societies in the Northern Badia and Mafraq since the beginning of the 2014/2015 academic year, owing to the Ministry of Education’s refusal to provide those societies with special education teachers, noting that the Ministry of Education had, for five years, been providing these societies with teaching staff paid on an additional-teaching basis. In this context, the Centre affirms that the deprivation of children of schooling, given the weak capacity of the societies to secure teaching staff and pay their expenses, and the inability of students’ guardians to enrol them in government

¹⁸⁷ Study: Employment of Persons with Disabilities: Legal Gaps and Deprivation of Their Basic Rights, Phenix Center for Economic and Informatics Studies, available at <http://www.phenixcenter.net/ar/paper/173>

schools owing to the long distances between their places of residence and the government schools that might provide such services, calls for an urgent solution to this problem, in view of the clear violation it constitutes of the right of children with disabilities to education, and in order to put an end to the distressing anxiety of parents about their children's future and to the state of depression among children resulting from their staying at home and being deprived of schooling; (e) the continued presence of a number of persons with mental illness and persons with intellectual disabilities in most areas of downtown Amman in 2014, which indicates the clear failure of all official bodies, foremost among them the Ministries of Health and Social Development, which shift responsibility for the matter onto each other, to address this phenomenon, thereby allowing it to worsen and spread without any initiative to find effective solutions; (f) the difficulty of accepting persons with disabilities holding doctoral degrees in work and employment, which prompted them, on 23/6/2014, to organise a protest in front of the Prime Ministry to demand their rights as stipulated in the Constitution, international standards and national legislation, followed by a meeting with the Minister of Higher Education, who in turn addressed the public and private universities to find solutions to their problem. Regrettably, however, none of these persons with disabilities has actually been employed; (g) the failure of some families of persons with disabilities to follow up on the conditions of their children who are beneficiaries residing in the care homes affiliated with the Ministry. An analytical study prepared by the Ministry of Social Development in 2014 revealed that there are families that evade their responsibilities towards their children with disabilities, a failure manifested in their not visiting them. The study showed that a quarter of the beneficiaries in care and rehabilitation centres for persons with disabilities are visited by their families only once a year, and that one beneficiary at the Karak Centre for the Care of Persons with Disabilities has resided at the centre for 19 years and has been visited by his family only three times during that period. Moreover, many families of persons with disabilities do not welcome having their children with them during holidays and on special occasions.

Recommendations

1. The need to review and amend the Law on the Rights of Disabled Persons No. (31) of 2007, so as to give binding force to the implementation of its provisions and to adopt the rights-based concept that the current law has not adopted, in order to move persons with disabilities out of the shell of isolation and individualism in dealing with their issues towards a society that bears responsibility, by removing the violations that impede the exercise of the rights and freedoms set out in international instruments and national legislation.
2. The need for the Ministry of Education to adopt the inclusive education approach, which focuses on not excluding children with disabilities from education by providing educational opportunities for all students, including those with disabilities, and on promoting the concept of acceptance of others among their non-disabled peers.
3. Equipping all national courts to deal with persons with disabilities, in terms of providing them with environmental accommodations, including securing sign language interpreters at court

hearings in cases before them in which one of the parties or one of the witnesses has a hearing impairment.

4. Activating the legal provisions regulating the employment of persons with disabilities by establishing effective governmental oversight mechanisms over institutions, linking governmental and non-governmental institutions with more than (50) employees to an electronic network under the umbrella of the Ministry of Labour, in order to show the number of persons with disabilities employed therein in accordance with Article 4/c/3 and Article 12/a of the Law on Disabled Persons, for the purposes of controlling, identifying and holding violators accountable.

5. Working to expedite the removal of the overlap in the competencies and responsibilities of the Ministries of Health and Social Development concerning the rights of persons with severe psychosocial disabilities, in order to ensure the provision of institutional care and protection to them in a manner that achieves the principle of social justice.

6. The need for the Ministry of Education to continue providing private centres and voluntary associations, particularly outside the capital, Amman, with teachers, for the purposes of encouraging the education of students with disabilities and promoting their integration into society.

7. Increasing the financial support allocated to persons with disabilities, particularly families with more than one person with a disability.

iii. The Rights of the Child

The year 2014 witnessed a development at the international level in the field of the rights of the child, represented by the entry into force in April 2014 of the Third Protocol to the International Convention on the Rights of the Child, which enables children or their representatives to submit complaints and communications.

In the area of protection at the national level, the Ministry of Social Development signed two agreements to strengthen the child and family protection system: the first with the National Council for Family Affairs, which includes the development of accreditation and quality control standards for shelter services; and the second, signed on 15/7/2014 with the United Nations High Commissioner for Refugees, UNICEF and the National Council for Family Affairs, with the aim of institutionalising and strengthening the family protection system in Jordan by reinforcing protection measures based on alternative care for unaccompanied refugee children and refugee children separated from their families.

Child Labour

The year 2014 witnessed the persistence of the phenomenon of child labour;¹⁸⁸ indeed, the actual situation indicates an increase in this phenomenon following the influx of many Syrians into Jordanian territory. By way of example, the number of children caught working in various fields,

¹⁸⁸ It should be noted that the latest survey conducted by the Ministry of Labour in cooperation with the International Labour Organization in 2008 showed that the number of working children in Jordan exceeds (32000) children.

such as the mechanics and vehicle repair sector, factories, agriculture, the tourism sector and others, in 2014 reached (1316) children, of whom (414) were Syrians. The Ministry of Labour issued (799) warnings to the establishments in which they were working.

The Centre monitored a number of developments aimed at curbing the phenomenon of child labour in 2014, which were as follows: (a) the classification of juveniles working in contravention of national legislation, street vendors and waste pickers as children in need of care, pursuant to Article (33) of the Juveniles Law No. (32) of 2014; (b) the implementation by the Social Support Centre for Working Children¹⁸⁹ of (62) activities in the form of individual, group and family counselling sessions, for the purposes of removing working children from the labour market and returning them to school education, by seeking to provide educational alternatives for school dropouts or economic alternatives for poor families, such as referral to the concerned bodies to obtain financial assistance, and referring children over the age of (16) to the Vocational Training Corporation; (1833) working children benefited from these programmes in 2014; (c) the implementation by the Ministry of Labour of a specialised inspection campaign in 2014 with the aim of determining the extent of child labour in the restaurant sector and in roadside coffee and hot-beverage shops. The results of the campaign showed that the number of cases working in this sector was (92) cases of working children, of whom (43) were Jordanians and (49) non-Jordanians; (d) the inspections carried out by the labour directorates showed that the number of establishments that employed children in their work in 2014 reached (294) establishments operating within the restaurant and hot-beverage shop sectors. The official bodies took legal action against those establishments, graduated from advice and guidance to warning and then to a violation notice: advice and guidance were given to (18) establishments, while (56) warnings were issued, and the number of violation notices issued against offending establishments in this area reached (18), carried out through the labour and inspection directorates spread across the governorates of the Kingdom. It should be noted that the Ministry of Labour is keen to follow up through inspection teams, and in cases of repetition these establishments are closed.

Children of Unknown Parentage

In 2014, the social care centres affiliated with the Ministry of Social Development received (69) foundling children, who are often found near the doors of mosques or in public streets; they were issued identity documents under assumed names and new national numbers. According to figures issued by the Ministry of Social Development, there are approximately (850) children deprived of family support, of whom those with known mothers and unknown fathers constitute approximately 47%; that is, more than half are of unknown parentage.

Children in Conflict with the Law

Among the positive developments witnessed in 2014 was the adoption of a new Juveniles Law aimed at protecting and regulating the affairs of delinquent children and of children in need of protection and care. A study of the provisions of this Law shows that it contains a number of positive provisions that strengthen the rights of children, the most important of which are: (a) the

¹⁸⁹ The Social Support Centre for Working Children is affiliated with the Ministry of Labour and the Jordanian Hashemite Fund.

addition of working children and waste-picking children to the children in need of care, which broadens the scope of legal protection for children; (b) broadening the scope of protection for children by establishing a judiciary specialised in cases of delinquent juveniles, through the appointment of full-time juvenile judges, dispute settlement judges, and judges for following up the enforcement of judgments relating to juveniles; (c) activating the role of the Juvenile Police, which began exercising its functions on 1/1/2012 under the Public Security Directorate, by expressly providing for it in Article (3/a) of the Juveniles Law of 2014, so that this provision is consistent with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules); (d) activating the areas of alternative solutions permitted by the Law in dealing with minor cases. The positive effects of this approach became apparent with remarkable speed, as shown by the official statistics of the Juvenile Police Department for 2014, which revealed that only 12% of juvenile cases were referred to the judiciary, while the vast majority were settled by the Juvenile Police Department; (e) the new Law's affirmation that juvenile cases are not to be considered prior records, by obliging all competent authorities to expunge juveniles' prior records from the registers.

Notwithstanding the positive aspects of the Juveniles Law that are consistent with international standards on the rights of children, some of its articles suffer from legislative shortcomings, which may be highlighted as follows:

- a. The absence of a clear provision addressing the situation in which a juvenile fails to comply with the non-custodial measures imposed on him or her in the court's decision, as provided in Article (24) of the Law; that is, it is an unenforceable judgment.
- b. The legislator's omission to provide for the necessity of the presence of a probation officer at the investigation stage, which constitutes a breach of the guarantees established for juveniles.
- c. The failure to refer to the responsibility of the person to whom the juvenile is handed over in the event of breach and negligence in the upbringing of the juvenile, as was the case in the previous law.
- d. The new Law's failure to provide for the reduction of the fine where an adolescent commits a misdemeanour or contravention, whereas the repealed law, pursuant to Article (18/e), reduced the fine by half.
- e. The Law's silence on the regulation of the education of juveniles during their stay in care homes and/or education and rehabilitation homes.

Practices

In a step towards integrating juveniles lacking family support into society, the Ministry of Social Development began, in 2014, to apply the family integration approach to children who had committed minor misdemeanours. On 1/7/2014, it established a special Family Integration Unit within the Ministry, tasked with integrating children lacking family support into alternative families instead of keeping them in care homes, under the Alternative Families Instructions, which set out certain conditions for alternative families and provide them with financial support of up to a maximum of 150 dinars. It should be noted that (54) children were integrated in 2014.

Among the regrettable matters in 2014 was the recording of (14) cases of mass escape of juveniles. Accordingly, the National Centre for Human Rights carried out field visits to monitor and ascertain the causes and motives of the escape cases, and found that there are a number of problems in these homes that may lead to the occurrence of such incidents, the most important of which are:

- a. The long service of supervisors in juvenile homes without receiving the necessary training and incentives relating to the improvement of their work: work in this type of institution requires additional and arduous effort in confronting, protecting, caring for and rehabilitating children who have departed from the normal course of childhood as a result of being exposed to influences that contributed to their delinquency. Accordingly, the presence of staff working in these homes for long and continuous periods without receiving appropriate training weakens their capacities and the performance required of them to carry out the tasks and burdens of this work.
- b. Transfer as a disciplinary measure: the administrations of the homes resort to transferring juveniles from one home to another to discipline them for the offending acts they have committed. The Centre finds that transfer in this manner does not represent an appropriate solution to the problem of unruly and aggressive children; rather, it may create a crisis of (“criminal contagion”), in addition to punishing the juvenile’s family by increasing the burdens on them when visiting the juvenile who has been transferred to a home far from his or her place of residence.
- c. The multiplicity of the supervisor’s tasks and roles: the tasks of the supervisor in juvenile homes are originally to give educational and counselling sessions to juveniles, which reinforce the behaviour modification plans set by the psychologist and the social worker. Since the actual situation indicates that the supervisor in fact performs guard duties, in addition to supervising cleanliness, this weakens his or her contribution towards the children.
- d. The small number of supervisory staff and the negligence of some of them: all the escape cases took place at night while the staff on duty were asleep. Moreover, the actual situation indicates the difficulty of adhering to the internal regulations of the home with regard to the distribution of duty supervisors around the clock, owing to their small number, as they sometimes suffer from being awake for long and continuous periods, which has led to their being overcome by sleep.
- e. The scarcity of rehabilitation programmes for delinquent juveniles: the absence of rehabilitative, awareness-raising and recreational programmes for children opens the way to boredom, imbalance and psychological tension in confronting the problem of delinquency, and to their isolation from their community.

The Most Significant Problems and Challenges Monitored by the Centre Concerning the Rights of the Child in General in 2014

- (a) Three children lost their lives in 2014 as a result of the negligence of school administrations and their failure to monitor the work of their supervisors and staff. As a result of this negligence, a four-year-old child died under the wheels of a school bus, another girl drowned in the swimming pool of a private school, and a girl died under the wheels of her kindergarten’s bus. The Centre considers that responsibility for these incidents lies with the concerned agencies and institutions, in addition to the school

administrations, which must work to provide and apply safe specifications and standards for everything to which children are exposed inside and outside their school environment.

Table (21): Number of cases of physical and sexual abuse and neglect within the family to which children were subjected during 2014

Type of case	Males	Females	Total
Rape		169	169
Attempted rape		21	21
Indecent assault, attempt and interference	416	661	1077
Act contrary to public decency	68	96	164
Incitement to debauchery		17	17
Abduction		11	11
Miscellaneous sexual (fondling contrary to public decency)	21	109	130
Miscellaneous other (threat / conduct disturbing public tranquillity)	9	25	34
Miscellaneous other (harming children with disabilities)	1		1
Intercourse with a female for the purpose of marriage		958	958
Sexual assaults	221	354	575
Physical assaults	149	153	302
Total	885	2574	3459

The table was prepared by the Centre on the basis of data issued by the Family Protection Department.

- (b) The shortage in the number of counsellors in government schools, and the lack of competence of some of them to deal with children, owing to their lack of awareness and knowledge of methods for reducing violence, particularly in light of the efforts being made to reduce violence in schools; (c) the continued application of Article 62 of the Penal Code, which permits forms of discipline inflicted by parents on their children in accordance with what is permitted by general custom; this is a general and loose definition and wording that permits consequences of dire effect. A ten-year-old girl lost her life as the price of the recklessness and heedlessness of her father, who, in a fit of anger, set about disciplining her because she had been accused by a teacher at school of committing theft; (d) the continuation of domestic violence, which is one of the most serious forms of violence because it is hidden and unmonitored. A study prepared by the Jordan River Foundation in 2013 showed that approximately 58.4% of parents believe in the use of corporal punishment as a means of disciplining the child at school, and 55.8% of parents believe that the correct application of corporal punishment has a positive effect on the upbringing of the child in general. The total number of cases of abuse to which children were subjected within the family in 2014 reached (3459) cases, according to the statistical indicators of the Family Protection Department / Public Security Directorate, the details of which are shown in Table (21); (e) the persistence of the phenomenon of early marriage in Jordan in

2014. A study prepared by UNICEF entitled “A Study on Early Marriage in Jordan”¹⁹⁰ showed (1) an increase in the rate of early marriage in Jordan of (32%) in the first quarter of 2014, which requires the Centre to draw attention to this serious phenomenon, the continuation of which means the continuation of the violations to which girls who marry before the age of 18 are subjected, the most important of which are: (a) an increased risk of complications during pregnancy; (b) their loss of school education; (c) their reduced economic opportunities and increased likelihood of falling into poverty. The study showed the common factors leading to child marriage in Jordan as follows: early marriage is regarded as alleviating the severity of poverty or the burden arising from supporting a large family with many girls, and as ensuring the continuation of (cultural or family) traditions; it also serves as an opportunity for the escape of girls living in a domestic environment in which they suffer from violence in its various forms; (f) most of the governorates and villages of the Kingdom lack safe recreational places where children can spend their summer holidays and free time. This was observed during the field visits carried out by the National Centre for Human Rights to (49) villages in various regions of the Kingdom to identify the problems and challenges faced by women and children. Most children spend their time between home and playing in the streets and among neighbourhoods and residential communities in unsafe conditions, which exposes them daily to traffic accidents, falls in dangerous places, playing with household implements, or fights with their peers.

Recommendations

1. The need to adopt a special law on the rights of the child. Although the Convention on the Rights of the Child, published in the Official Gazette, must be invoked at the national level, the reality indicates that it is not applied by lawyers and judges owing to the absence of binding mechanisms for implementing the rights established by international conventions.
2. Working to review and amend Article (62) of the Penal Code, which permits forms of discipline inflicted by parents on their children in accordance with what is permitted by general custom.
3. The need to expand the adoption of a system for combating school violence, and to move it from the issue of students’ violence towards one another and towards others to the issue of combating school violence in general, so as to encompass teachers, supervisors and drivers in addition to children.
4. The need to provide governmental and private educational institutions for children with educational counsellors who are qualified and trained in dealing with children within the framework of the standards of the rights of the child.
5. Focusing on the education of girls and moving them from the shell of social and economic isolation into the world of social and economic interaction, which contributes to reducing the marriage of minors.

¹⁹⁰ UNICEF, available at http://www.unicef.org/arabic/infobycountry/24327_74370.html

6. The need for the Ministry of Municipal Affairs or the Greater Amman Municipality to provide safe parks and playgrounds for children, in which they may spend their free time and benefit in developing their developmental and intellectual capacities and skills.
7. The need for the Ministry of Social Development to allocate a child-friendly budget for children in conflict with the law, particularly with regard to systematising and strengthening cultural, educational and pedagogical programmes and activities that enhance children's patterns of behaviour and their proper reintegration into society, in addition to increasing the income of staff working in juvenile homes in order to create a more comfortable and attractive working environment for them.
8. Expediting the issuance by the Ministry of Social Development of special regulations for the implementation of Law No. (32) of 2014, so that it may be implemented in the best manner.
9. Amending the Personal Status Law with regard to the right to filiation, since the child has rights and legislative protection set out in the International Convention on the Rights of the Child, to which Jordan has acceded, regardless of the child's social status.
10. Working to add a new paragraph to the Penal Code prohibiting the waiver of the personal right (private claim) in cases of violence of all forms directed against children by a family member.

iv. Rights of Older Persons

The constitutional amendments and national legislation have guaranteed the rights of older persons.¹⁹¹ International instruments, in particular the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), have likewise guaranteed this right, even though they contain no explicit reference to the rights of older persons. However, the comments of the treaty committees¹⁹² have affirmed that older persons enjoy all human rights. This approach was also expressed in the Vienna International Plan of Action on Ageing, adopted in 1982, which contains 62 recommendations directly related to the ICESCR, in addition to the United Nations Principles for Older Persons, adopted by resolution of the United Nations General Assembly in 1991, namely: independence, participation, care, self-fulfilment and dignity.

In recent years, the international community, represented by the United Nations, has begun preparing for the elaboration of an international convention for the protection of the rights of older

¹⁹¹ Article (6/5) provides that "The law shall protect motherhood, childhood and old age, shall care for young people and persons with disabilities, and shall protect them from abuse and exploitation." Furthermore, the Regulation on the Licensing of Care Homes for Older Persons and Their Clubs of 2012 explicitly and clearly defined an older person, in terms of age, as "every woman over the age of fifty-five and every man over the age of sixty who is in need of residential care." Other national legislation has also addressed the rights of older persons and regulated their financial affairs, such as the Social Security Law, the Civil Retirement Law, the Military Retirement Law and the Law of the Ministry of Social Affairs.

¹⁹² Committee on Economic, Social and Cultural Rights (Thirteenth Session, 1995), General Comment No. (6): The economic, social and cultural rights of older persons, which states: "The International Covenant on Economic, Social and Cultural Rights does not contain any explicit reference to the rights of older persons, although Article (9) dealing with 'the right of everyone to social security, including social insurance', implicitly recognises the right to old-age benefits. Nevertheless, in view of the fact that the Covenant's provisions apply fully to all members of society, it is clear that older persons are entitled to enjoy the full range of rights recognised in the Covenant."

persons. Accordingly, the Asia Pacific Forum of National Human Rights Institutions convened a workshop on 13–15/5/2014 to discuss priorities for work on the rights of older persons, with the aim of persuading the governments of the Forum’s member States to join in the drafting of the international convention proposed by the United Nations. The National Centre for Human Rights (NCHR) participated in this workshop and expressed its support for the adoption of a convention specifically dedicated to the rights of older persons.

The Situation of Older Persons in the Kingdom

Older persons in the Kingdom constitute 5.1% of the population, totalling 335,795 persons: 172,655 males and 163,140 females, an older person being defined as anyone over 60 years of age.¹⁹³

At the level of national policy, political support for a new system for the rights of older persons receives positive encouragement from the Government. The legislation governing the rights of this category of citizens consists of the Civil Retirement Law, the Military Retirement Law and the Social Security Law,¹⁹⁴ together with the Regulation on the Licensing of Care Homes and Clubs for Older Persons, which provides for the care of older persons inside care homes. However, the question remains as to the other rights of older persons outside care homes and institutions, such as the right to work, the right to health care and the right to physical integrity, among others.

The year 2014 witnessed the adoption by the Ministry of Social Development of the Instructions for the Licensing of Residential Care Homes for Older Persons. Among the most important provisions of these Instructions are the following: (a) the provision of one supervisor for every five older persons, the number of supervisors to be increased according to their health condition; (b) the provision of a physician and a nutritionist at the home; (c) the installation of surveillance cameras inside the home, at its external doors and in its garden, with the exception of residents’ sleeping quarters in order to preserve their privacy; (d) the internal space allocated to each older person shall not be less than six square metres, excluding corridors, bathrooms and entrances; (e) the provision of an outdoor garden for the care home with an area of not less than 10 square metres per resident; (f) the capacity of the home shall not be less than 10 older persons; (g) the provision of a Western-style toilet and a washbasin, and the use of single-lever taps to supply the older person with hot and cold water; (h) equipping the building with a heating and cooling system that maintains a temperature of between 20 and 25 degrees Celsius, provided that the temperature shall not be less than 30 degrees Celsius in winter, and the building must be fitted with a thermostat; (i) the provision of a separate wing for male sleeping quarters and another for females; and (j) the home shall be located in an area zoned for residential use, away from main transport routes, and the roads leading to the home shall be safe and paved.

It should be noted that the number of older persons residing in and served by residential care homes for older persons reached (472) older men and women in 2014, of whom the Ministry of Social Development covered the residence costs of 177, as they were financially unable to do so or had no one to support them.

¹⁹³ According to the figures of the Department of Statistics.

¹⁹⁴ All of these are laws regulating financial matters upon reaching retirement age.

The Most Significant Achievements and Developments Monitored by the Centre in 2014 Concerning the Rights of Older Persons

1. The introduction of a set of amendments to the Social Security Law aimed at strengthening the right of older persons to an adequate standard of living, the most important of which are: (a) obliging employers to continue to cover insured persons and to pay contributions where such persons continue to work for them, or are employed by them, after the age of sixty for males and fifty-five for females, if this would enable them to complete the qualifying period for entitlement to an old-age retirement pension;¹⁹⁵ (b) linking retirement pensions and disability pensions (with the exception of the early retirement pension and the permanent partial work-injury disability pension, which are linked to the increase upon reaching the age of sixty for males and fifty-five for females, or in the event of death) to inflation or to the annual growth rate of the average wages subject to social security for the preceding year, whichever is lower, on an annual basis, in order to keep pace with the rise in the cost of living, protect these pensions from erosion and maintain their purchasing power, provided that this increment shall not exceed (20) Jordanian Dinars.

2. The launch of the “Older Persons Without Borders” initiative on 15/1/2014 under the patronage of HRH Princess Basma, by activists in the field of the rights of older persons, in cooperation with the various stakeholders concerned, such as the National Centre for Human Rights, the National Council for Family Affairs and the relevant civil society organisations. The initiative aims to change the lives of older persons by occupying their time so as to overcome idleness and to maintain their mental, intellectual and physical abilities. The initiative focuses on strengthening community service programmes in institutions and ministries by integrating retired older persons into voluntary work in order to transfer their experience to future generations and to harness the energy of older persons, each according to his or her speciality. Among the most important results of the initiative was the engagement of a number of older persons who are able to work with (25) schools to contribute to voluntary teaching.

3. The implementation of the “Watan” initiative,¹⁹⁶ which aimed to bring joy and happiness to older persons, to make them feel cared for by society, to break the daily routine in their lives and to strengthen intergenerational communication. The initiative also aimed to refine the personalities of the volunteers, develop the way they interact with society and increase their experience in the field of community service.

4. The Social Security Corporation concluded an agreement with the Development and Employment Fund under which it lent the Fund five million Jordanian Dinars, so that the Fund in turn would undertake the task of granting loans to the Corporation’s retirees on concessional terms and interest rates, with the instalments deducted monthly from the retirement or disability pensions allocated to them. This agreement was concluded in order to overcome the absence of bank lending policies, as banks make the provision of lending services conditional upon the borrower being no older than 65 years at the time of payment of the final instalment of the loan,

¹⁹⁵ Article (63/b) of the Social Security Law No. (1) of 2014: “The establishment shall continue to cover the insured person where he continues to work for it, or is employed by it, after reaching the age of sixty for males and fifty-five for females, if this would enable the insured person to complete the qualifying period for entitlement to the old-age pension.”

¹⁹⁶ A group of young volunteers who carry out field visits to the various homes for older persons in the Kingdom.

which has constituted a major obstacle preventing the establishment of economic and productive projects by older persons, projects which could bring considerable benefit to the local community, create job opportunities for young people and contribute to addressing the problem of unemployment in the Kingdom.

Problems and Challenges Monitored by the Centre in 2014

- (a) The failure of some care homes for older persons to comply with the conditions set out in national legislation. The National Centre monitored the temporary closure by the Ministry of Social Development in 2014 of a home for older persons in Amman, and the obligation imposed on its owner to place the older persons in another care home at his own expense, owing to the commission of violations threatening the security and safety of the older persons: the home lacked cleanliness, mixed psychiatric patients with older persons, most of its staff were unqualified, it had no programmes directed at older persons, and their nutrition was not consistent with their health conditions; (b) the inadequacy of the financial support provided to care homes for older persons belonging to the charitable sector, which comes in the form of financial and in-kind donations from benefactors, does not enable the State to perform the roles required of it, which necessitates the establishment of a systematic financial support policy, particularly as these homes receive older persons who are sick and those in need of continuous and costly care and follow-up; (c) the difficulty faced by older persons living in villages and remote areas in obtaining medicines, which are often not available under government insurance coverage, and their inability to purchase them on the local market owing to their high prices; (d) the absence of a unified and specific law protecting the rights of this category of society, as national legislation on the rights of older persons is confined to regulating the work of care homes for older persons and does not extend to older persons outside care homes, even though their number exceeds that of those inside care homes; they need a comprehensive law covering the rights set out in international standards and based on non-discrimination on any ground whatsoever; (e) the absence of legal provisions criminalising, or holding accountable, those who fail in their duties towards their parents, especially in cases of abandonment and neglect of parents; and (f) the lack of job opportunities for older persons who are able to work, as some older persons complained of their wish to continue working in either the public or the private sector, whereas many private institutions have adopted the practice of terminating their services upon their reaching the age of sixty.

Recommendations

1. The Jordanian Government should support the international efforts aimed at drafting an international convention on the rights of older persons, which is currently being worked on under the auspices of the United Nations.
2. A specific and unified law should be adopted to support the rights of older persons in all respects, rather than relying solely on the regulations and instructions relating to care homes.
3. The Labour Law should be amended to incorporate the best interests of older persons with regard to their right to work, so as to enable them to participate in the labour market under special

conditions, such as reduced working hours, and to support the access of older persons to job opportunities without discrimination, particularly active older persons who wish to work.

4. The Civil Retirement Law, which obliges government employees to retire compulsorily at the age of sixty, should be amended to bring it into line with international best practices, particularly with regard to their right to work, which leave retirement optional for those who wish to continue working beyond the age of sixty.

5. A legal provision should be introduced permitting the accountability of anyone who commits an act of neglect and/or abandonment of parents.

6. Care homes for older persons (charitable sector) should be supported financially through the regular deduction of a portion of the profits of profit-making institutions and companies, in order to sustain support for this category of society, who are usually without family care for numerous reasons, such as having no children, never having married, or other social reasons that necessitate their presence in such homes.

V. Annexes

VI. Complaints and Requests for Assistance Submitted to the Centre

Complaints Received by the Centre during 2014

Total Number of Complaints Received by the National Centre for Human Rights, by Right Allegedly Violated, 2014

Right Subject of the Complaints	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	No Violation Established	Non-Cooperation of the Complainant	Under Follow-up
The right to equality and non-discrimination	7	2	2	0	0	0	3
The right to life	4	0	0	0	0	0	4
The right to a fair trial and the administration of justice	61	13	1	9	7	0	31
The right to physical integrity and personal security and freedom from torture	121	21	17	1	10	4	68
The right to privacy	1	0	0	0	0	1	0
The right to freedom of residence and movement	17	4	0	1	1	0	11
The right not to be deprived of liberty	24	6	1	2	3	0	12
The right to nationality	20	2	6	0	3	0	9
The right to vote and stand for election	1	0	0	0	0	0	1
The right to freedom of opinion and expression	3	0	1	0	0	0	2
The right to work	56	6	9	7	8	0	26
Rights of inmates of Correction and Rehabilitation Centres	17	4	1	1	2	0	9
The right to education	11	1	0	1	0	1	8
The right to health	5	2	2	0	0	0	1
The right to peaceful assembly	5	1	0	1	0	0	3
The right to hold public office	4	0	0	1	0	0	3
Family rights	4	1	1	0	0	2	0
Rights of persons with disabilities	4	2	0	0	1	0	1

Right Subject of the Complaints	Number of Complaints	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	No Violation Established	Non-Cooperation of the Complainant	Under Follow-up
The right to an adequate standard of living	4	2	0	0	0	1	1
The right to a healthy environment	3	0	0	0	0	2	1
Rights of the child	2	1	0	0	0	0	1
The right to social insurance	2	0	0	0	0	0	2
The right to form associations, trade unions and parties	3	3	0	0	0	0	0
Rights of women	1	1		0	0	0	0
The right to development	1	0	0	0	0	0	1
Trafficking in persons	1	1	0	0	0	0	0
The right to property	2	0	0	0	1	1	0
The right to religious belief	1	1	0	0	0	0	0
The right to compensation	2	0	0	0	2	0	0
Grand total	387	73	41	24	38	12	199
Percentage %	100%	18.80%	10.50%	6.20%	9.80%	3.10%	51.4

The number of complaints received by the Centre this year was (387) complaints, compared with (468) complaints in 2013. The number of complaints relating to civil and political rights was (288) complaints, while the number of complaints relating to economic, social and cultural rights was (77) complaints, and the number of complaints relating to the rights of the groups most vulnerable and most in need of protection was only (15) complaints. A total of (73) complaints, i.e. (18.8%), were closed successfully; (41) complaints, i.e. (10.5%), were closed without a satisfactory outcome being reached; and (24) complaints were closed as falling outside the Centre's mandate, i.e. (6.2%) of the total number of complaints. A further (38) complaints were closed because no violation of human rights was established, i.e. (9.8%), while the number of complaints still under follow-up was (199) complaints, i.e. (51.4). The high number of cases closed without a satisfactory outcome is attributable to the failure of some of the bodies complained against to cooperate or to respond positively to the Centre's recommendations and requests. At the same time, the Centre affirms that the increase in the number of complaints still under follow-up is due to a number of reasons, the most important of which are: the absence of a provision in the Centre's Law obliging bodies to respond to the Centre's requests within a specified period; delays in responses; the failure of some bodies to cooperate with the Centre; the failure of some complainants to cooperate in certain complaints; and the shortage of specialised staff at the Centre to follow up on these complaints.

Requests for Assistance Received by the Centre during 2014

Total Number of Requests for Assistance Received by the National Centre for Human Rights, by Right Allegedly Violated, 2014

Right Subject of the Request	Number of Requests	Closed with a Satisfactory Outcome	Closed without a Satisfactory Outcome	Outside the Centre's Mandate	No Violation Established	Non-Cooperation of the Complainant	Under Follow-up
The right to freedom of residence and movement	20	5	3	1	2	0	9
The right to nationality and to obtain identity documents	10	1		1	2	0	6
The right to liberty and personal security and freedom from torture	10	1	1	0	0	0	8
The right to asylum	20	1	0	10	3	1	5
The right to equality and non-discrimination	0	0	0	0	0	0	0
The right not to be deprived of liberty	6	1	1	0	0	1	3
The right to health	7	2	1	0	0	0	4
The right to work	11	1	1	1	1	1	6
The right to property	1		1	0	0	0	0
The right to housing	1	0	0	0	0	0	1
The right to an adequate standard of living	13	0	0	0	0	0	13
The right to social insurance	1	0	0	0	0	0	1
Rights of women	0	0	0	0	0	0	0
Rights of the child	2	1	0	0	1	0	0
Rights of persons with disabilities	8	2	1	0	0	0	5
The right to education	3	1	0	0	1	0	1
Rights of inmates of Correction and Rehabilitation Centres	16	3	3	0	0	0	10
The right to compensation	2	0	0	0	1	0	1
Family rights	2	1	0	0	0	0	1
The right to a fair trial	16	3	0	0	3	1	9
Grand total	149	23	12	13	14	4	83
Percentages	100%	15.4%	0.8%	7.8%	3.9%	6.2%	55.7%

The total number of requests for assistance received by the Centre this year was (149) requests, compared with (89) requests in 2013. The number of requests for assistance relating to civil and

political rights was (98) requests, while the number of requests relating to economic, social and cultural rights was (39) requests, and the number of requests for assistance relating to the rights of vulnerable groups was (12) requests. A total of (23) requests, i.e. (4.15%), were closed successfully, while the number of requests closed without a satisfactory outcome was (12) requests, i.e. (0.8%). The number of requests still under follow-up was (83) requests, i.e. (55.7%). The Centre received (13) requests falling outside its mandate, i.e. (7.3%), and received (3) requests that were closed because no violation was established, i.e. (6.2%). The closure of a number of cases without a satisfactory outcome is attributable to the failure of the body from which assistance was requested to respond positively to the Centre's recommendations and requests. A decrease in the number of complaints and an increase in the number of requests for assistance received by the Centre during 2014 compared with 2013 may be observed, as shown in the following figure, owing to the multiplicity and diversity of the bodies that receive requests for assistance:

Chart: Numbers of Complaints and Requests for Assistance for 2013–2014

Category	Number
Complaints 2013	486
Complaints 2014	387
Requests for assistance 2013	89
Requests for assistance 2014	149

The method of receiving complaints orally and in person at the Centre ranked first among the various methods, as (71.5%) of all complaints were received orally through complainants attending the Centre in person and explaining their complaints before its staff. Receipt of complaints by fax ranked second, at (10.5%) of all complaints; e-mail ranked third, at (5.9%); and ordinary mail ranked fourth, at (1.4%). The Centre also followed up a number of complaints through press monitoring and monitoring missions, at (3%), while the percentage of complaints received through liaison officers in the governorates and through the hotline was (1.2%) each, which indicates the need to focus on activating the role of liaison officers by raising awareness of them and of their role in receiving and following up complaints through the various media, and to develop a plan for 2015 to activate these methods so as to facilitate access to the services provided by the Centre.

Chart: Methods of Receiving Complaints and Requests for Assistance, 2014

Method of receipt	Requests for assistance	Complaints
In person	118	277
Fax	11	16
E-mail	9	5
Ordinary mail	5	12
Monitoring	5	23
Hotline	5	12
Liaison officer	1	41

The method of submitting requests for assistance orally and in person ranked first among the various methods, as (79%) of all requests were made orally through attendance in person at the Centre. Submission of requests for assistance by fax ranked second, at (7.3%); e-mail ranked third,

at (6%); ordinary mail, monitoring and the hotline ranked fourth, at (3.3%); and liaison officers ranked fifth, at (1.2%), each of all requests.

With regard to the distribution of complaints among the various governorates of the Kingdom, the following chart shows that the Capital Governorate continued to account for the largest number of complaints received by the Centre, at (57.6%) of complainants. This is attributable to the absence of branches of the Centre in the other governorates of the Kingdom, the large population of the governorate, and the proximity of the Centre to citizens residing in the Capital Governorate. Zarqa Governorate ranked second, with complaints submitted by its residents accounting for (10.5%); Irbid Governorate ranked third, with complaints accounting for (5.1%); and Madaba Governorate ranked fourth, with complaints accounting for (5.1%).

Chart: Number of Complaints by Governorate

Governorate	Complaints
Amman	223
Zarqa	41
Irbid	22
Madaba	20
Mafrq	13
Jerash	12
Ma'an	12
Balqa	11
Ajloun	11
Karak	8
Aqaba	3
Tafleh	2
Outside Jordan	10

With regard to requests for assistance, the Capital Governorate ranked first at (53.6%), Irbid Governorate ranked second at (10.5%), Zarqa ranked third at (10.4%), and Madaba and Mafrq Governorates jointly ranked fourth at (6.0%).

Chart: Number of Requests for Assistance by Governorate

Governorate / Complainant	Requests for assistance
Amman	80
Irbid	16
Zarqa	15
Madaba	9
Mafrq	7
Ma'an	5
Balqa	5
Jerash	3
Ajloun	3
Outside Jordan	3
Tafleh	1

Governorate / Complainant	Requests for assistance
Aqaba	1

With regard to the bodies complained against, the following figure shows the percentage of complaints by the governmental body against which they were submitted. It may be observed that the security bodies continue to account for the largest share of the complaints received by the Centre, at (64%) of the total number of complaints: complaints submitted against the Public Security Directorate alone accounted for (39.1%), followed by the Ministry of Interior (12.9%) and the General Intelligence Directorate (10.2%). This indicates that these bodies have not taken the hoped-for measures to stop violations, and confirms the need for the Centre to continue giving them priority and focusing on them in order to reduce the number of complaints and promote human rights in the Kingdom. A decrease may also be observed in the percentage of complaints relating to labour and domestic worker recruitment agencies, which reached (2%) compared with (4.4%) in 2013.

Chart: Number of Complaints by Body Complained Against

Body complained against	Complaints
Public Security Directorate	151
Ministry of Interior	50
General Intelligence Directorate	39
Individuals	30
General Command	10
Universities	10
Judicial Council	9
Companies	9
Domestic worker recruitment agencies	8
Ministry of Justice	7
Ministry of Education	7
Prime Ministry	6
Civil Status Department	6
Ministry of Municipal and Rural Affairs	5
Ministry of Foreign Affairs	4
State Security Court	4
Ministry of Health	3
Ministry of Water and Irrigation	3
Hospitals	3
Ministry of Social Development	3
Embassies	2
Ministry of Higher Education and Scientific Research	2
Higher Council for the Affairs of Persons with Disabilities	2
Greater Amman Municipality	2
Ministry of Tourism	1
Civil Service Bureau	1
Chief Justice Department	1
Orphans Fund Development Corporation	1

Body complained against	Complaints
Civil society organisations	1
House of Representatives	1
Anti-Corruption Commission	1
Ministry of Labour	1
Ministry of Public Works and Housing	1
Office of the High Commissioner for Refugees (UNHCR)	1
Orphans Fund Development	1
Zakat Fund	1

A decrease may also be observed in the percentage of complaints submitted against certain social ministries, such as the Ministry of Education and the Ministry of Social Development, compared with 2013.

With regard to the bodies from which assistance was requested, the following figure shows that the largest share of requests for assistance was directed at the security bodies, at (30.2%), while the share of requests for assistance relating to the Ministry of Interior and the Ministry of Foreign Affairs was (28.18%) each. Requests for assistance addressed to the Ministry of Social Development rose to (10) requests this year compared with (6) requests in 2013, and requests for assistance addressed to the Prime Ministry rose to (5) requests compared with (3) requests in 2013.

Chart: Number of Requests for Assistance by Body Complained Against

Body	Number
Ministry of Interior	35
General Intelligence Directorate	23
Public Security Directorate	22
Office of the High Commissioner for Refugees (UNHCR)	14
Ministry of Social Development	10
Embassies	7
Ministry of Foreign Affairs	7
Prime Ministry	5
Ministry of Health	4
Ministry of Education	3
Higher Council for the Affairs of Persons with Disabilities	3
Foreign bodies	3
Individuals	3
Greater Amman Municipality	2
Ministry of Awqaf, Islamic Affairs and Holy Places	2
Royal Hashemite Court	1
Civil Service Bureau	1
Judicial Council	1
Ministry of Finance	1
Jordan Bar Association	1
Royal Jordanian	1
Universities	1

Body	Number
Free Zones	1
Department of Palestinian Affairs	1

The following chart also shows the number of complainants by nationality: complainants holding Jordanian nationality accounted for (85%), Syrian nationality ranked second at (7%), and Palestinian nationality ranked third at (4%).

Chart: Number of Complaints by Nationality

Nationality	Complaints
Jordanian	328
Syrian	28
Palestinian	16
Egyptian	6
Filipino	5
Indonesian	1
Iraqi	1
Lebanese	1

With regard to the nationality of those requesting assistance, the following chart shows that the percentage of complainants holding Jordanian nationality was (74%), Syrian nationality ranked second at (12%), and Palestinian nationality ranked third at (5%).

Chart: Number of Requests for Assistance by Nationality

Nationality	Requests for assistance
Jordanian	110
Syrian	18
Palestinian	8
Egyptian	4
Iraqi	4
Filipino	2
Somali	1
Sudanese	1
British	1

Breakdown of Complaints and Requests for Assistance by Sex

The following figure shows the high percentage of complaints and requests for assistance submitted by males, which reached (76.2%) of complaints and (82.4%) of requests for assistance, while the percentage of complaints submitted by females was (23.7%) and of requests for assistance (17.4%).

Chart: Numbers of Complaints and Requests for Assistance by Sex, 2014

Sex	Requests for assistance	Complaints
Males	124	307
Females	25	80

