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The Situation of Human Rights in the Hashemite Kingdom of Jordan for the Year 1434 AH /
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In the Name of God, the Most Gracious, the Most Merciful

1. Introduction

The year 2013 constituted a landmark in the course of human rights in Jordan, even though it did not represent a decisive dividing line between two stages or eras, as some had hoped. This view rests on indicators relating to the actual human rights situation in the Kingdom, which were manifested in the openness of official institutions, at various levels, towards the subject of human rights and the importance of respecting Jordan's international obligations in this field. The directives of His Majesty King Abdullah II to the Government to study the recommendations of the National Centre for Human Rights (NCHR) contained in the Centre's Ninth Report for 2012, and to work towards implementing them and dealing with them positively, are the clearest evidence of this. Furthermore, the Government's prompt response, in the form of the establishment of a ministerial committee for this purpose, which in turn conducted a comprehensive survey of the human rights situation in the Kingdom in terms of the obligations incumbent upon the various authorities towards those residing in the country, citizens and non-citizens alike, with regard to the protection afforded by the laws and regulations in force as compared with what the international instruments contain and require, and likewise with regard to policies and practices — all of this constituted the institutional dimension of this new orientation. Although such an exercise had taken place on previous occasions, particularly during the first Universal Periodic Review (UPR) process in 2009, the comprehensiveness and seriousness with which the process was conducted this time were unprecedented. This new spirit of engagement by the highest authorities with the subject of human rights was accompanied, in the manner in which the Government dealt with the second Universal Periodic Review process conducted by the Human Rights Council in October 2013, by a considerable degree of transparency and seriousness in dealing with the recommendations and proposals submitted by States and civil society institutions, which represented an additional effort on the part of the Government this time in its endeavour to upgrade the national human rights system.

The National Centre for Human Rights observed the impact of this new orientation of the political leadership on the agencies and institutions directly concerned and operating in the field, whether on the legislative or political side or in field practice. These institutions began to view human rights issues from a more objective perspective, with a more comprehensive methodology, and in a manner closer to practical and positive engagement.

Of course, it cannot be asserted that there has been a radical transformation in will; however, there has certainly been a more serious development in the matter of managing the handling of human rights violations and challenges facing the authorities in a more effective and convincing manner.

Yet, once again, this does not mean that we are facing a new page in the performance of the official establishment with regard to fundamental matters such as fair trial standards and the issues of poverty and unemployment, or even in the business sector's handling of human rights issues in which its performance overlaps with that of government agencies, particularly with regard to workers' rights, gender equality issues, non-discrimination in wages between women and men, and the preservation of a healthy environment, etc.

Very few indeed are the national laws that were amended during the sessions of Parliament (the National Assembly) in 2013 with a view to avoiding gaps in harmonising national legislation with

the international instruments to which Jordan has committed itself; not to mention the pressing need for further capacity-building and for intensified advocacy and promotion efforts in order to rise to a qualitative level in the field of human rights.

Accordingly, the inconsistencies that previously existed between national legislation and the international conventions governing human rights to which Jordan has acceded remain almost as they were, whether in relation to the Associations Law, the Public Gatherings Law, the Crime Prevention Law of 1954, or the State Security Court Law (with the exception of the amendment introduced to Article (101), under which the text was made to state expressly that no civilian may be tried in a criminal case before a court whose judges are not all civilians, excepting therefrom the crimes of high treason, espionage, terrorism, drug offences and currency counterfeiting); the harmonisation of Article (208) of the Penal Code with the Convention against Torture of 1984; the Right to Access Information Law; the Political Parties Law; or the Press and Publications Law. The latter two still embody the principle of obtaining a licence before these bodies may commence their work, and provide for penalties, including imprisonment, against journalists and party officials, as well as the closure of parties. While it is indeed necessary to adopt legal provisions regulating the work of these bodies and enabling citizens harmed by the practices of the members of these entities to hold them accountable and to call them to account judicially — whether through the ballot box, by exercising the right to litigation, or by responding through the exercise of the right to freedom of opinion itself — this should be done without adhering to the concept of licensing, the retention of which gives the executive authority the opportunity to interfere in the affairs of political parties and the press, the two most prominent systems that must enjoy independence, impartiality and integrity.

At the level of practice, the Centre's teams monitored an increase in the proportion of complaints against law enforcement agencies, owing to citizens being subjected to ill-treatment and humiliation and, in limited cases, to torture at the hands of members of certain units of the Public Security Directorate (PSD) and the Gendarmerie during raid campaigns, particularly those conducted at night in search of persons wanted by the judiciary or persons with criminal records, especially in criminal cases such as murder and drug trafficking.

It appears that the campaign to restore the “prestige of the State”, which began at the start of 2013 (and is still ongoing), has resulted in human rights violations on the part of law enforcement agencies, as well as, albeit to a lesser extent, breaches of the law on the part of citizens. The latter situation took the form either of cases in which persons with criminal records used weapons and opened fire on security personnel, or of ordinary citizens taking the initiative to assault and/or defy Public Security personnel while the latter were performing their official duty of maintaining security and protecting public order. Ordinary citizens also took it upon themselves to harbour persons wanted by the judiciary. There were also cases in which just popular social demands were exploited by bodies, parties, organisations and even influential figures in the Kingdom, which at times led to confusing the picture by injecting rights-based demands into purely security matters.

This complex picture of the human rights situation in the Kingdom represents both an opportunity and a challenge at the same time, not only for the National Centre for Human Rights and the national, regional and international human rights system, but also for all official authorities. On the one hand, it means that dialogue, interaction and even give-and-take between the parties take

place, firstly, around specific issues; secondly, from a practical and realistic perspective; and thirdly, in a generally positive manner. This picture also points to the fact that the Centre, which is regarded as the bridge between the Government and society, has accumulated such expertise, experience and professionalism as have enabled it to shed light on many sensitive matters and to exert influence on citizens and on local and international human rights activists. More importantly, through its interventions and interactions with the parties to the system, it has been able to raise the most sensitive and important questions outside a theoretical or doctrinal perspective, and away from politicisation or any tendency towards exploitation for the purpose of capitalising on them domestically and abroad — yet without prejudice to the essence of the mandate and the substance of the mission that it embodies as an independent national institution operating in accordance with universal standards and principles.

On the other hand, however, several questions have remained awaiting answers concerning the intermediate link between laws and regulations on the one hand and practices on the other, which is usually described as “policies”. Although the Government seldom discloses its policies, despite the existence of a considerable number of strategies, action plans and executive plans, which usually remain shelved, the Centre’s engagement throughout the preceding period, and its involvement in the human rights situation in the Kingdom at various levels, have afforded it the opportunity to discern the underlying aspects of these issues and to identify more precisely the questions that pose a direct challenge at the level of implementation or the practical application of the texts, especially in actual practice and fieldwork, which call for careful consideration and precision, and in an attempt to obtain convincing answers thereto for all parties. The reader will therefore find that the most important aspect of this very brief overview of the human rights situation in the Kingdom is the attempt to shed light on those issues that are repeatedly raised in the annual and periodic reports of the National Centre for Human Rights, and on which certain international and local bodies sometimes focus, albeit selectively.

Accordingly, the Centre finds no embarrassment in raising the most prominent questions that constitute the core of the practical and substantive discussions on the most important human rights issues in Jordan in the current situation, namely:

1. Are fair trial standards adequately and convincingly met for those who are deprived of their liberty and brought before the judiciary? Is there an encroachment by the State Security Court upon the jurisdiction of the regular courts? Is the civilian composition of the State Security Court designated for the trial of civilians, with the presence of the military public prosecution, consistent with international standards and the requirements of a fair trial?
2. Is the demand of Jordanian women to grant nationality to their children, or even to their husbands, a demand supported by the Constitution and international standards? And is the Government’s position on this demand justified from a human rights perspective?
3. Is the office of the public prosecutor, or the Public Prosecution, in Jordan independent as required by international standards?
4. What is the relationship of Articles (208, 308 and 340) of the Penal Code to the Constitution and to the international standards relating to fair trial?

5. Is it true that the demands of certain civil groups and communities for freedom of activity within society and among the general public to proselytise for new religions or beliefs, or to incite extremism and the adoption of *takfiri* ideas, or to promote unfamiliar ideas and beliefs — which often enjoy the support of certain international bodies and sympathetic civil society organisations under the banner of the right to freedom of belief — as well as permitting adoption, the literal application of the principle of full equality between men and women, and the abolition of the death penalty, are all politically motivated calls aimed at threatening the unity of society and undermining the family system, which is founded on lofty social values that support the sound upbringing of young people and preserve the cultural identity of society, which is a fundamental factor in social stability and national cohesion?

6. Does criticism of the Head of State and of his policies and positions, made objectively and impartially, fall within what is permitted by Article (19) of the International Covenant on Civil and Political Rights, or is it prohibited on the basis of the restrictions set out in that Article? In other words, is what falls under the concept of “*lèse-majesté*” (literally, “lengthening the tongue”) merely a bold expression of the right to freedom of opinion and expression, or is it an infringement of personal dignity?

7. Is trade union pluralism and the right to establish new independent trade unions a matter supported by international standards, in particular the conventions of the International Labour Organization, or does the concept of freedom to form professional unions not necessarily mean trade union pluralism? Is trade union pluralism provided for in international standards?

8. What are the most prominent recommendations that Jordan accepted, and those that it rejected, during the second Universal Periodic Review in October 2013? Has there been a fundamental change in the Government’s position on the demands of civil society?

9. What does the Jordanian citizen, and indeed the majority of officials, know about national human rights institutions, particularly their characteristics and the principles governing their work?

10. Why does Jordan not sign the 1951 Refugee Convention, and what are the most important provisions of this Convention on which Jordan has reservations?

11. Are the committees of inquiry formed by the Public Security Directorate into complaints by citizens and others against the perpetrators of acts of torture, and the referral of these complaints to the Police Court, which hears such complaints, consistent with international standards? Is there in fact impunity in Jordan?

12. When may the Gendarmerie and Public Security agencies use force against demonstrators, and what are the rules governing this?

The official openness towards human rights, which will undoubtedly require considerable time and effort before the ordinary citizen in Jordan feels its impact, does not preclude the emergence of another development in a contrary direction, behind which stand and which is led by conservative forces in society and in both the legislative and executive authorities. This current regards human rights, and the bodies, whether local or international, that champion these issues, as a cover for foreign interference in national affairs with the aim of creating a state of chaos and

confusion in society and weakening the State from within! This tendency has been reinforced by the outcomes of the Arab Spring revolutions in a number of Arab countries. On the one hand, this Spring contributed to expanding the spaces of freedom and public participation available to civil society forces, which became bolder and more determined in their demands for reform and democracy, for the exercise of freedom in its various forms, for dignity, and for combating corruption and authoritarianism; on the other hand, however, it — that is, the Arab Spring — deviated, or more accurately was diverted, from its true objectives, ultimately leading to chaos and violence and, consequently, to a threat to fundamental human rights in many Arab societies!

In conclusion, this condensed panorama of the human rights situation in Jordan, in terms of issues, parties and relationships, has been drawn within a local, regional and international framework that is shifting, unstable and without clear features. Since each of these three different levels is affected by what is happening at the other two, the ability to predict how matters will unfold will remain impossible. At the same time, however, this necessitates a stronger belief in the importance of moving forward with the promotion and protection of human rights in the Kingdom as a safe haven and as a fundamental factor in averting any negative repercussions of the Arab Spring, and indeed in working to transform this Spring into an opportunity, in word and in deed.

The Board of Trustees

2. Civil and Political Rights

The Right to Life and Physical Integrity

The right of the human being to life and physical integrity is one of the fundamental rights guaranteed by international covenants and instruments. Although the Jordanian Constitution does not explicitly provide for the human right to life, national legislation criminalises assaults on life and limb and affords them the necessary legal protection.¹

1. The Death Penalty

The year 2013 witnessed no legislative measures aimed at amending any legal provisions so as to replace the death penalty with life imprisonment with hard labour, notwithstanding that the most recent amendment to the Penal Code was made in 2010. The death penalty remains prescribed in criminal legislation; the Major Felonies Court and the State Security Court continue to issue judgments imposing the death penalty, the number of which in 2013 reached (7) judgments, (3) of which had not yet become final. The policy of suspending the execution of the death penalty, which was introduced in mid-2006, continued in 2013, and the number of inmates sentenced to death with execution stayed reached (109) convicts by the end of 2013. Table No. (1) shows the number of judgments imposing the death penalty from 2011 to 2013. Jordan also continued to abstain from voting on the General Assembly resolution on the abolition of the death penalty, having previously voted against that resolution before changing its position from opposition to abstention.

Table No. (1): Number of Judgments Imposing the Death Penalty, 2011–2013

Year	Major Felonies Court	State Security Court	Total Judgments
2011	20	–	20
2012	13	–	13
2013	7	–	–

2. The Right to Physical Integrity and Freedom from Torture

The year 2013 witnessed no substantive measures by either the executive or the legislative authority to implement the constitutional provision on the right not to be subjected to torture,² in a manner fully consistent with Jordan's obligations under the 1984 International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other relevant international conventions. Nor were effective administrative measures taken to address

¹ Chapter (8) of the Penal Code is devoted to felonies and misdemeanours committed against persons, whereby it criminalises every act constituting an assault on the human right to life, whether the act was intentional or premeditated, and also criminalises acts of harm that constitute an infringement of the human right to physical integrity.

² Article (8) of the Constitution provides: “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 in any form, or physically or mentally harmed, nor may he be held in places other than those permitted by the laws; and any statement made by any person under the duress of any torture, harm or threat shall not be relied upon.”

the issue of impunity for proven crimes of torture; the very body whose members have been proven to have committed crimes of torture continues to investigate those crimes. Furthermore, no results of investigations by impartial and independent bodies into the torture complaints lodged with representatives of those bodies were issued in 2013.

It should be noted that the Public Security Directorate rarely refers perpetrators of crimes of torture to the judiciary under Article (208) of the Penal Code,³ or applies other provisions of the Penal Code to perpetrators of torture crimes, such as the offence of causing harm and the offence of assault resulting in death. Instead, such acts are usually treated merely as disciplinary offences by their perpetrators under Article (37) of the Public Security Law of 1965, on the pretext that they do not warrant the application of Article (208) of the Penal Code. This means that there is impunity with regard to torture cases where they are proven, owing to the weakness of criminal prosecution against persons accused of committing such crimes of torture.

Statistics issued by the Public Security Directorate in 2013 indicate that the number of ill-treatment cases committed by police officers against civilians reached (392) cases, of which (26) cases were referred to the Police Court (including one case referred to the Police Court for the misdemeanour of torture under Article (208) of the Penal Code). In addition, (11) cases were referred for trial before the unit commander, while it was decided not to prosecute in (101) cases, and (254) complaints remain under consideration. As for ill-treatment cases against inmates of Correction and Rehabilitation Centres in 2013, they reached (36) cases, of which two cases were referred to the Police Court and (9) cases for trial before the unit commander; it was decided not to prosecute in (18) cases, while (7) cases remain under consideration.

On the other hand, in 2013 the National Centre received (77) complaints⁴ alleging torture and ill-treatment at the hands of law enforcement officials and the various security departments. Of these, (13) complaints were filed at the request of the complainant, (15) complaints were closed owing to the violation not being proven, one complaint was referred to the Police Court, and (48) complaints remain under follow-up, compared with (72) complaints received in 2012 and (73) complaints in 2011. In 2013, the National Centre also received (19) complaints concerning beatings, torture and other forms of ill-treatment in Correction and Rehabilitation Centres, compared with (5) complaints in 2012 and (2) complaints in 2011. These figures show a noticeable increase in the number of complaints relating to allegations of beatings, whether in temporary detention facilities attached to security centres and police directorates, or relating to allegations of ill-treatment in Correction and Rehabilitation Centres directly attached to the Public Security Directorate, as compared with previous years.

The National Centre considers that the inconsistency of the investigation procedures conducted by law enforcement bodies, and of the prosecution of persons suspected of committing crimes of torture, with international human rights standards, together with the continued impunity of the perpetrators of such crimes, signifies a breach by these bodies of the international standards set

³ In 2013, (4) members of the Public Security were referred for trial before the Police Court under this Article, and the Court had not issued its decision in respect of these individuals as at the date of preparation of this report.

⁴ Information and complaints received by the Centre indicate that personnel of the Criminal Investigation Department and the Anti-Narcotics Department, both attached to the Public Security Directorate, resort noticeably to beatings in order to obtain statements and information from the accused. For further details on this information, see page (14) of this report.

out in international conventions, in particular those set out in Article (4) of the 1984 Convention against Torture and Other Forms of Ill-Treatment.

3. Drug Issues

The year 2013 witnessed amendments to the Narcotic Drugs and Psychotropic Substances Law No. (11) of 1988. The amendment included a provision that no public right action shall be instituted against a person apprehended for the first time using narcotic drugs or psychotropic substances, and that such person shall merely be referred for treatment in one of the specialised treatment centres accredited by the Minister of Interior.⁵ Opinions of experts and citizens on this amendment varied. Some opposed it on the grounds that it would lead to the spread of the phenomenon of drug use, and that it constitutes a cover for the offence of drug use and consequently the spread of this offence, particularly given that the judicial police are granted wide discretionary power in this area and that this exemption is not subject to the oversight of the judicial authority. Others supported these amendments, on the basis that the group most prone to drug use is that of adolescents and young people, and that the amendment came to spare them the experience of detention in juvenile centres and Correction and Rehabilitation Centres, which may cause them psychological or physical harm as a result of their mixing with repeat offenders and drug users with prior records,⁶ and to give them a chance.

While the Centre appreciates the importance of giving first-time users an opportunity to refrain from wrongdoing and to stay away from the scourge of drugs, it considers it important to grant this discretionary power to the judge, as the person best placed to determine the nature of the offence detected and the manner of dealing with the offender.

The year 2013 witnessed a 45% increase in the number of drug cases handled by the Public Security Directorate compared with the total number of cases it handled in 2012.⁷ This calls for serious efforts to adopt preventive strategies to curb this problem, including effective educational, social, legal and administrative measures targeting all groups of society, in particular women, children and young people. These include incorporating into school curricula and university study plans academic subjects, as a general requirement, aimed at raising awareness of the dangers of this scourge; adopting effective preventive, therapeutic, care and rehabilitation programmes by

⁵ Article (14/d/2) of the Amending Law of the Narcotic Drugs and Psychotropic Substances Law No. (7) of 2013 provides: "Notwithstanding the provisions of Paragraph (a) [concerning] narcotic drugs and psychotropic substances, [such person] shall be referred for treatment at the specialised centre attached to the Anti-Narcotics Department or any other centre accredited by the Minister of Interior within (24) hours of his arrest, and his name shall be entered in a special register kept by it in accordance with instructions issued by the Minister of Interior for this purpose, without this act being considered a criminal record against the perpetrator."

⁶ According to statistics of the Public Security Directorate, 60% of drug users who are detained in prison repeat their use of drugs, whereas a person apprehended using drugs for the first time is treated and rehabilitated psychologically and behaviourally through a centre specialised in the treatment of addicts, without any record being entered against them. This guarantees them the opportunity to work and, consequently, to integrate into society.

⁷ The Public Security Directorate – Anti-Narcotics and Counterfeiting Department – handled (6,504) cases in 2013 and (4,478) cases in 2012, compared with (6,447) cases in 2011 and (3,420) cases in 2010. In 2013, (8,944) persons were apprehended, of whom (7,809) were Jordanian and (1,136) non-Jordanian, and (600) persons were referred for treatment, compared with (578) persons who were treated in 2012 in the addiction treatment centres attached to the Anti-Narcotics and Counterfeiting Department.

involving the target groups in setting plans and measures to combat it and to disrupt the trade of its dealers, whether traders or those who exploit children, women and young people; and ensuring that the families of drug users are integrated into rehabilitation programmes so as to guarantee the building of families free from and protected against this scourge. Emphasis should also be placed on religious awareness in all awareness-raising programmes.

4. Deaths and Suicides

The year 2013 witnessed an increase in suicides⁸ compared with previous years. It is noted that the majority of those who committed suicide were young people aged between (18–27) years, the number of suicides in this age group having reached (41) cases, compared with (28) cases in the (28–37) age group, whereas the age group under (18) years recorded (9) cases, and the age groups (38–47) and (48 and above) each reached (10) cases. In 2013, the phenomenon of threatening suicide in public places in order to secure service-related demands, such as obtaining employment, or because of deteriorating economic circumstances of individuals and the like, also continued, with suicide attempts in 2013 numbering (417) cases.

Over the past two years, the Centre has also noted the emergence of the phenomenon of suicide in front of official institutions, the Centre having recorded (4) suicides, the most recent being a suicide in front of the Prime Ministry building. Among the most prominent suicides of 2013 was that of a graduate of the social care centres who set himself on fire in front of the Ministry of Social Development building, resulting in his death, owing to the poor living and social conditions of this group. These social phenomena reflect the frustration suffered by groups of members of society, linked to poor economic conditions, irrespective of the psychological circumstances and mental disorders of some of these regrettable victims.

The year 2013 also witnessed one suicide inside Correction and Rehabilitation Centres, while no suicides occurred in the temporary detention facilities of the Public Security Directorate; however, one death was recorded in these facilities in 2013. The Centre considers that the psychological aspect of inmates is one of the most important aspects with which the administrations of Correction and Rehabilitation Centres must be familiar in terms of mechanisms for dealing with it, including early detection and dealing with the changes and psychological indicators accompanying such inmates, promptly referring them to psychiatrists, and their follow-up by psychological and social specialists to protect them from the risk of suicide. It should be noted that there are (451) inmates taking psychiatric medication.

5. Excessive Use of Force

In 2013, the Centre received (22) reports concerning the violent forcible entry of homes by law enforcement bodies, resulting in the terrorising of residents and children and the destruction of the contents of some homes in a number of areas of the Kingdom. The use of force was evident in many cases, whether when arresting wanted persons in drug cases, certain cases of theft, major

⁸ Statistics of the Public Security Directorate for 2013 indicate that (108) persons committed suicide, compared with (86) persons who committed suicide in 2012, (40) persons in 2011, (46) persons in 2010 and (65) persons in 2009.

embezzlement and fraud, or during the security campaigns that covered all governorates of the Kingdom. The most prominent of these campaigns were:

- (a) The campaign targeting Ma'an Governorate during the first half of 2013, which followed the armed attack by unknown persons on the city's security centre and the ensuing events that resulted in the death of two wanted persons and two members of the Public Security, the injury of others, and the arrest of (13) wanted persons and their referral to the judiciary.
- (b) The campaign conducted by the raid teams of the Anti-Narcotics and Counterfeiting Department, which included:
 1. Raiding several homes in the south of the Kingdom; (8) wanted persons were arrested and (9) kilograms of hashish, (38) thousand tablets of (narcotic Tramal), bags of (marijuana) intended for sale and quantities of (Captagon) tablets were seized.
 2. Raiding a house in Aqaba Governorate, where two persons inside were arrested and (2) kg of (hashish) and (60) thousand narcotic (Captagon) tablets hidden inside were seized.
 3. Raiding an apartment in the Capital Governorate which was found to be used for drug dealing and prostitution and run by a number of expatriates and female workers who had absconded from homes; narcotic substances were seized and (8) expatriates and (7) female workers who had absconded from their employers' homes were arrested.
- (c) In 2013, on the eve of the announcement of the results of the municipal elections held on 28/8/2013, a number of protests and demonstrations took place in several Jordanian governorates, some of which were characterised by violence. During those protests and the accompanying acts of violence and clashes, at least (10) persons were injured. The most prominent manifestations of this violence were: 1. angry persons setting fire to the headquarters of Sama Al-Sarhan Municipality in Mafraq Governorate, north-east of the Kingdom, and blocking the main road by setting tyres on fire in protest at the election results for those municipalities, before the intervention of the Gendarmerie forces, following which (5) injured persons were taken to hospital; 2. protesters against the preliminary election results in the Mu'tah and Faqu' areas in the southern Karak Governorate firing shots into the air, and dozens of them blocking the road to prevent traffic in the town, whereupon they entered into confrontations with security personnel; 3. scenes of protest were repeated in varying forms in the Ain Al-Basha District west of Amman, in the city of Zarqa and in the Al-Qadisiyya area of Tafileh Governorate in the south, where a security officer was injured after crowds pelted the security forces with stones.
- (d) The year 2013 also witnessed unprecedented university violence, with student fights breaking out at a number of universities, the most significant of which were:
 1. The fight that broke out at Mu'tah University on 2/4/2013 among students against the backdrop of student union elections and the deviant behaviour of a student, which later turned into a tribal fight in which sticks and stones were used. Students set fire to citizens' vehicles outside the university walls and smashed the fronts of shops, whereupon the security and Gendarmerie forces intervened, using tear gas and batons to break up the fight and dealing harshly with one of the groups, which led to an escalation of the riots in which thousands of students took part. Most

regrettably, the events that day resulted in the death of a student who had not been involved in those events, the injury of (4) others, one case of being run over by a vehicle and a further injury, in addition to the injury of a number of employees of some faculties who had joined one of the groups. That escalation was followed by an attack on, and the burning of, the police station in the town of Faqu' in Karak Governorate.

2. The fight that broke out at Al-Hussein Bin Talal University on 29/4/2013, which began as a verbal altercation between two groups of students belonging to different tribal groupings and later turned into a tribal fight in which firearms were used. Most regrettably, this fight resulted in the death of (4) persons, among them a juvenile aged (16) years, and the injury of more than (20) persons, among them a number of security personnel, not to mention the vandalism and destruction of property.

3. The fight that broke out at Al-Balqa Applied University on 19/11/2013, owing to disputes between students that developed into tribal alignments, in which sharp instruments and firearms were used. (5) persons were injured by gunfire, and (17) persons were detained in connection with these events.

4. Yarmouk University, Al al-Bayt University, the University of Jordan and Jerash Private University also witnessed student fights in which stones, sticks and bladed weapons were used, resulting in numerous injuries among students and the destruction of university property and some vehicles.

Recommendations

In light of this situation, the Centre reiterates the recommendations set out in its previous annual reports,⁹ with emphasis on the following recommendations:

- To provide constitutionally for the right to life and physical integrity, and to amend national legislation so as to guarantee the strengthening of fair trial guarantees and to confine jurisdiction over crimes of torture to the regular courts instead of the special courts, which do not afford fair trial guarantees in accordance with international standards. Until this is done, all judgments issued by the courts competent to punish law enforcement officials who commit crimes of torture must be subject to review by the Court of Cassation.
- To amend the Penal Code so as to ensure that the penalty for the crime of torture is increased and that it is treated as a felony rather than a misdemeanour; to provide for the right of victims of torture to direct compensation from the State where the crime is committed by a public official; and to provide that crimes of torture shall not be subject to statutes of limitation and shall not be covered by amnesty.
- To review the working mechanisms of investigation committees, including those formed in cases of natural death or otherwise, and to review the bases of their formation and their decisions so that they are independent and impartial; likewise, to ensure that their decisions are specific and precise in a manner that leaves no room for conjecture and speculation;

⁹ For further information on the recommendations, see the National Centre for Human Rights report for 2012, pp. 20–21.

and to guarantee the transparency of investigation procedures and the prompt publication of their results to the public.

- To continue studying legislation that restricts the application of the death penalty, and to establish stricter controls and conditions on matters of investigation in criminal cases punishable by death and on ascertaining the strength of the evidence of guilt against the accused; the need for courts to apply mitigating excuses broadly where the act is a felony punishable by death, while making the penalty subject to all means of appeal, both before the Court of Appeal and the Court of Cassation; and emphasising that the penalty shall not be pronounced except by unanimous opinion of the members of the court.
- To call upon the Government to consider recognising the competence of the Committee against Torture referred to in Article (22) of the Convention against Torture, and to study the possibility of acceding to the Optional Protocol to the Convention against Torture.

The Right to Liberty and Security of Person

The Jordanian Constitution and international instruments guarantee the human right to liberty and security of person. Some national legislation,¹⁰ in one way or another, still falls short¹¹ of providing all the guarantees relating to liberty and security of person, particularly at the stage of preliminary investigation by the police. There is therefore a need to review this legislation and introduce amendments to it, including amendments that ensure the establishment of effective oversight mechanisms to guarantee adherence to those guarantees in practice, and to halt practices that breach these guarantees.

Preliminary Detention and Temporary Custody

Temporary Detention Centres of the Public Security Directorate

In 2013, the Centre conducted (123) unannounced visits to temporary detention facilities attached to the Public Security Directorate in the Kingdom, with the aim of examining the conditions of the detainees held therein, including the quality and level of services provided to them, by reviewing their records and detention warrants, and of assessing these facilities in light of the relevant international and national standards and the available resources. The team noted the

¹⁰ Reports have pointed to the deficiency of certain national legislation, or to its causing, in most cases, the impunity of perpetrators of the crime of torture, such as: the Crime Prevention Law, which permits the administrative authority to detain persons without allowing them to contact their families or lawyers, and also in isolation from judicial oversight; the State Security Court Law, which grants investigating authorities the right to hold 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 called “the interest of the investigation”, as well as the acceptance of a statement made by the accused in the absence of the Public Prosecutor as evidence of guilt 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. In many cases, security departments resort to “softening” the detainee by inhuman means and then preparing him to make his statement while under the effect of fear of suffering; however, the statement is then recorded by a person who has not previously exercised any form of threat against the accused, and this person plays the role of witness to the soundness of the confession.

¹¹ For further information on the manifestations of deficiency in national legislation, see the Annual Report on the State of Human Rights for 2012 and the previous reports.

persistence of the observations previously documented by the Centre in its previous annual reports, the most important of which are: (a) the structural unsuitability of most of these facilities, which suffer from numerous problems such as limited space, old buildings and dilapidated infrastructure, the absence of sanitary facilities in some of them, the lack of adequate lighting and healthy ventilation, the prevalence of damp, the lack of protection from cold in winter and high temperatures in summer, in addition to the generally low level of cleanliness, not to mention the lack of water for both drinking and washing; (b) the failure to separate the investigating and detaining authorities during the preliminary detention stage in some security departments, particularly the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department, which leads to an increase in the proportion of complaints by detainees of being subjected to beatings and other forms of ill-treatment, and allegations by some of them of having been subjected to torture, particularly in the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department. According to the detainees' statements, this takes the following forms: beating (on all parts of the body by punching, slapping, kicking and stamping, using hands or sticks); *falaqa* (beating of the soles of the feet); *shabeh* (suspension in stress positions); burning by extinguishing cigarettes on sensitive parts of the body; standing on one leg for very long periods; threatening the victim with torture or with assault on a relative (male or female); and depriving the victim of sleep, food or water. The Centre documented more than one case in this regard; (c) a number of detainees complained of being deprived of contact with the outside world, including contact with a lawyer and being examined by a doctor; (d) the failure of some judicial police officers of the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department to comply with the provisions of the Criminal Procedure Code, particularly in relation to depositing the investigation papers and seizure records they prepare during the periods of preliminary investigation with the Public Prosecution, for long periods on the pretext of protecting society; recommending the detention of persons under the Crime Prevention Law of 1954 on the pretext of maintaining security; encroaching upon the powers of the Public Prosecutor by interrogating the accused instead of merely hearing and recording their statements;¹² and circumventing the provision on the legal period of arrest by transferring the detainee between a number of security centres and holding him for (24) hours in each of those centres.

As regards the conditions of detainees in the temporary custody centres attached to security centres and the detention facilities attached to police directorates, the team noted a number of shortcomings affecting the rights of detainees, including: (a) the poor conditions of the custodial environment in most temporary detention facilities owing to overcrowding in most of them, particularly the security centres in the overcrowded governorates (Amman, Zarqa and Irbid), resulting in a severe shortage of services provided in terms of meals (bearing in mind that only one meal, namely lunch, is provided to the detainee), and a shortage of bedding and blankets; (b) the failure to follow the classification standards guaranteed by international and national standards

¹² The National Centre observed numerous violations in temporary detention centres, the most important of which is the existence of ready-made detention warrants signed in advance by administrative governors in security centres and departments in order to extend the detention of persons on the pretext of investigation, without adherence to the provisions of the Crime Prevention Law, and in a manner that constitutes a violation of Article (49) of the Criminal Procedure Code, which obliges judicial police officers to deposit the investigation papers and seizure records they prepare during the period of preliminary investigation with the Public Prosecution without delay.

when holding detainees, and the failure to designate places for performing religious rites; (c) the failure to designate places for holding juvenile and female detainees in most of those facilities (Russeifa District Police Directorate, Balqa Governorate Police Directorate, West Balqa Police Directorate, Petra District Police Directorate, Mafraq Governorate Police Directorate, Jerash Governorate Police Directorate, Ajloun Governorate Police Directorate, West Irbid Police Directorate); (d) the failure to keep accurate records in detention facilities, particularly in facilities attached to security centres, noting that these records must include the following: recording of the time and place of arrest; identification of the officials; the actual place of detention; the state of health of the person upon arrival at the detention centre; the time at which contact with the family and the lawyer took place and the time of the person's visit; and information on medical examinations upon the detainee's arrival at, and transfer from, the centre, for the purposes of judicial and administrative procedures; (e) deficiencies in the instructions on the holding of detainees and the protection of their rights, creating a climate conducive to violations involving beatings and other forms of ill-treatment.

Temporary Detention Facilities of the General Intelligence Directorate

During 2013, the Centre conducted one announced visit to the detention centre attached to the General Intelligence Directorate,¹³ which revealed the persistence of the observations previously recorded by the Centre in its previous reports. This requires the Directorate to give these observations due attention so that the complaints of detainees and their families are not repeated.¹⁴ In 2013, the Centre also received numerous complaints against the General Intelligence Directorate, focusing on the following: 1. the withholding of passports and certain other identity documents; 2. preventing certain citizens from travelling; 3. refusing to grant security clearance for employment purposes; 4. failing to notify the detainee's family of his place of detention; 5. depriving families of visits to certain detainees in the Directorate pursuant to a decision of the Directorate's Public Prosecutor, thereby depriving inmates of meeting their families and relatives and representatives of the National Centre for Human Rights.

Administrative Detention

Notwithstanding the Centre's continued recommendations in its previous annual reports to repeal the Crime Prevention Law, and the many criticisms directed at this law in international fora and the calls for its repeal, the year 2013 witnessed an increase in the number of administrative detainees, reaching (12,766) detainees compared with (12,410) detainees in 2012 and (11,345) detainees in 2011. This increase was accompanied by administrative governors continuing to detain persons administratively in places far from their families' places of residence, as well as by the lengthy duration of detention, particularly for foreign nationals, which in some cases

¹³ The Centre's team examined the conditions of the detention facilities and the legal status of the detainees, whom it met in private, and heard their demands and complaints. It also examined the forms of care, the specifications of the prison environment, the quality of food, the level of health care and mental health services.

¹⁴ The complaints of detainees and their families consisted of the following: 1. the state of isolation experienced by detainees in the solitary cells inside the detention centre attached to the Directorate; 2. the lengthy duration of judicial detention for some of them; 3. not allowing inmates to meet their visitors in private during visits; (4) depriving some detainees of visits at times pursuant to a decision of the Public Prosecutor of the State Security Court. For further details on the content of these complaints, refer to the reports of the National Centre at the following link: www.nchr.org.jo.

reached three years. This may be due to reasons such as the inability to provide bail and delays in taking deportation measures or in deciding on the detainee's case, which contributes significantly to overcrowding in prisons and the outbreak of disturbances therein. Administrative governors also continued to fail to comply with the legal procedures for administrative detention, for example by not allowing lawyers to attend the interrogation of the suspect, conducting interrogation without a written complaint, and investigating cases pending before the judiciary.

On another front, despite national efforts to work towards releasing women held in administrative detention or placing them in a special shelter or a safe rehabilitation home instead of protective custody, the year 2013 witnessed no change worth mentioning in the suffering of women held in administrative detention, which consists of the deprivation of their liberty on the pretext of protecting their right to life. Some of them have remained in detention for ten years.

In 2013, the Centre received (107) complaints and reports concerning the improper application of the Crime Prevention Law, of which (59) complaints concerned administrative detention, compared with (56) complaints in 2012, and (48) complaints concerned the imposition of house arrest (forced residence), compared with (44) complaints in 2012. It should be noted that in 2013 administrative governors placed (2,738) persons under house arrest, of whom (103) were women. A review of the complaints received by the Centre since 2003 concerning the Crime Prevention Law shows that most complainants stated that they had been detained administratively after serving the judicial sentence imposed on them.

Judicial Detention

Although the statistics of the Public Security Directorate indicate a decline in the number of persons held in judicial detention¹⁵ in 2013, with (23,593) persons detained compared with (25,211) persons in 2012, the study prepared by the Public Security Directorate in 2013 revealed that the proportion of detainees in Correction and Rehabilitation Centres, according to the latest statistics, had reached approximately 65% of the total number of inmates. The study further affirmed that the increase in the number of detainees entails a corresponding increase in the volume of services provided to inmates, which in turn requires an increase in the human resources working in the correctional centres in order to meet the daily needs of inmates, namely: searches, reception, safekeeping of monetary and in-kind deposits, accommodation, and the various forms of care (the kitchen and dining areas, playgrounds, libraries, school, etc.), as well as guarding inside and outside the centres and during their transfer to and from the courts and hospitals.¹⁶

In sounding the alarm over the rising number of persons held in judicial detention, as shown in Table No. (2), the Centre stresses that the problem of rising detention goes beyond the issue of the high material cost to the State, extending to a direct infringement of fair trial guarantees and of the individual's right to be tried without undue delay or procrastination. This prompts the

¹⁵ The direct and principal reason for the rise in the number of persons held in judicial detention lies in the expansive use of detention by public prosecutors, whereby detention orders are issued at the outset of the investigation stages, or in other reasons, including the severe slowness of trial procedures and of the notification of witnesses or the appearance of the accused, or the deliberate prolongation of trials by some lawyers.

¹⁶ A working paper presented by the Director of the Correction and Rehabilitation Centres Department to the International Conference on Combating Torture and Reducing Pre-Trial Detention, held at the Dead Sea on 26–27/6/2013.

Centre to reiterate its recommendations calling for the prompt adoption of appropriate measures to achieve speedy justice, and for a study of the reasons for the lack of expedition in deciding cases pending before the judiciary, in the light of international standards and national laws.

Table No. (2): Number of Persons Held in Judicial Detention during the Years 2010–2013

2010	2011	2012	2013
23,502	23,118	25,211	23,593

Correction and Rehabilitation Centres

In 2013, the National Centre carried out (83) unannounced and semi-unannounced visits covering all Correction and Rehabilitation Centres in the Kingdom, in cooperation and coordination with the Grievances and Human Rights Office of the Public Security Directorate. The number of inmates in Correction and Rehabilitation Centres in 2013 ranged between (7,500–8,500) male inmates, and the number of admissions to Correction and Rehabilitation Centres during 2013 reached (49,592) male and female inmates. This year witnessed a number of measures taken within the policy of developing these centres, the most prominent of which were: the opening of the Marka Correction and Rehabilitation Centre, which was built in accordance with international and national standards with a capacity of (960) inmates; the opening of a special, separate wing for holding female inmates at the Umm Al-Lulu Correction and Rehabilitation Centre; the introduction by the Correction and Rehabilitation Centres Department of new forms and registers for following up inmates' complaints; the preparation of instructions for dealing with inmates holding takfiri ideology; and the appointment of a liaison officer from the Ministry of Health for coordination in order to facilitate inmates' medical treatment procedures.

On the other hand, the Centre recorded in 2013 the persistence of the problems¹⁷ that adversely affect the protection of inmates' rights and the right to liberty and security of person, and the failure of those in charge of these centres to take any effective measures to remedy the problems, which have been addressed in detail in the Centre's reports for previous years and which centred on: (a) limited health care; (b) limited judicial oversight and weak legal assistance provided to inmates; (c) limited social care provided to inmates and their families, in addition to limited after-care programmes; (d) overcrowding in Correction and Rehabilitation Centres, failure to properly observe the rules on the classification of inmates, and delay in adopting policies aimed at introducing alternatives to custodial sentences.

The Centre also expresses its grave concern over the length of detention of some detainees held by the Public Prosecution of the State Security Court pending trial, on charges of committing terrorist acts or other criminal cases falling within the jurisdiction of the Court, noting that the number of persons detained on behalf of the State Security Court reached (8,149) detainees in 2013. The Centre further recorded in 2013 that many of those detained in connection with such

¹⁷ For further information on the problems suffered by inmates of Correction and Rehabilitation Centres, see the Annual Report of the National Centre for Human Rights for 2012, pp. 32–33.

cases resorted to hunger strikes in protest at the length of their detention and trial before the State Security Court.¹⁸

In 2013, the Centre recorded (319) strikes in Correction and Rehabilitation Centres, compared with (342) strikes in 2012, (276) strikes in 2011 and (422) strikes in 2010. Notwithstanding the decline in the frequency of strikes in 2013 compared with the previous year, the continued occurrence of such strikes is an indicator of the persistence of the problems suffered by inmates.

Recommendations

In the light of the continuing contraventions and violations of this right, and pending the outcome of His Majesty the King's directives to the executive and judicial authorities to study and implement the recommendations of the National Centre contained in its previous annual reports, the Centre calls upon the Government to promptly adopt measures capable of addressing these violations, and in this regard emphasises the following substantive matters:

- Expediting the adoption of legislation on alternatives to custodial sentences, and addressing the problem of the lengthy periods of judicial detention before and during trial, by developing legislation and judicial practices that serve to expedite trial procedures, including reducing the problems of notification between the courts and prisons; finding a prompt and clear solution to the problem of renewing detention warrants within the legal time limits and refraining from automatic renewal; and activating the mechanism for the inspection of prisons by the judicial authority.
- Repealing the Crime Prevention Law of 1954, and removing the umbrella of the administrative governor from the investigation procedures conducted by the police in pursuit of offenders, in a manner that ensures that persons are not kept in custody for long periods for the purpose of investigation on the basis of detention warrants issued by administrative governors; and, until this is achieved, the directives and safeguards contained in the current law must be followed.
- The adoption by law enforcement agencies of clear procedural instructions to provide fair trial guarantees for detainees, particularly at the stage of preliminary investigation, so as to ensure that detainees are able to contact their families, are presented to a doctor, and obtain the necessary legal assistance from the moment of their arrest and throughout the periods of preliminary investigation.
- Finding solutions to the problem of overcrowding in Correction and Rehabilitation Centres.
- Taking measures to separate detainees in places of detention away from the control and authority of investigators, so that they are not subject to their supervision for longer than the time prescribed by law, which is set at (24) hours.

¹⁸ Inmates belonging to unlawful organisations.

- Upgrading places of detention in existing security centres in accordance with standards that ensure the provision of care and protection to detainees, in line with the relevant international standards.
- The commitment of law enforcement agencies to respect the right of the detainee to have his family informed of his whereabouts; working to separate the offices of the Public Prosecution of the State Security Court from the headquarters of the General Intelligence Directorate; and activating the inspection of the detention centre of the General Intelligence Directorate by the presidents of the courts and the Public Prosecution in accordance with the Correction and Rehabilitation Centres Law No. (9) of 2004, such that the bodies charged therewith carry out periodic visits in an effective manner.
- Permitting the competent team of the National Centre to conduct unannounced visits to the detention centre of the General Intelligence Directorate, along the lines of the visits the Centre conducts to places of detention of the Public Security Directorate.
- Adopting a national plan of action for the protection of women at risk, ensuring that they are not detained on the basis of the Crime Prevention Law.
- Adopting after-care programmes for persons released from Correction and Rehabilitation Centres.

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 the independence of the judicial authority through its affirmation of the principle of the separation of powers, as emphasised by Article (27) of the Jordanian Constitution, which provides that: “The Judicial Power shall be independent and shall be exercised by the courts of law of all types and degrees, and all judgments shall be delivered in accordance with the law in the name of the King.”

Legislation

No legislation reinforcing the right to a fair trial was enacted in 2013, as the measures necessary to give effect to the constitutional amendment establishing two tiers of administrative justice were not taken.¹⁹ On 31/3/2013, Parliament rejected the amendments proposed by the Government to the Law on the Independence of the Judiciary, on the ground that they did not meet the substance of the constitutional amendment, which was intended to strengthen the independence of the judicial authority. The Centre stresses the importance of the prompt enactment of a law strengthening the independence of the judicial authority so that it may exercise its expected role in protecting and promoting the human right to a fair trial.²⁰

¹⁹ It should be noted that the Government submitted a draft Administrative Judiciary Law in 2014, which was passed by the House of Representatives on 24/6/2014.

²⁰ It should be noted that the Centre set out its position on the draft Law on the Independence of the Judicial Authority by a letter sent to the House of Representatives on 14/7/2013, in which it emphasised the fundamental principles that the law must contain and that the National Centre had previously addressed in its previous reports; regrettably, these principles

The Centre regrets that no initiative was taken in 2013 aimed at reviewing legislation containing provisions that conflict with the provisions of the Constitution and with the general principles of the human right to a fair trial, which the Centre has emphasised more than once in its previous annual reports, most notably: the Customs Law, the Crime Prevention Law, the Law on the Collection of Public Funds and the Economic Crimes Law, which contain provisions granting judicial powers to officials of the executive authority.

The Constitutional Court

In 2013, the Constitutional Court issued seven judgments on the constitutionality of laws challenged before it. In its judgments, it established the unconstitutionality of three such laws, namely: (a) the Landlords and Tenants Law, inasmuch as it provided that the judgment of the Court of First Instance concerning the assessment of the fair rent may not be appealed, thereby depriving the judgment debtor of the right to challenge the decision of the Court of Appeal; (b) the unconstitutionality of Article (51) of the Arbitration Law No. (31) of 2001; (c) the unconstitutionality of Paragraph (c) of Article (11) of the Trade Names Law No. (9) of 2006, for failing to treat the two parties to the action equally with regard to recourse to the administrative judiciary in particular. The Court dismissed the following challenges: (a) the challenge to the constitutionality of the Elections Law of 2012; (b) the challenge to the constitutionality of Articles (3 and 8) of the Arbitration Law No. (31) of 2001 and Article (27) of the Government Works Regulation No. (71) of 1986; (c) the challenge to the constitutionality of Article (66/a/2) and (4/c) of the Income Tax Law and the Regulation on Procedure in Government Tax Cases; (d) the challenge to the constitutionality of the Municipalities Law, on grounds of form. The Constitutional Court also issued six interpretative decisions. By the first decision, it concluded that the Council of Ministers has no power to grant any concession relating to the exploitation of mines, minerals or public utilities unless the agreement in question is ratified by law. In the second decision, it concluded that the Council of Ministers has the power to issue a provisional Budget Law for 2013. The third decision concluded that His Majesty the King has the power to postpone the extraordinary session of the House of Representatives. In the fourth decision, the Court concluded that a provisional law rejected by Parliament may not be treated as an ordinary draft law. The fifth decision permitted employees of any ministry, department, authority or public institution to establish their own trade union, even if they are employees subject to the Civil Service Regulation, and irrespective of whether or not they have counterparts in the private sector outside the public sector, provided that this is done pursuant to legislation or legislative instruments issued for this purpose. In the sixth decision, the Court ruled that members of Parliament may not be arrested or tried while Parliament is in session. Through its judgments and interpretative decisions, the Constitutional Court has thus consolidated the review of the constitutionality of laws, which it is hoped will have a positive impact on efforts to purge the laws of provisions that contravene constitutional principles. In this way, judicial precedents are being established that strengthen the right to a fair trial and ensure oversight of laws relating to citizens' rights as guaranteed by the Jordanian Constitution. The Centre stresses the need to expedite the amendment of the legal provisions that the Court has ruled unconstitutional.

were not adopted. For these principles, see the Annual Report of the National Centre for Human Rights for 2012, pp. 37–38.

The Situation of the Courts in 2013

In 2013, the Judicial Council formed a committee to study the recommendations relating to the judiciary contained in the National Centre for Human Rights' report on the situation of human rights in the Hashemite Kingdom of Jordan for 2012, and to set out the executive measures proposed for their implementation. However, as at the date of preparation of this report, the Centre had not received the conclusions reached by this committee, and its report had not been published.

The year 2013 also witnessed a sit-in by Ministry of Justice employees working in the courts, demanding increases in their salaries, improvement of their living conditions and the resolution of certain administrative problems they face. The sit-in resulted in the disruption of administrative and procedural work and of case follow-up in the courts affected by the sit-in, forcing judges to adjourn the hearing of cases and consequently delaying their prompt determination, which constituted an infringement of the right of access to justice and of the interests of litigants.

The Centre stresses the need to address the financial and administrative situation of the administrative staff supporting the judiciary and to amend the legislation necessary to improve the living and economic conditions of those working in this body; the need for the draft Judicial Authority Law to provide for financial and administrative independence; and the need for supervision of the supporting administrative staff to fall within the responsibility of the Judicial Council.

In the same context, the National Centre stresses the need to attend to the economic and social conditions of judges. In 2013, more than (200) judges became eligible for promotion from one grade to a higher one, yet they were not promoted owing to the unavailability of financial allocations.²¹ The National Centre also received a complaint from a group of judges stating that the positions of a number of them had been changed and that others, whose promotion dates had become due, had not been promoted, without reliance on objective grounds.

In 2013, the National Centre received (56) complaints relating to violations of the right to a fair trial, such as lengthy detention, rejection of applications for release on bail, lengthy litigation, and grievances against certain judicial procedures. It was possible to close (15) of these complaints with a satisfactory outcome, while (6) complaints were closed as falling outside the Centre's mandate and (11) complaints were closed as no violation was established, whereas (24) complaints remain under follow-up and investigation. Comparing the number of complaints received by the Centre this year with previous years, the Centre received (56) complaints during 2013 as against (35) complaints in 2012, representing an increase of 62%.

As regards requests for assistance, in 2013 the Centre received (10) requests for assistance concerning the need for legal assistance and requests for general and special amnesty. Two cases were closed, one as falling outside the Centre's mandate and the other as no violation was established therein, while (8) remain under follow-up. Comparing the number of requests for assistance received by the Centre with previous years, the Centre received (10) requests for assistance in 2013 and (4) requests for assistance in 2012, representing an increase of 150%.

²¹ As related by certain judges to the team of the National Centre for Human Rights.

Execution Departments

The Execution Law No. (25) of 2007 remains in force notwithstanding the numerous and repeated demands to amend its provisions and to develop the methods and means of work of the execution departments, which have become a burden on citizens in terms of lengthy periods, congestion and overcrowding in courtrooms, in addition to the shortage of supporting administrative and technical staff.

In this context, the Centre considers it necessary to amend the Execution Law for the following reasons: 1. The existence of numerous articles in the law that delay the determination of cases and reopen the door to appeal on the merits of judgments that have become final, thereby prolonging litigation through additional procedures associated with such appeals, specifically Article (20) of the Execution Law, which permits a second appeal against a decision previously upheld by the Court of Appeal. 2. The amendment of Articles (22) to (26), which permit the imprisonment of a debtor for failure to fulfil a civil obligation and allow the execution judge to imprison a debtor who refuses to pay the dower adjudged to his wife, as well as the imprisonment of a judgment debtor who refuses to hand over a minor or to execute a visitation judgment, or the imprisonment of a guarantor to secure the return of a minor; the legislator has thus expanded the use of the power of imprisonment in most of the provisions at the expense of other penalties and precautionary measures such as fines, travel bans, precautionary attachment or the imposition of any other measure. 3. The shortage of administrative staff and financial allocations and the small number of execution judges; the figures indicate that the Amman Execution Department handles more than (1,200) execution requests per month and approximately six hundred execution cases appealed each month, distributed among five judges and with a staff of employees and process servers not exceeding sixty persons, which has created severe, daily and continuous congestion at the execution departments.

Special Courts

In 2013, the Government referred a draft law amending the State Security Court Law, under which the offences heard by the Court are confined to five offences, namely treason, espionage, terrorism, drug offences and currency counterfeiting.²² Notwithstanding the importance of the amending law, which is consistent with the provisions of Article (101) of the Constitution and in line with the demands to amend this law, the Centre stresses that these amendments did not rise to the required level. The State Security Court Law still contains numerous provisions that are incompatible with human rights standards, the most important of which are: 1. Retaining the power of the Prime Minister to constitute this Court, which entails unjustified interference by the executive authority in the work of the judicial authority; it would have been more appropriate for the legislator to provide for the establishment and constitution of this Court directly by law. 2. Retaining the jurisdiction of the State Security Court to hear offences referred to it before the entry into force of the amending law. 3. Departure from the general rules contained 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

²² It should be noted that Parliament passed this law in 2014, and it was published in the Official Gazette, Issue No. (5289), dated 1/6/2014, p. 3370.

regarding the period of custody provided for in the Criminal Procedure Code, as the law still grants members of the judicial police the right to hold suspects for a period of (7) days instead of the (24) hours provided for in the Criminal Procedure Code; (c) the time limits for appealing judgments of the State Security Court in criminal cases.

The Centre reiterates that the proper approach to this law must proceed from the need to amend Article (101) of the Constitution so as to affirm the general rule that civilians are to be tried before civil courts (the regular judiciary). Until this is accomplished, the Centre considers it appropriate to amend the current law so as to designate a chamber of civilian judges within the State Security Court to try civilians referred to it under Article (101) of the Constitution, and to appoint a civilian public prosecution to undertake the investigation of offences committed by civilians and their referral to that chamber.

The year 2013 also witnessed the surrender of one Mahmoud Othman Abu Omar, known as “Abu Qatada”, to the Jordanian authorities pursuant to the Law Ratifying the Mutual Legal Assistance in Criminal Matters Agreement between the Hashemite Kingdom of Jordan and the United Kingdom of Great Britain and Northern Ireland, No. (9) of 2013.²³ This agreement regulated the provisions, procedures and standards of fair trial guarantees. The State Security Court has commenced his retrial on the charges attributed to him.

It is noteworthy that no amendment was made in 2013 to the Public Security Law No. (38) of 1965, the General Intelligence Law No. (24) of 1964 or the Gendarmerie Forces Law No. (34) of 2008 with regard to the public prosecution and courts affiliated with these bodies being entrusted with deciding 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 harmonised with the 1984 Convention against Torture and the obligations imposed thereunder.

The Centre further considers that the expansion in the establishment of special courts constitutes a departure from the human right of recourse to one’s natural judge.

Religious Courts

Sharia Courts

The year 2013 witnessed an improvement in fair trial guarantees in the Sharia courts, represented by the issuance of the Sharia Execution Law No. (10) of 2013,²⁴ which assigns to the execution officer the enforcement of judgments issued by the Sharia courts. The Council of Ministers also approved the draft law amending the Sharia Courts Formation Law, which provides for the division of the first-instance courts, their subject-matter jurisdictions, the mechanisms and methods of their administrative organisation, and the time limits for appealing judgments issued by them. As regards the reality of litigation before the Sharia courts, notwithstanding the steady increase in the number of cases heard by the Sharia courts, these courts continue to suffer from

²³ Official Gazette, Issue No. (5228), dated 1/7/2013, p. 3043.

²⁴ Official Gazette, Issue No. (5236), dated 15/8/2013, p. 3814.

the same problems identified by the Centre in its previous annual reports,²⁵ in addition to the increased burdens on these courts resulting from the growing number of Syrian refugees resorting to them in cases relating to the Personal Status Law.

Ecclesiastical Judiciary

The year 2013 did not witness any noticeable development in the legislation governing the work of the ecclesiastical courts, even though the Legislation and Opinion Bureau prepared a draft law amending the Councils of Non-Muslim Religious Communities Law No. (2) of 1938 and its amendments,²⁶ which specified the conditions for holding the office of judge in the ecclesiastical courts and made certain formal amendments thereto. However, the draft law was not sent to the legislative authority to proceed through its constitutional stages,²⁷ which prompts the Centre to reaffirm the need to reconsider the national legislation regulating litigation before the ecclesiastical courts, as stated in its previous reports,²⁸ particularly since the National Centre has received more than one letter pointing to fundamental gaps in the ecclesiastical judiciary.

Recommendations

With a view to promoting and protecting the right to a fair trial, and in order to advance the judicial system and enable it to perform the tasks entrusted to it, the Centre reaffirms the recommendations contained in its previous annual reports, which centred on:

- The need to expedite the implementation of the provisions of the 2011 constitutional amendments through the enactment of a new law on the independence of the judiciary based on internationally established principles for strengthening the independence of the judicial authority, including strengthening the independence and effectiveness of the Judicial Council, and reviewing and updating the standards relating to judges' affairs, starting with appointment, training and qualification, through the standards of promotion, transfer and discipline, and ending with the standards of placement on leave of absence and retirement.
- Reviewing national legislation that conflicts with fair trial guarantees and constitutes an encroachment on the independence of the judicial authority by granting judicial powers to executive bodies, such as the Crime Prevention Law of 1954, the Economic Crimes Law No. (11) of 1993 and the Customs Law No. (20) of 1998; amending the Execution Law so as to ensure citizens' easy access to their rights and to overcome lengthy litigation; and taking administrative measures to prevent continuous overcrowding at the execution departments.

²⁵ For further information on the problems suffered by the Sharia courts, see the Annual Report of the National Centre for Human Rights for 2012, p. 42.

²⁶ For the draft law, see the following link: http://www.lob.jo/View_LawContent.aspx?ID=313.

²⁷ It should be noted that in 2014 the Jordanian Government sent the draft law to Parliament, and it was passed by the House of Representatives on 2/7/2014 and by the Senate on 10/7/2014.

²⁸ For further information on the problems suffered by the Sharia courts, see the Annual Report of the National Centre for Human Rights for 2012, p. 42.

- Adopting a comprehensive national plan to remove all obstacles facing the religious courts (the Sharia and ecclesiastical judiciary) in a manner that ensures the attainment of international standards for fair trials.
- The need to expedite the amendment of the legal provisions that the Constitutional Court has ruled unconstitutional, so as to ensure the genuine and effective enforcement of the judgments of the constitutional judiciary.
- The need to adopt an effective mechanism enabling the publication of the judgments and decisions of the Constitutional Court so that the widest segment of the public may access and benefit from its judgments.²⁹
- Not expanding the establishment of special courts.

The Right to Nationality, Residence and Asylum

The Right to Nationality

International instruments affirm the right to nationality as one of the most important elements of legal personality that every individual must enjoy, as provided for in Article (15) of the Universal Declaration of Human Rights, Article (16) of the International Covenant on Civil and Political Rights, and Article (29) of the Arab Charter on Human Rights. The Jordanian Constitution, for its part, provides in Article (5) that Jordanian nationality shall be determined by law. In implementation of this provision, the Jordanian Nationality Law No. (6) of 1954 was enacted, and its provisions affirm that nationality is the right of every individual and that no one may be arbitrarily deprived thereof.

In 2013, there were no legislative developments affecting the legal framework relating to the right to nationality. Notwithstanding the Government's adherence to Article (3/3) of the Nationality Law, which gives the Government the right not to grant nationality to the children of a Jordanian woman married to a foreigner,³⁰ this year witnessed the launch of a parliamentary initiative adopted by eleven deputies, consisting of the submission of a proposal for a law granting a number of civil and political rights to the children of Jordanian women married to foreigners, relying in this respect on the importance of harmonising national legislation with international standards, which grant this group many civil rights, such as education, health, work, freedom of movement and others, in addition to granting them their mother's nationality, in order to afford them legal and actual protection.

²⁹ It should be noted that certain bodies are calling for the amendment of the Constitutional Court Law to grant individuals the right of direct challenge before it to the constitutionality of laws and regulations, as against other views fearing that granting this right to individuals would lead to congestion of the Court's docket.

³⁰ It should be noted that the National Centre has indicated in its previous reports that this governmental approach is incompatible with the proper interpretation of the provisions of the Jordanian Nationality Law, since these bodies distinguish between Jordanian men and women in the right to transmit nationality to their children on the basis of Article (3/3) of the Law, notwithstanding that Article (9) of the same Law affirms that the children of a Jordanian are Jordanians wherever they are born, and that the interpretation of this provision in accordance with the recognised rules of interpretation indicates that the term "Jordanian" encompasses both male and female; consequently, the children of a Jordanian mother are entitled to enjoy Jordanian nationality.

It is worth noting that, at the beginning of 2014, the parliamentary initiative, in partnership with the Government, reached a final agreement under which the Government grants the children of Jordanian women married to foreigners civil rights, without political rights, Jordanian nationality or a national number. The authorities respond that practice and constitutional custom in the Arab States and in many countries of the world are that the nationality of a newborn is conferred through the father, and that there is an Arab convention within the framework of the League of Arab States that prohibits dual nationality.

However, the Government has, in parallel, continued to pursue a policy of facilitating residence procedures for the husband and children of a Jordanian woman through his wife and their mother, but without codifying this within the Residence Law. Moreover, the husbands of Jordanian women and the wives of Jordanian men are exempted, on the basis of this policy, from residence fines. However, following its launch at the beginning of the year, the “My Nationality Is a Right for My Family” campaign proposed that the children of Jordanian women married to foreigners be exempted from any restrictions, permissions or permits for the exercise of their rights relating to education, healthcare, work, ownership and obtaining driving licences, and that they be treated as Jordanians, in addition to exempting the children of a Jordanian woman and her non-Jordanian husband from the Residence and Foreigners’ Affairs Law pursuant to the provisions of Article (29/h) for humanitarian reasons.

Among the most prominent positive practices to promote this right in 2013 was the Council of Ministers’ affirmation of its previous decision that the process of reinstating national numbers shall be subject to the approval of the Prime Minister, whereas their withdrawal shall be subject to the approval of the Council of Ministers only, and the reconstitution of the Standing Ministerial Committee for Considering Applications for the Reinstatement of National Numbers, chaired by the Minister of Interior and comprising the Minister of Higher Education and Scientific Research, the Minister of Education, the Minister of State for Media Affairs, the Minister of Social Development, the Minister of Justice, and the Minister of Awqaf, Islamic Affairs and Holy Places. The Centre considers this to be positive progress towards resolving a problem that has persisted for years.

Although the National Centre received no complaints in 2013 relating to the withdrawal of national numbers and their reinstatement pursuant to the Instructions on the Decision of Administrative and Legal Disengagement from the West Bank of 1988, a number of complaints received by the Centre in previous years concerning the withdrawal of national numbers have not been decisively resolved.

Furthermore, in 2013 the work of the committee formed to examine the situation of many residents of population clusters in the town of Ruwaished and some other villages in the Eastern and Western Badia districts, who complain that they do not hold any documents enabling them to obtain Jordanian nationality, remained suspended (which means that no solutions have yet been found to their living problems). The Centre renews its call upon the Government to expedite the conclusion of this file, given its importance to the lives of these persons and since it affects a fundamental human right, in a manner consistent with national legislation and international human rights standards.

The Right to Freedom of Movement and Residence

In 2013, the Council of Ministers approved the draft law amending the Residence and Foreigners' Affairs Law of 2013. Among the most prominent provisions of the draft law were the toughening of penalties against foreigners who enter the Kingdom unlawfully and the assignment of a special number to every foreigner, provided that the authority issuing the number shall determine all matters relating thereto. The periods for issuing the number shall be determined by Instructions issued by the Minister of Interior, and any transaction for a foreigner shall be prohibited after the expiry of the said period unless he or she produces his or her personal number. The draft also exempted the following categories from fines: the foreign wife of a Jordanian man; the foreign husband of a Jordanian woman; the children of Jordanian women holding foreign nationalities; Arab and foreign students present in the Kingdom for the purpose of study and officially registered at Jordanian universities and institutes; refugees recognised by the United Nations High Commissioner for Refugees, for the purposes of facilitating their voluntary return or resettlement in a third country; and foreigners whose deportation has been ordered for violating Jordanian legislation or for reasons related to State security, where it is established that they are unable to pay these fines. It should be noted that, as of the date of preparation of this report, the Government had not referred the draft law amending this law to Parliament (the National Assembly) to proceed through the constitutional channels for its enactment.

In 2013, the Ministry of Interior also issued Instructions exempting domestic workers who have overstayed the permitted periods of residence from the fees owed by them, with the aim of facilitating their deportation, provided that no judicial orders have been issued against them. This encouraged many female workers in violation of the Law to regularise their status.

With the aim of facilitating the movement of Jordanian citizens residing abroad, the Civil Status and Passports Department began, in 2013, issuing new civil status cards bearing security and technical features that make them difficult to forge, the name of the card holder having been added in English to the new card, as is the case with the driving licence and the passport.

In 2013, the Council of Ministers approved the draft law amending the Passports Law, under which the Council of Ministers, upon the recommendation of the Minister of Interior, was granted the power to issue ordinary passports in humanitarian cases for a period of not less than one year and not exceeding five years, renewable, provided that the Minister of Interior may recover such passport at any time. The Director General of the Civil Status and Passports Department was also granted, in humanitarian or special cases, the power to issue ordinary passports for a period not exceeding one year, renewable, and the Director may recover it at any time, provided that the passport holder shall not, in either of these two cases, acquire Jordanian nationality.³¹

In 2013, the number of complaints received by the National Centre relating to the right to residence and movement fell to (29) complaints, compared with (41) complaints received by the Centre in 2012. An analysis of these complaints shows that they relate to: (a) refusal to grant entry or transit permits to the husbands and children of Jordanian wives, particularly those arriving from Syria as a result of the difficult humanitarian conditions, since they do not hold Jordanian

³¹ It should be noted that Parliament (the National Assembly) approved this law in 2014.

nationality; (b) employers' retention of foreigners' passports in violation of the Passports Law No. (2) of 1969, which impedes their freedom of movement; and (c) the continued deportation of foreigners pursuant to the provisions of the Residence and Foreigners' Affairs Law No. (24) of 1973, without granting them the opportunity to benefit from the guarantees provided for in Article (13) of the International Covenant on Civil and Political Rights.

The Right to Asylum

Syrian Refugees

In 2013, the influx of large numbers of Syrian refugees into the Kingdom continued. According to the statistics of the Syrian Refugee Camps Affairs Department, the number of refugees as at 31/12/2013 reached (1,331,142) refugees. One study³² indicates that (250,000) Syrian refugees arrived in Jordan in 2013, at a rate of (26,000) refugees per month. The study also showed that the number of refugees registered with the UNHCR had reached (569,000), while the figures issued by the Ministry of Interior indicate that the number is higher than that. Despite the rising number of refugees, the Jordanian Government continued to deal positively with these refugees by receiving them and providing them with protection, care and shelter.

The monitoring team formed by the Centre in 2012 continued to monitor the extent to which Syrian refugees enjoy the rights to which they are entitled under international standards, and the team was able to monitor the following developments:

a. The expansion of the measures taken by the Jordanian Government to deal with Syrian refugees and improve their living conditions, through the following steps:

1. The Council of Ministers established a Syrian Refugee Camps Affairs Administration, headed by a senior officer of the Public Security Directorate and linked to the Minister of Interior with regard to security, administrative and internal matters, and to the Ministry of Planning with regard to assistance and relations with international organisations and bodies.
2. The opening of the Emirati Jordanian Camp (Mrajeeb Al-Fhood) in Mafraq Governorate on 13/12/2013, which, as at the date of preparation of the report, had received (3,864) refugees.
3. The preparation of a camp in the Mukhaizen Al-Gharbiyya area in Mafraq Governorate to accommodate the increasing numbers of Syrian refugees.
4. The preparation of a camp in the Azraq area with an estimated capacity of (120) thousand refugees.
5. The continued reception of Syrian refugees in Zaatari Camp, the number of residents of which reached, as at 31/12/2013, (117,711) male and female refugees.
6. The opening of a juvenile unit in Zaatari Camp and the preparation of another unit for Mukhaizen Al-Gharbiyya Camp upon its opening.

³² A study prepared by the Economic Policy Development Forum at the Talal Abu-Ghazaleh Knowledge Forum.

b. The Ministry of Education continued to admit Syrian students to Jordanian public schools and to treat them on an equal footing with Jordanian citizens. It also facilitated the opening of schools in Zaatari Camp with the support of some brotherly Arab States. At the beginning of the 2013/2014 academic year, approximately (111,500) one hundred and eleven thousand Syrian male and female students took their seats in the evening shift and in schools located in and outside the camps designated for Syrian refugees.

c. With the aim of facilitating and regulating the personal transactions of refugees residing in Zaatari Camp and ensuring that they are not exploited, a Sharia marriage registrar (ma'dhun) was appointed in Zaatari Camp. In August 2013, the Chief Justice Department also approved the appointment of a Sharia judge for it in Zaatari Camp for Syrian refugees, who is to reside there on a full-time basis. In addition, the Civil Status and Passports Department established an office of the Department in Zaatari Camp dedicated to issuing civil documents for Syrian refugees, specifically death and birth certificates.

On the other hand, the Centre's team observed the persistence of a number of problems and shortcomings suffered by Syrian refugees in the refugee camps and in the places where they are present in the various cities, the most important of which were:

- (a) The continued suffering of the residents of Zaatari Camp as a result of harsh weather conditions, particularly after rainwater flooded and damaged a number of tents during the winter season, not to mention the health and environmental problems suffered by the camp's residents.
- (b) Recurrent sit-ins and riots by Syrian refugees in protest at the shortage of services and the slowness of the process of returning those requesting voluntary return to their country, as well as recurrent acts of rioting, assaults on Public Security and Gendarmerie personnel by refugees, and their vandalism of some of the camp's facilities and installations.
- (c) Complaints by Syrian refugees residing outside the camps about the irregular payment of assistance by the United Nations High Commissioner for Refugees, which has affected their ability to meet the minimum requirements of a decent living.
- (d) Complaints by Syrian refugees who entered Jordan regularly in their own private vehicles about the decisions and procedures of the Government relating to the licensing of these vehicles, which require that they be returned to Syria, a matter that may endanger the lives of these refugees.

In 2013, many media outlets reported that many Syrian refugees, inside and outside the camps, were resorting to marrying off girls under the legal age and outside the scope of the law, in addition to some minor girls being subjected to exploitation and sexual harassment. This calls upon the National Centre for Human Rights to stress the need for the competent authorities to give this matter their utmost attention in order to put an end to such practices, which constitute a flagrant violation of the rights of these girls, and to impose the severest penalties on the perpetrators of these crimes.

Iraqi Refugees

Despite the decline in the number of Iraqi refugees over the past years, the United Nations High Commissioner for Refugees announced in June 2013 “an increase in the number of Iraqi refugees in Jordan due to the increased number of bombings and killings”. The year 2013 did not witness any notable change in the situation of Iraqi refugees residing in Jordan, as the number of resettlement applications received by the United Nations High Commissioner for Refugees continued to decline, while, on the other hand, the number of actual resettlement approvals by the UNHCR rose, as shown in Table No. (3).

Table No. (3): Comparison of Resettlement Applications Submitted for Iraqi Refugees

Year	2010	2011	2012	2013
Resettlement applications	5,057	3,298	1,661	1,500
Actual approvals	3,350	995	199	616
Percentage	66.2%	30.1%	11.9%	41%

Palestinian Refugees

Despite the governmental efforts made to improve the situation of the Palestinian refugee camps, the situation of these camps in 2013 points to the persistence of a range of violations suffered by the camps’ inhabitants in terms of weak infrastructure and poor material and living conditions. The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) also announced more than once its intention to reduce the services it provides to Palestinian refugees, revealing thereby plans to abolish the developmental and operational loans programme for the needy and the educational supervision of schools. This prompted many of its employees to stage a sit-in in front of the Agency’s headquarters building in Amman, in protest against the reduction of UNRWA’s services in Jordan by approximately JD (9) million, which would entail a reduction in educational and health services in Jordan, a matter that the Jordanian Government rejected.

The National Centre calls upon the Jordanian Government to work to improve the living conditions of Palestinian refugees and to create employment opportunities for them in the camps. At the same time, the Centre stresses the importance of the international community fulfilling its obligations towards Palestinian refugees.

Recommendations

In order to ensure the effective enjoyment of the rights to nationality, residence, movement and asylum, and in light of the observations it has recorded this year, which continue its observations of previous years, the Centre reiterates the recommendations it has made in its previous reports, the most important of which are:

- To reconstitute the Standing Committee for Considering Applications for the Reinstatement of National Numbers and to provide it with the necessary expertise (independent experts) to consider complaints submitted by citizens regarding the withdrawal of their national numbers, and to reinstate them to those from whom they were withdrawn by unlawful means.

- To activate the role of the special committee formed to consider the naturalisation applications submitted by a number of persons residing in the Northern Badia, so as to ensure that a solution to the problem of these persons is found promptly.
- The Government's adoption of the draft law amending the Residence and Foreigners' Affairs Law and its referral to Parliament (the National Assembly) to complete the constitutional steps for its enactment, in a manner consistent with international human rights standards on movement, residence and travel, and to limit the power of executive officials to deport foreigners and to confine this power to the judicial authority alone.
- The need to take immediate and urgent measures to put in place a system ensuring that the husband of a Jordanian woman and the wife of a Jordanian man are not deported by administrative decision, in order to guarantee the stability of family and living conditions.
- The need to harmonise national legislation and the asylum mechanism with international standards, and to consider ratifying the 1951 Geneva Convention relating to the Status of Refugees and its supplementary 1967 Geneva Protocol, and to establish a national asylum mechanism in the Kingdom consistent with international human rights standards.
- To urge the international community to discharge its responsibilities towards Syrian refugees, to provide them with the necessary support, and to intensify protection and assistance efforts for them.

The Right to Vote and to Stand for Election

Parliamentary elections are among the most important legitimate means of freely expressing the sovereignty of the people. Given this importance attached to elections, 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, democratic and fair elections. The Jordanian Constitution likewise guarantees this right to citizens.

Parliamentary Elections

In 2013, specifically on 23/1/2013, the parliamentary elections for the Seventeenth House of Representatives were held. The National Centre formed a national team to observe the elections, in which representatives of civil society institutions participated, numbering (2,250) observers, and issued a detailed report on their conduct,³³ in addition to the information contained in its annual report for 2012 on them.

The year 2013 also witnessed many events arising from the holding of the elections, which had a direct impact on this right, the most important of which was the annulment by the Amman Court of Appeal, on 6/3/2013, of the results of the elections in the Sixth Electoral District in Qasabat Fuqu' District, Karak Governorate, a precedent considered the first in the history of parliamentary elections. The Court affirmed in its decision "the occurrence of a defect in the administration of

³³ For further information, see the National Centre's report on the conduct of the electoral process 2012–2013, at the website: www.nchr.org.jo.

the electoral process, and the existence of legal irregularities and violations”, consisting of the presence of “evidence indicating the existence of surplus ballot papers inside the five boxes that it examined”. The Court also referred to some citizens exercising the right to vote without producing an electoral card, the existence of electoral cards for persons not registered in the voters’ register, as well as the existence of ballot papers not bearing the stamp of the electoral district or the signature of the chairman of the polling committee, in addition to the loss of unused ballot papers whose fate is unknown, an apparent discrepancy in the signatures of committee chairmen on the used ballot papers, the absence from the voters’ “registers” of the data linking these registers to their boxes, and a breach of the principle of the secrecy of the ballot by allowing visitors to enter the polling rooms and even the booth designated for voting. Pursuant to the Court’s decision, the Independent Election Commission announced a date for re-running the elections in the Sixth Electoral District of Karak Governorate and proceeded with the procedures for re-running the entire electoral process, without affecting the results of the quota seat, considering them to be sound. On 13/4/2013, the sole candidate was declared the winner by acclamation (unopposed).

The year 2013 also witnessed the filing of many challenges to the constitutionality of the Election Law No. (25) of 2012, under the provisions of which the parliamentary elections were held. The most prominent of these were the three challenges referred to the Court of Cassation. The first challenge raised a plea of the unconstitutionality of the Election Law and requested its referral to the Constitutional Court; however, the Court of Cassation decided to reject it, and consequently not to refer it to the Constitutional Court, and to return the case file to the Court of Appeal to proceed with the main action. The Court of Cassation, meanwhile, decided to refer the second plea, challenging the validity of the membership of the deputy for the Second District/Capital Governorate who won in the by-elections, to the Constitutional Court, on the ground that the respondent’s membership was null and void because it was based on the Election Law No. (25) of 2012, which contains substantive unconstitutional provisions, thereby rendering the elections held thereunder and their results null and void. However, the Constitutional Court decided to dismiss the challenge³⁴ referred to it by the Court of Cassation regarding the unconstitutionality of the Election Law for formal reasons, namely the non-payment of the fees for challenging the constitutionality of the law, amounting to JD (250).³⁵ The National Centre for Human Rights considers that the Court ought to have notified the applicant of the need to pay the challenge fees before the expiry of the legal period prescribed for its consideration.

The Court of Cassation also accepted the third challenge, filed against the constitutionality of the Election Law for violating the principle of equality among Jordanians and non-discrimination between them, as the challenge considered that there is discrimination among Jordanians on the basis of race or religion, which is expressly prohibited by the text of Article (6) of the Constitution. The Court of Cassation referred the challenge to the Constitutional Court on 15/1/2014, and the

³⁴ The Official Gazette, Issue No. (5245), dated 31/10/2013, p. 4736.

³⁵ Lawyer Islam Al-Harabsheh had filed a challenge in the first third of June against the results of the by-elections in the Second District in Amman, based on the unconstitutionality of the Election Law No. (25) of 2012.

Constitutional Court had not issued its ruling on the challenge as at the date of preparation of the report.³⁶

In 2013, by-elections were also held in three sub-districts. The first was held on 20/4/2013 in the Second Local Electoral District of the Capital Governorate, where (17) candidates competed for the supplementary seat, and polling took place in (62) centres comprising (297) ballot boxes. Candidate Abdul Ali Mohammad Olayyan Al-Mahasiri was declared the winner of the vacant parliamentary seat in the by-elections in the Second District of the Capital, after the Amman Court of Appeal decided to open and recount (15) ballot boxes from the by-elections in the Second Amman District at the headquarters of the Independent Election Commission, as a result of the challenge to the results of the by-elections.

On 11/9/2013, supplementary by-elections were held in two local districts: the First/Capital and the Fourth/Karak, after the Seventeenth House of Representatives decided, by a majority of (134) members out of (136), to expel one of the deputies of the First District/Amman for opening fire inside the precincts of the House (the Protocol Hall) at one of his colleagues, and following the death of the deputy for the Fourth District of Karak Governorate. (11) candidates competed in the by-elections in the “First/Amman” District, while (5) candidates stood for the Fourth District/Karak. The results of the elections produced the victory of Deputy Haitham Abu Khadija for the First District/Amman and Mufleh Al-Ushaibat for the Fourth District/Karak. Subsequently, two voters filed a challenge to the validity of the results of the parliamentary by-elections for the First District/Amman; however, the Court of Appeal ruled that the results were valid.

Also in 2013, and for the first time, a group of national figures and some political parties filed a lawsuit before the High Court of Justice challenging the results of the parliamentary elections, basing their challenge on the argument that the Election Law “violates the Constitution”. The statement of claim relied on a number of grounds, including the violation of the Constitution by Article (39/d) of the Election Law and the other related articles, in providing for the fragmentation of the voter’s right to vote and confining his right to voting for a single candidate, whether the voter resides in a district for which the law has allocated one parliamentary seat or more than one parliamentary seat; and the violation of the Constitution by Article (8) and Articles (1 and 2) relating to the schedule of the division of electoral districts and the distribution of seats therein, owing to the failure to take into account the population-density criterion in distributing parliamentary seats among the local electoral districts on the one hand, and the failure to observe a single criterion for the division of electoral districts on the other, which has constituted and continues to constitute a gateway to undermining the principle of equality in voting, based on the principle of universal suffrage, and the principle of the soundness of the division of electoral districts provided for in Articles (6 and 67) of the Constitution. The High Court of Justice dismissed this action in form for lack of jurisdiction, pursuant to the text of Article (71) of the Constitution, which vested such jurisdiction in the Court of Appeal to which the district is subordinate, and removed this action from the jurisdiction of the High Court of Justice.

³⁶ It should be noted that on 15/5/2014 the Constitutional Court 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 action.

With regard to the electoral system, we find that there are differing views even among those who criticise the current electoral system, which they describe, figuratively at least, as the “one-vote system”. This criticism includes the method of dividing the electoral districts, which makes the districts of the three Badia regions (North, Centre and South) closed districts. Such criticism stems from the view of these critics that the said system violates the Constitution (Article 6/1), which prohibits discrimination and inequality, in addition to its violation, that is, of this system, of the provisions of the Election Law, which does not require affiliation with a particular geographical area in order to stand for the House of Representatives. This view is supported by the argument that, were the Constitutional Court to exercise its review over the constitutionality of the provisions of this system, it might find grounds for ruling it unconstitutional, which would then mean the nullity of the results arising therefrom.

Proponents of this position further assert that the provision on the Bedouin electoral districts conflicts with the principle that the division of districts in the country should be based on the geographical and “regional” principle rather than on the social group, as is the case with regard to the Badia, stressing that the Constitution of the Kingdom does not contain any provision indicating the necessity of representation for minorities, especially since Article (67/a) of the Constitution does not contain any reference to, or possibility of, what they describe as sectarian or religious candidacy or the like, and that the continued adoption of the divisions of the Bedouin electoral districts constitutes an injustice against a large number of citizens from among the people of the Badia who have a presence at the national level, as opposed to those with a presence at the local level!

On the other hand, the defenders of the current system and the special arrangement for the Badia districts maintain their position that this system does justice to the people of the region by taking into account their social and geographical particularity, and is consistent with international standards that take geographical, demographic and social dimensions into account when designing national electoral systems.

Municipal Elections

After the holding of the municipal elections had been postponed more than once over the past two years, the municipal elections were held on 27/8/2013, covering (100) municipalities and (22) areas affiliated to the Greater Amman Municipality. The total number of male and female voters entitled to participate in the municipal elections reached (3) million and (702) thousand. The total number of candidates standing in the municipal elections reached (2,759) male and female candidates, thereby exceeding the number of those who stood in the 2013 parliamentary elections, among them (478) women; (590) male and female candidates for the presidency of municipalities, among them (5) women; and (2,205) male and female candidates for membership, among them

(473) women.³⁷ It should be noted that (41) applications for candidacy in the municipal elections were rejected for various reasons.³⁸

These elections witnessed a boycott by many political forces and currents, including the Islamic Movement with both its wings (the Muslim Brotherhood and the Islamic Action Front Party), which made its participation in these elections conditional upon the implementation of a package of political and economic reforms. Four electoral districts also witnessed a reluctance on the part of voters to stand for membership or to represent them, namely the Nahda District of Middle Shouneh Municipality, the Umm Al-Amad District of Jiza Municipality, the Ira District of Greater Salt Municipality, and the Qasabat Ajloun District of Greater Ajloun Municipality, which led the Ministry of Municipalities to appoint representatives for these districts.

According to the statistics issued by the Ministry of Municipalities, the number of voters who exercised their right to vote reached (763,909) male and female voters, a percentage of 32.4% of the (2,357,853) voters who were permitted to exercise their right to vote.³⁹ If the number of those who voted is calculated against the total number of those entitled to vote, amounting to (3) million and (702) thousand voters, we find that the percentage of those who voted was only 20%.

At the end of polling day, the number of council seats in the (99) municipalities in which the elections were completed⁴⁰ reached (1,060) seats, of which (99) were for presidents, (616) seats for male membership and (333) seats for women, while (12) seats for women and (5) seats as representatives for areas in which no one had stood for election were filled by appointment. The share of women in the municipal council seats allocated for membership in all municipalities of the Kingdom reached approximately (345) seats out of (961) seats allocated to members, of which (282) seats were won by women through the quota, (51) seats through free competition and (12) seats by appointment, a percentage of 35.9% of the total number of seats excluding the presidency seats, none of which any woman was able to attain.

The National Centre for Human Rights had formed a team of volunteers to observe the municipal elections held on 27/8/2014. The team recorded a number of observations on the conduct of the electoral process, the most prominent of which were: (a) most polling centres were not equipped to receive persons with disabilities and older persons, as some of the polling rooms were located

³⁷ Upon the expiry of the period for receiving withdrawal applications from candidates, the number of applications submitted reached (234), of which (120) were applications for withdrawal from candidacy for membership, including (10) applications from women, and (114) were applications for withdrawal from candidacy for the presidency of a municipality, including (1) application from a woman.

³⁸ The number of rejected candidacy applications reached (41), distributed as follows: (2) applications because the applicants were below the age legally permitted for candidacy; (1) application because the applicant was an employee who had not submitted his resignation within the legal period; (30) applications because the applicants' names did not appear in the voters' lists; (7) applications because the applicants were unable to read and write; and one application for failure to fulfil the conditions.

³⁹ It should be noted that the Government had announced the non-participation of approximately one million and (250) thousand male and female voters of the total number of voters, a percentage of 35%, being members of the armed forces and security agencies, expatriates, and (40) thousand employees supervising the elections.

⁴⁰ The Ministry of Municipalities had completed the election of (99) municipalities in all regions of the Kingdom, and at the end of election day cancelled the polling proceedings in Abdullah bin Rawaha Municipality in Karak Governorate owing to problems that affected the conduct of the electoral process.

on the second floor of the centres, with no clear instructions for dealing with older persons and persons with disabilities; (b) failure to provide the required privacy for voters in the voting booth; (c) ineffectiveness of the ink used in the voting process, as it could easily be removed after voting; (d) the presence of some unauthorised persons inside polling centres; (e) the continuation of the phenomenon of electoral campaigning on polling day inside and near polling centres; (f) receipt of information about vote-buying in many electoral districts; (g) failure to verify the identity of some women wearing the niqab in some polling centres, which opened the door to impersonation; and (h) the outbreak of riots in many electoral districts and attacks on ballot boxes in Mu'tah Municipality and Fuqu' District, with their contents scattered in the street. The streets of the towns of Mu'tah and Al-Mazar also witnessed the outbreak of riots, road closures, the burning of tyres and the firing of gunshots. The chairman of the election committee in Abdullah bin Rawaha Municipality in Fuqu' District decided to suspend the vote-counting process, and it was decided to form two committees, in Abdullah bin Rawaha Municipality in Fuqu' District and in Mu'tah and Al-Mazar Municipality, to investigate the two incidents of attack on the two polling centres in the town of Fuqu' and the town of Mu'tah.

On 10/7/2013, the House of Representatives submitted a request to the Constitutional Court to consider the Municipalities Law No. (13) of 2011 and its amendments, and to determine whether there was any suspicion of unconstitutionality affecting Articles two, three, five, eight, twenty-six, thirty-three and forty-six of the Law. The Constitutional Court dismissed the request submitted by the House of Representatives in form, considering it a request for an advisory opinion falling outside the Court's jurisdiction.

In 2013, the Ministry of Municipal Affairs also announced its intention to submit to the House of Representatives⁴¹ a new draft Municipalities Law, the most important features of which were the replacement of municipalities in the Kingdom with local government councils, the reduction of the number of municipalities in the Kingdom to (12) municipalities at the level of the governorate centres, provided that the municipal council shall consist of a representative one for each local council, and the replacement of judicial supervision of elections with supervision by the Independent Election Commission (IEC), and efforts to resolve the financial and administrative difficulties from which the municipalities suffer.

In order to guarantee the enjoyment of the right to stand for election and to vote, the National Centre for Human Rights reaffirms the recommendations set out in its previous reports.⁴²

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

The Jordanian Constitution, in Article (15) thereof, guarantees freedom of opinion and expression and freedom of the press and the media. International instruments likewise guarantee freedom of opinion, expression and the media as an essential prerequisite for giving effect to the principles of transparency and accountability. The protection of this right is regarded as one of the most important means of reinforcing the protection of human rights in general, combating corruption and contributing to the advancement of society economically, politically, socially and culturally.

⁴¹ Al-Rai newspaper, 25/2/2013.

⁴² For these recommendations, see the Report of the National Centre for Human Rights for 2012, pp. 59–61.

The International Covenant on Civil and Political Rights (ICCPR) contains an explicit provision⁴³ on this right. Moreover, the State, through its three branches, is obliged under its constitutional and international obligations to respect this right by refraining from any acts that infringe upon it, in addition to protecting it from violations committed against it and adopting the legislative and administrative measures that ensure its realisation in practice, and guaranteeing the freedom of individuals to seek, receive and impart information without interference.

Legislation Governing the Right to Freedom of Opinion, Expression and the Media

The year 2013 witnessed no amendments to the legislation governing freedom of the media and expression in respect of media work in Jordan.⁴⁴ However, the repercussions of the application of the provisions of the amended Press and Publications Law No. (32) of 2012 continue to affect the media landscape in Jordan, the number of websites registered with the Press and Publications Department having reached (156). The year 2013 also witnessed the Press and Publications Department blocking, on 3/6/2013, (236) news websites that had not registered with the Press and Publications Department. The decision to block the websites was accompanied by sit-ins and protests in which media professionals, website owners and human rights activists took part, condemning the decision as a restriction on the right to freedom of opinion and expression and the right to freedom of the media.

In terms of practice, the problems arising from the application of the Press and Publications Law emerged early. Notwithstanding the Government's assurance that the amended Press and Publications Law would not affect electronic blogs and social media sites,⁴⁵ one electronic blog was blocked pursuant to Article (49) of the Press and Publications Law after it had been classified as a news website (which highlights the lack of clarity of the provisions of the Law and its incompatibility with the nature and particularity of cyberspace). The Law requires an electronic publication to register and obtain a licence if its activity consists of publishing news, investigations, articles and comments relating to the internal or external affairs of the Kingdom. This is a loosely-worded provision, since certain electronic blogs carry their own electronic address and publish news and articles and conduct investigations, which means that they may be covered by this legislative provision; this in turn constitutes a restriction on the exercise by ordinary individuals of the right to freedom of opinion and expression. It is worth noting that in 2013 the High Court of Justice decided not to grant the request of certain websites to challenge Article (49/g) of the Press and Publications Law before the Constitutional Court.

⁴³ Article (19) of the International Covenant on Civil and Political Rights.

⁴⁴ There are twelve laws in Jordan directly relevant to the media, namely: the Press and Publications Law and its amendments; the Law on Guaranteeing the Right of Access to Information; the Law on the Protection of State Secrets and Documents; the Jordan Press Association Law; the Penal Code; the State Security Court Law; the Criminal Procedure Code; the Jordan News Agency Law; the Radio and Television Corporation Law; the Audiovisual Media Commission Law; the Information Systems Crimes Law; and the Law on Contempt of Court. In general, this legislation contains a number of provisions that contravene international human rights standards and that adversely affect the process of democratic development and the ceiling of media freedoms in Jordan.

⁴⁵ It is noted that the Human Rights Committee established under the International Covenant on Civil and Political Rights affirmed, in General Comment No. (34) on Article (19) of the Covenant, the need to extend the protection of freedom of expression to cover the new media, including bloggers or what are known as "citizen journalists".

On another level, the 2013 Media and Press Freedoms Index report prepared by the Jordan Press Association indicated that the level of press and media freedoms had declined by seven points compared with 2012, attributing this mainly to the amendments made to the Press and Publications Law, which began to be implemented in June 2013, and the accompanying blocking of unlicensed news websites, in addition to the suspension of publication of the Al-Arab Al-Yawm newspaper by its publisher, which caused the rise recorded in the “total closure” and “temporary closure” indicators.

Audiovisual Media

The Audiovisual Media Commission Law regulates this sector of the media. This sector is credited with contributing to raising the level of media performance and media freedoms in Jordan, by addressing numerous sensitive issues in society, by its ability to follow up and analyse daily local details, and by offering programmes that differ in form and content from the programmes that the government media has been accustomed to presenting. Notwithstanding this pioneering role of the sector, the Audiovisual Media Commission Law still contains a number of provisions that infringe upon freedom of opinion and expression and freedom of the media, the most prominent of which is Article (18/b), which empowers the Council of Ministers to refuse to grant broadcasting licences to any party whatsoever without stating reasons. Regrettably, in 2013 the broadcasting of nine satellite channels operating in the Media City was suspended on the grounds of their failure to regularise their status in accordance with the Audiovisual Media Commission Law, which prohibits the broadcasting of any media or satellite signal without obtaining the necessary licences.

The Right of Access to Information

Although Jordan was the first Arab State to enact a law on the right of access to information, in 2007, in order to facilitate citizens’ access to information, practice shows that this Law has not achieved its aim of changing the culture of secrecy pursued by official bodies and institutions, nor has it produced a free and steady flow of information to citizens and journalists on the ground. In 2013, the Government submitted a draft law amending the Law on Guaranteeing the Right of Access to Information, the amendment addressing the following provisions: redefining classified information and documents; the composition of the Information Council; adding a new article to the Law requiring the Chair to submit an annual report on the exercise of the right of access to information to the Prime Minister, provided that the Prime Minister furnishes each of the Senate and the House of Representatives with a copy of the report at the beginning of each ordinary session of Parliament (the National Assembly); expanding the personal scope of the Law by granting foreigners the right of access to information; shortening the statutory period required for responding to a request for information from thirty days to fifteen days; and amending the mechanisms for lodging grievances before the Information Council and appeals before the High Court of Justice.

On this occasion, the Centre reaffirms what was stated in its previous reports, namely that the Law requires a comprehensive review in order to realise the principle of maximum disclosure of information. The Law in its current form withholds more than it facilitates access to information, since priority is given to the application of other relevant laws, in particular the Law on the

Protection of State Secrets and Documents, which in its current form constitutes an obstacle to the application of the Law on the Right of Access to Information.⁴⁶

Since the commencement of the application of the Law and until the end of 2013, the number of institutions that had classified their information in accordance with Article (14) of the Law reached (94) out of (111) institutions.⁴⁷ The number of requests for access to information⁴⁸ submitted to ministries, institutions and government departments in 2013 reached (2,209) requests, of which (2,101) were answered while (108) requests were refused. The bodies that refused to grant information justified this on the grounds of the unavailability of the information in respect of (107) requests, and on the grounds that the body lacked competence to provide the information in one request. The number of complaints submitted to the Information Council by reason of certain bodies' refusal to respond to requests addressed to them reached (15) complaints, (10) of which concerned the refusal to provide information on the work of disciplinary boards at universities.⁴⁹ The decision of the Information Council was to accept the complaints and to require the universities to furnish the applicant with the requested information within the limits of the question, having regard to Article (18) of the Law. The remaining complaints were distributed as follows: one complaint concerning the failure to obtain information from the Financial Disclosure Department; the complaint was rejected by the Council on the grounds that the requested information is protected under Article (13/a) of the Law. The second complaint concerned a request for information relating to the purchase of a plot of land; the Council's decision was to accept the applicant's request and to require the Jordan Engineers Association to furnish him with the requested information. The third complaint concerned a request for a copy of the agendas and minutes of meetings of the Tourism Committee; the decision of the Information Council was to accept the applicant's request and to require the relevant body to furnish him with the requested information. The fourth complaint concerned a request for the report on the exercise of the right of access to information; the Council decided to undertake to respond to the request itself and to furnish the applicant with the report, having regard to Article (13) of the Law. The last complaint concerned a request for information on permission for an additional aviation academy to operate

⁴⁶ The Centre has affirmed in its previous reports the need to amend the Law on Guaranteeing the Right of Access to Information, specifically the following articles: 1. Amending Article (3/a) concerning the composition of the Information Council so as to guarantee its independence from the executive authority and the balance of its membership. 2. Expanding the functions of the Information Council set out in Article Four to include guaranteeing the facilitation and expansion of the right of access to information, monitoring breaches and violations of this right, and publishing studies that identify the challenges and obstacles standing in the way of the effective enforcement of this right. 3. Amending Article (4/e) so that the report on the right of access to information is submitted to the Prime Minister, the House of Representatives and the Senate. 4. Amending Article Seven so as to ensure the extension of the right of access to information to natural and legal persons, whether citizens or residents, and abolishing the interest requirement, given the absence of any control or criterion for it. 5. Repealing Article Ten of the Law, since it relates to intentions and has no specific control or criterion. 6. Amending Article (13) of the Law, which unjustifiably expanded the scope of exceptions to the Law. 7. The need to shorten the period of (30) days for responding to a request provided for in Article (9/c) of the Law, while taking account of urgency where justified. Furthermore, the Law does not provide for deterrent penalties against any person who withholds information from those requesting it, destroys information in his possession without right, or provides incorrect information.

⁴⁷ The Information Council.

⁴⁸ Ibid.

⁴⁹ These universities are: Al-Zaytoonah University, Jordan University of Science and Technology, Mutah University, the Hashemite University, Amman Ahliyya University, Yarmouk University, Al-Isra University, Al-Balqa Applied University, Applied Science University and the University of Jordan.

at King Hussein International Airport in Aqaba; the Council's decision was to require the applicant to specify the subject of the requested information, to state precisely the data requested from the Civil Aviation Regulatory Commission, and to submit his request for information anew.

The number of cases filed before the High Court of Justice in 2013 concerning the refusal of requests for access to information reached two cases, both of which were decided during the same year. The first was dismissed on formal grounds for lack of jurisdiction, while the second was dismissed on formal grounds for lack of proper standing of the parties.

The Crisis of the Print Press

The year 2013 witnessed an aggravation of the crisis of the print press. A number of journalists⁵⁰ attributed the crisis facing the print press to several causes, the most important of which are: the managements of newspapers entering into ill-considered competition in the purchase of technology and modern software and in expanding the number of pages and colour supplements, with the high costs this entails; in addition to overburdening newspapers with appointments; the Government's imposition of high fees and taxes on newspapers; the increase in customs duties on production inputs; and the absence of fairness in the distribution of advertisements among the daily newspapers.

Among the most prominent repercussions of the crisis of the print press were the failure of the Al-Arab Al-Yawm newspaper to pay the salaries of its employees, its dispensing with the services of a number of staff, and its suspension of publication for a period of two months, after which it resumed publication on 8/12/2013 at the rate of six days a week, not appearing on Saturdays, with a modest number of pages and in a single section, having previously been published in several sections. Likewise, the employees of Al-Rai newspaper, the largest of the daily newspapers, staged an open-ended sit-in that lasted thirty-six days, demanding that the newspaper's management implement the collective labour agreement⁵¹ concluded with the newspaper's management in 2011, in addition to denouncing government interference in the newspaper's affairs. The protests reached their peak with the newspaper ceasing publication on 12/11/2013. In a precedent considered the first of its kind in the history of the Jordanian press, the security forces stormed the premises of Al-Rai newspaper on Wednesday, 6/11/2013, in order to bring the protests under control; however, the protests did not end until the collective labour agreement had been implemented and the Chairman of the newspaper's Board of Directors had been replaced.

Violations to Which Media Professionals and Journalists Were Subjected in 2013

No case of killing or abduction of media professionals was recorded in 2013 (and Jordan has never, throughout its history, recorded any case of the killing of journalists); this is the most important indicator in measuring press freedoms. Nor was any breach recorded relating to the

⁵⁰ The Centre monitored the sit-in staged by employees of the Al-Arab Al-Yawm newspaper following the temporary suspension of the newspaper's publication, during which the journalists expressed their views and the causes of the crisis of the print press.

⁵¹ The terms of the agreement include allocating a bonus to employees as compensation for their shares that had previously been sold, and opening an investigation into suspicions of corruption involving the new printing press project, which cost approximately fifty million dinars.

total or temporary closure of any newspaper, nor was any case of expulsion of foreign correspondents from the Kingdom recorded. No information was received concerning any case of obstruction of the distribution of newspapers or official confiscation of documents from these newspapers.

On the other hand, the Centre monitored a number of violations that affected press and media freedoms in the Kingdom to varying degrees, as follows:

Physical Harm and Confiscation of Equipment by the Security Services

- A journalist was beaten by the Gendarmerie forces on 14/10/2013 while covering a protest against the detention of two residents of the Tafayleh neighbourhood, in connection with protest movement activities in the city centre of the capital.

Physical Harm and Confiscation of Equipment by Non-Official Parties

- The correspondent of Al-Ghad newspaper in Mafraq Governorate was assaulted on 23/10/2013 by unknown persons, who struck him with a vehicle, causing him injuries.
- The managing editor of the weekly Al-Hayat newspaper was assaulted by an armed group belonging to a businessman.

Arrest and Temporary Detention

- The publisher of the Jafra News website and its editor-in-chief were arrested on 17/9/2013 and referred to the State Security Court on a charge of disturbing Jordan's relations with an Arab State. They were released on financial bail after (100) days of detention; this is the longest period of detention of journalists in Jordan.

Prior Censorship

- The prohibition by newspaper managements of the publication of certain articles in the daily newspapers continued, with their writers resorting to publishing them on websites.⁵²

Subsequent Censorship

- Certain media outlets reported that the security services had requested one of the websites to remove a video clip relating to a prince in a sister Arab State.
- Certain media outlets reported that a State department had removed a news item from a website relating to the purchase by the Prime Minister of an expensive vehicle.

Blocking of Websites and Suspension of Work or Broadcasting

- The Press and Publications Department blocked (236) news websites on the grounds of their failure to complete the licensing procedures in accordance with Article (49) of the new Press and Publications Law.

⁵² Among the articles that were prohibited, we mention the following: "How Shall We Receive Obama" (prohibited on 20/3/2013), "A Letter from Under the UN" (prohibited on 17/3/2013), "Hatrash" (prohibited on 14/3/2013), "Wanted: A Consultations Coordinator" (prohibited on 12/3/2013), "President Idol" (prohibited on 5/3/2013), and "To the Sri Lankan Ambassador" (prohibited on 4/3/2013).

- On 2/7/2013, the Press and Publications Department blocked the “Hibr” blog, considering it a news website.

With regard to the prosecution of journalists, media professionals and holders of differing opinions, the Centre monitored in 2013, through the various media outlets, the following cases:

- In 2013, the courts decided (152) civil and criminal press and publications cases, while (158) cases remain pending before the courts.
- An official complaint was filed against a website for publishing a news item relating to the purchase by the Prime Minister of an expensive vehicle.⁵³
- The editor-in-chief of a daily newspaper appeared before the Amman Public Prosecutor for investigation in the case filed against her by the former Chief Commissioner of the Aqaba Special Economic Zone Authority, on account of the newspaper’s publication of information concerning his referral by the Board of Commissioners to the Public Prosecutor for investigation on suspicion of corruption during his tenure as head of the Authority.
- A judicial decision was issued finding the editor-in-chief of the Al-Arab Al-Yawm newspaper not liable in the case instituted by the Attorney General in Amman on the basis of a letter from the Prime Ministry addressed to the Minister of Justice, on account of the newspaper’s publication of a news item stating that the cost of a visit by a Prime Minister and his accompanying delegation to a certain State amounted to approximately two million dinars.⁵⁴

⁵³ According to information provided by the owner and editor-in-chief of the website to the National Centre for Human Rights.

⁵⁴ The decision stated: “The Court finds that the press material is consistent with the rules and limits laid down by the Law with a view to enabling the press to achieve its aims and objectives without disregarding or prejudicing the higher interests of the State and the rights of others; and whereas the published news item did not go beyond the expression of opinion on a procedure or act without prejudice to the person of the one responsible for the matter or act with the aim of defaming him or degrading his dignity; and whereas the aim of publishing the article was to serve a public and social interest and not mere vilification and defamation; and whereas the news item discusses one of the important and vital matters relating to economic affairs, specifically the financial crisis from which the country suffers, and relates to the political stability of the country on which the future and security of the country depend, and every holder of an opinion must express his opinion and set out the economic situation of the country and the optimal means of resolving it through the control of expenditure and the increase of resources, the Court finds that all of these conditions are met; and in view of its having been established that the cost of the Prime Minister’s visit, according to written letters kept in the file, included (25,000) dinars as an advance disbursed by the Ministry of Finance and an amount of (46,000) dollars as the cost of the private aircraft for the Prime Minister and the accompanying delegation, in addition to air tickets for two of those accompanying him on the visit, to be disbursed from the general expenditure chapter of the budget; and whereas the statements of Royal Jordanian Airlines established that the Government paid an amount of (32,609) as the cost of the aircraft booking; the press material is not vitiated by inaccuracy in part of the amounts spent on the trip; and whereas the testimony of the witness Rajab Al-Nu’ayrat was contradictory and the Court was not convinced by it, since it is not a condition for the permissibility of publication that the fact contained in the news item be true in itself and correctly attributed to the person to whom it is attributed, so long as nothing has been produced to establish that the newspaper fabricated untrue news having no basis in reality, introduced distortions into true facts, or presented the true fact outside its context or attributes in a manner that takes the fact outside the scope of its truth; particularly since a journalist does not possess the means that would enable him to gain free access to sources of information, as he is not a judicial police officer, and it is legally and practically impossible for him to verify the

New Protest Tools

In 2013, some journalists resorted to the use of new protest tools that had not been customary in previous years, including:

- A journalist went on hunger strike for a period of (17) days after being arbitrarily dismissed from the Al-Arab Al-Yawm newspaper; the journalist claimed that the dismissal was the result of his positions and opinions, whereas the newspaper's management claimed that the dismissal was the result of the financial difficulties facing the newspaper.
- A website publisher sought political asylum in Sweden on the basis of claims that he had been subjected to pressure and security harassment.

International Reports and Indicators

The recommendations issued by the Human Rights Council following the Universal Periodic Review (UPR) of the human rights situation in Jordan in 2013 included (18) recommendations relating to the right to freedom of opinion, expression, the media and the Internet. Jordan accepted fifteen of these recommendations and deferred three recommendations for study. Most of the recommendations accepted by Jordan focused on the need for a comprehensive review of the laws relating to the media and freedom of the press, the most important of which are the Press and Publications Law, the Penal Code and the Information Systems Crimes Law, in addition to the need to conduct independent investigations into all cases of assault, violations, harassment and intimidation to which journalists are subjected, and to bring the perpetrators of violations to justice. These recommendations also affirmed the importance of enhancing Internet freedom and access to information.

Jordan ranked (134) worldwide on the scale of media and press freedoms, according to a report issued by Reporters Without Borders, owing to its restrictions on websites and the arrest of journalists and their referral to the State Security Court.

Jordan ranked fifth regionally and (145) worldwide out of (197) States, according to what was published by the CNN website on freedom of expression in the Middle East region. This ranking resulted from the recording of several cases of arrest, violence and intimidation of journalists, bloggers and Internet users on account of their opinions.

Recommendations

The Centre reaffirms its previous and repeated recommendations on the need to amend the package of legislation governing the right to freedom of opinion and expression, freedom of the press and the right of access to information, in conformity with the Constitution and international human rights standards. The most important of these laws are:

- The Press and Publications Law, through a complete review of the Law. Among the most significant amendments that must be taken into consideration are: abolishing the

accuracy and details of the subject or news item addressed by the press material, provided that there is strong evidence of the truth of those facts.”

requirement of prior licensing for the establishment of newspapers and websites and replacing it with a notification submitted to the competent body;⁵⁵ reconsidering the presumed liability of the editor-in-chief provided for in Article (42) of the Law, which was expanded to include the liability of the editor-in-chief for readers' comments on news websites pursuant to Article (49) of the same Law; and reducing the exorbitant fines imposed as penalties under the Law, some of which reach twenty thousand dinars and which in themselves constitute an indirect restriction on freedom of the press and the media; and introducing a provision prohibiting the prosecution of a journalist in connection with his professional work other than under the Press and Publications Law and not under the Penal Code.

- Amending the Jordan Press Association Law No. (15) of 1998 so as to keep pace with the changes witnessed by the media in all its forms (audiovisual and electronic media), and expanding membership of the Association to include media professionals working in satellite stations, private radio stations and electronic news websites.
- Amending the Law on the Protection of State Secrets and Documents, which is founded on the concept that any official information is, in principle, secret, which undermines the right of access to information and consequently obstructs transparency and accountability, both of which are necessary to safeguard the public interest by promoting integrity and combating and exposing corruption.
- Classifying audiovisual media into official media, commercial media and community media, and exempting community radio stations from fees in order to encourage them and to enhance their contribution to the development of local communities and to guaranteeing the right to public participation.
- Working with the owners and managements of print newspapers to address the crisis of the print press and to avoid the causes that have led to the successive crises of the print press.

The Right of Assembly

The Jordanian Constitution⁵⁶ guarantees citizens the right of assembly and organisation, including the organisation of marches, demonstrations and public events. International human rights instruments likewise guarantee this right, as it is closely linked to the right to form and join

⁵⁵ The Centre affirms that the practice followed in democratic States is to deposit the address of the website with a technical body whose function is limited to verifying that the website address is not duplicated anywhere in the world, and which does not interfere in any other matter relating to the website, leaving it to the judiciary to rule on any action brought against the website, whose address is known, by persons and parties harmed in the event that harm occurs. Furthermore, what is internationally agreed upon in this context is to deal firmly with websites that broadcast material contrary to public morals, that prejudice national security, that tamper with financial and economic transactions, or that break into protected websites, among other matters that protect society. This is what Jordanian legislation has sought to address through the Information Systems Crimes Law of 2010 and through the Jordanian Telecommunications Law.

⁵⁶ Article (16/1) of the Jordanian Constitution provides that Jordanians shall have the right of assembly within the limits of the law.

associations and political parties, the right to freedom of opinion and expression, and other political rights.

The year 2013 witnessed no governmental move to review the legislation relating to the right of peaceful assembly, despite the many observations previously set out by the National Centre in its previous annual reports, the most important of which are: (a) redefining a public meeting in the Law so as to include the generally recognised essential elements that must form part of the definition of any public meeting,⁵⁷ particularly since the distinction between a public meeting and a private meeting is significant given that the latter is not subject to the provisions of the Public Meetings Law; (b) permitting legal persons to submit written notification of the holding of a public meeting, or to sign it, together with natural persons; (c) limiting the broad powers of the Minister of Interior under the Public Meetings Law, consisting of the power to exempt certain meetings from the provisions of the Public Meetings Law and to issue the Instructions necessary for the application of the provisions of the Law at any time he wishes; (d) specifying in the Law the nature of the precautionary and security measures that the administrative governor may take in cooperation with the security services associated with him, and requiring that the organisers of the public meeting or march be notified thereof before the date on which either is held; and (e) expressly providing for the possibility of submitting notification electronically.

On another level, 2013 witnessed a decline in the number of sit-ins, popular protest stands and mass marches calling for reform and the combating of corruption and denouncing high prices, compared with 2012. On the other hand, numerous sit-ins and professional strikes were staged this year by employees and workers in a number of public and official institutions (employees of the Ministry of Justice, nurses of the Ministry of Health, municipal employees, employees of the Ministry of Public Works, electricity sector workers, workers at the Ports Corporation, customs employees, etc.). Despite the diversity of the bodies organising these sit-ins and protest stands, all of them converged on a single objective, namely demanding the improvement of the financial and living conditions of the workers in these institutions.

Most of these events were characterised by their peaceful nature, and the handling of these events by law enforcement agencies was, for the most part, free of violence. However, certain non-professional mass gatherings, as well as certain professional sit-ins, were dispersed by force, the most important of which were: (a) the so-called “Anger March (21)” staged by certain political and party forces in Irbid Governorate on 12/4/2013 to demand political reforms. The forcible dispersal of that march resulted in injuries to eleven of its participants and the arrest of dozens of them, in addition to injuries to a number of media professionals and members of the security forces and the Gendarmerie. The Centre recommended at the time that the commission of inquiry formed by the Prime Minister, chaired by the Minister of Justice and assisted by the Minister of Interior, complete its work promptly and act in accordance with procedures characterised by fairness and transparency, publish the findings of this commission to the public as soon as possible, prosecute every person proven to have committed, participated in, known of or remained silent about the assaults suffered by the protesters, and hold the Government responsible, including through the need to compensate all affected protesters and citizens for all material or

⁵⁷ These are the element of organisation, the element of timing, the element of the purpose of the meeting, the element of publicity and openness of invitations, and finally the element of number.

moral harm they suffered. However, the National Centre did not receive the findings of the work of that commission of inquiry, nor were its findings published to the public. (b) The sit-in staged by a number of workers of the Ports Corporation in Aqaba Governorate on 24/12/2013 to demand the improvement of their living conditions. (c) On 29/10/2013, the protesters from among the employees of Al-Rai newspaper were taken by surprise when the Gendarmerie forces stormed the newspaper's building in order to end the open-ended sit-in staged by the protesters in protest against government interference in the newspaper's policy, in addition to their management's failure to meet their demands. (d) The threat of the use of force by the Gendarmerie forces during their heavy presence inside the Palace of Justice building on 28/4/2013, in order to influence the right of the employees of the Ministry of Justice to continue their sit-in, which they had staged to demand the improvement of their living conditions, an increase in their salaries and the resolution of certain administrative problems from which they suffer. This is inconsistent with the responsibility of the Government and the law enforcement agencies to protect the right of employees to peaceful assembly and to strike.

It is noteworthy that in 2013 numerous political and party groups and youth forces staged numerous sit-ins and protest stands demanding the release of detainees from among the activists of the protest movement who had been detained by the State Security Court. These activities resulted in the State Security Court releasing, on 11/11/2013, eight detainees of the popular protest movement.

In view of the absence of any noticeable development at the level of the legislation relating to this right, the Centre once again reaffirms the recommendations set out in the Centre's previous reports, the most recent of which was the Ninth Report for 2012, in a manner that guarantees individuals' exercise of their right to peaceful assembly and the role of law enforcement agencies in protecting citizens' exercise of this right⁵⁸.

The Right to Form and Join Political Parties

The Jordanian Constitution and the Arab and international human rights instruments guarantee the right to form and join political parties. In 2013, the provisions of the Political Parties Law No. (16) of 2012⁵⁹ were applied. The practical application of the said Law revealed numerous procedural and substantive problems obstructing citizens' exercise of the right to form political parties. The National Centre had previously addressed in its Annual Report for 2012⁶⁰ the existence of such problems, and it reaffirms the need to reconsider this Law.

In 2013, the Financial Regulation governing the Government's contribution to supporting political parties, No. (62) of 2013⁶¹, was issued. Article 3 thereof set out the conditions for a party's entitlement to the financial contribution as follows: (a) the lapse of one year from the date of the party's establishment; (b) the party's membership shall not be fewer than (500) persons; (c) the financial contribution shall be spent on rent for the party's premises and on operating expenses

⁵⁸ For further information on these recommendations, see the National Centre for Human Rights Report for 2012, p. 77.

⁵⁹ Official Gazette, Issue (5161), dated 6/6/2012, p. 2529.

⁶⁰ For further information, see the Annual Report of the National Centre for Human Rights for 2012, p. 79.

⁶¹ Official Gazette, Issue (5228), dated 1/7/2013, p. 3079.

such as water, electricity, furniture, staff salaries and the wages of employees who are not members of the party. Article 4 of the Regulation set the amount of the financial contribution granted to a party at (50) thousand dinars per year, payable in two equal instalments. The Regulation referred to the Political Parties Affairs Committee the issuance of the Instructions necessary for the implementation of its provisions. The National Centre recorded the following observations on this Regulation: (a) the failure to adopt a clear, objective approach in determining the bases for granting financial support to political parties, and reliance on formal criteria only; (b) the Regulation's violation of the provisions of the Law by granting the Committee powers to impose penalties on parties, namely withholding one or more instalments of the financial contribution where a party violates the provisions of the Law; (c) interference in the internal management of parties, in that it restricts the spending of the financial contribution to rent for premises, water, electricity, furniture, staff salaries and employees' wages, provided that such spending does not exceed (5) thousand dinars; (d) the Regulation provides that one of the criteria for a party's entitlement to the financial contribution is that its membership shall not be fewer than (500) persons, which constitutes a repetition of the provisions of Article (6) of the Law, which requires that the number of founding members shall not be fewer than (500) persons, and this condition is therefore superfluous. Moreover, requiring a specific number of members for a party to exist in the first place, or to be licensed, is contrary to international standards; (e) the Regulation grants the Committee powers to withhold one or more instalments of the financial contribution where a party violates the provisions of the Law, which constitutes a clear violation of the provisions of the Law that regulates the procedures and system for imposing penalties, since no penalty may be introduced by virtue of the Regulation that the Law did not provide for, given that the purpose of the Regulation is executive.

As a contribution by the National Centre to involving parties in developing the legislative environment and creating a consensual environment on public issues, and to building the capacities of parties, the Centre held in 2013 a national conference on "The Role of Parties in Reform and Democratic Transition in Jordan", and eight workshops, which addressed the subject of internal democracy within parties, the role of parties in promoting citizens' economic rights, and the role of parties in civil and political rights. A number of representatives of political parties took part in these workshops and engaged in in-depth dialogues on the reality of parties and the roles expected of them, and on enhancing their role in public participation. The conference and workshop participants arrived at a set of recommendations that converge with the recommendations of the National Centre aimed at strengthening the right of individuals to form and join parties, falling under the following themes: (a) introducing constitutional amendments guaranteeing the protection of citizens' rights and the individual's right to enjoy his rights and freedoms, including enshrining the principle of the rule of law and the impermissibility of immunising administrative decisions, and developing the national legislation governing political rights, such as the Elections Law, the Political Parties Law, the Public Meetings Law, the State Security Court Law, the Press and Publications Law, the Audio-Visual Media Law, the Societies Law and the Municipalities Law, in harmony with international human rights standards; (b) promoting citizens' economic rights and paying greater attention to the problems of poverty and unemployment by adopting systematic methods, which are among the fundamental requirements of economic reform, such as strengthening and supporting small productive project programmes rather than a system of dependency or relief, expediting the comprehensive reform of the tax

system by reconsidering the Income Tax Law so as to move towards progressive taxation in order to achieve social justice, and reconsidering the General Sales Tax Law in a manner that leads to the economic empowerment of citizens and serves their interests, in addition to enacting the legislation necessary to empower women to access their rights; (c) strengthening internal democracy within parties towards greater transparency and rotation of party leadership, through: the distribution of powers among the various bodies of the party; limiting the term of office of the secretary-general and internal bodies; promoting a culture of transparency and disclosure; strengthening the participation of women and youth, particularly in leadership bodies; and establishing a system of litigation within the party regarding members' violations; (d) generalising community awareness in universities, schools and the media on democracy and the importance of the role of parties in political development and decision-making, encouraging individuals to engage in party activity, and opening State institutions to political parties and involving them in the management of public affairs.

Recommendations

In order to protect the right to form parties, develop party life and revitalise it on democratic foundations, the Centre reiterates its recommendations set out in its previous annual reports, the most important of which are:

- Expediting the adoption of a new Political Parties Law consistent with international standards on the freedom to form and join parties, and granting them further guarantees to disseminate their principles and ideas, in accordance with the fundamental principles emphasised by the National Centre.
- Ceasing all governmental practices liable to influence joining political parties or engaging in their activities, developing school and university curricula in the field of civic and political education, and removing any provisions that conflict with freedom of opinion and expression, political pluralism, and the right to form and join parties.
- Involving all civil society forces, including political parties, in development plans and community programmes, and not infringing the right of parties to address public opinion, including among youth.
- Expediting the amendment of the system of financial support for political parties, in consultation with them and with the relevant bodies, so as to agree on objective bases and criteria according to which support is provided to parties, in line with best international practices in successful democratic States, based on the number of party members, the party's spread across the governorates of the Kingdom, the proportion of women represented in the party's general and leadership bodies, the number of seats held by the party's representatives in the House of Representatives, the number of votes obtained by the party in parliamentary elections, the existence of a periodic newspaper or publication of the party, the party's activities and public participation, and its adherence to standards of good governance in its work.

The Right to Form and Join Trade Unions

The Jordanian Constitution guarantees the right to form and join trade unions in Articles (16/2) and (23). International conventions also guarantee this right, in Article (23) of the Universal Declaration of Human Rights and Articles (21) and (22) of the International Covenant on Civil and Political Rights, while the International Covenant on Economic, Social and Cultural Rights reinforced this international orientation in a number of its provisions⁶².

Legislation

In 2013, the Constitutional Court issued its Interpretative Decision No. (6) of 2013, which included the interpretation of Articles (23) and (120) of the Constitution, stating that employees in any ministry, department, public body or governmental institution may establish their own trade union, even if they are employees subject to the Civil Service Regulation, regardless of whether such employees have counterparts in the private sector outside the governmental sector or not, provided that this is done by virtue of legislation or legislative enactments issued for this purpose, according to what the legislative authority, which holds the original competence in legislation, deems appropriate⁶³. It is noteworthy that, up to the date of preparing this report, the Centre had not observed any governmental move to begin issuing a law regulating trade union activity for the public employee sector.

In 2013, the Labour and Development Committee of the House of Representatives also discussed the Amended Provisional Labour Law No. (26) of 2010. The Labour and Development Committee held repeated and continuous meetings with all the parties concerned to discuss ways of amending its provisions in harmony with the constitutional amendments. The House of Representatives is expected to discuss the proposed amendments in its next session. In this regard, the National Centre emphasises the importance of giving trade union freedoms the necessary attention in a manner that guarantees workers' right to form new trade unions in addition to the existing unions for the same occupations, which requires the removal of provisions that conflict with the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Labour Organization Declaration on Fundamental Principles and Rights at Work.

In 2013, the Government approved draft amending laws for professional associations, the most important of which were: (a) the Council of Ministers' approval of the amendment of the Jordan Bar Association Law No. (11) of 1972, by virtue of which numerous legal safeguards were introduced to guarantee the immunity of lawyers and to prevent assaulting, prosecuting or searching a lawyer during a trial or while practising the legal profession, or searching his office, correspondence or e-mail, or detaining or questioning him, except after notifying the President of the Bar Association so that he may attend or delegate a member of the Council. This is in addition to amending legal provisions regulating the affairs of the profession, such as establishing a training institute for lawyers and raising their retirement pension. However, the draft Law is devoid of any provision regulating in detail and institutionalising the procedures for providing legal aid, which has become a pressing demand as one of the guarantees of a fair trial. (b) The

⁶² See Articles (4), (5) and (6) of the International Covenant on Economic, Social and Cultural Rights.

⁶³ Official Gazette, Issue (5238), dated 24/7/2013, p. 4111.

Government's preparation of a draft of the Law of the Association of Workers in the Medical and Allied Health Professions, which aims to raise the level of performance and the quality of health services and to preserve professional ethics and standards, in addition to defending the interests of the association's members and organising the economic, social, scientific and cultural services for its members. The draft of this Law was posted on the official website of the Legislation and Opinion Bureau in order to take into account the comments of citizens on the content of this Law; however, up to the date of preparing this report, the draft Law had not been approved by the Council of Ministers. The National Centre calls on the Government to expedite the completion of the procedures for referring this draft Law to Parliament (the National Assembly) in preparation for its adoption.

In the same context, the Council of Ministers approved in 2013 a set of regulations relating to professional associations, the most important of which were: the Health Insurance Regulation of the Jordan Engineers Association No. (6) of 2013⁶⁴, which aims to provide the best types of health services and to regulate health insurance and contributions for the association's members, and to determine health insurance premiums and the expenses borne by the fund; and the Internal Regulation of the Jordan Agricultural Engineers Association No. (67) of 2013⁶⁵, by virtue of which numerous provisions were introduced setting out the mechanism and manner of enrolment and acquisition of membership and regulating the financial and administrative affairs of the association. The Internal Regulation of the Geologists Association No. (52) of 2013⁶⁶ was also approved, by virtue of which numerous provisions were introduced regulating the mechanisms and procedures for electing the association's council, the functions of the council members, the records required to be kept, and the amount of the fees collected from members. The Amended Regulation of the Social Solidarity Fund for Physicians No. (77) of 2013⁶⁷ was approved, by virtue of which the age of the beneficiary of the Solidarity Fund was raised from (45) years to (55) years. The amended Instructions to the Instructions on the Technical and Administrative Classification of Physicians, Dentists and Pharmacists of 2013⁶⁸ were also approved, with the aim of regulating the points that a physician obtains so as to be commensurate with the incentives to which he is entitled. The Regulation on Professional Titles and Specialisation for Physicians No. (79) of 2013⁶⁹ was approved, by virtue of which the general rules and procedures for granting medical titles and the conditions required for entitlement thereto were determined.

Professional Associations

In 2013, the following professional association councils were elected: the election of the Council of the Jordan Bar Association for its forty-first session, and the election of the Council of the Jordan Dental Association. In 2013, no new professional association was established, despite the continued demands to establish associations for workers in professional sectors, the most important of which were: (a) establishing a trade union organisation for workers in the legal

⁶⁴ Official Gazette, Issue (5205), dated 14/2/2013, p. 659.

⁶⁵ Official Gazette, Issue (5236), dated 5/8/2013, p. 3823.

⁶⁶ Official Gazette, Issue (5224), dated 16/10/2013, p. 2711.

⁶⁷ Official Gazette, Issue (2549), dated 31/10/2013, p. 4945.

⁶⁸ Official Gazette, Issue (4912), dated 16/6/2013, p. 4382.

⁶⁹ Official Gazette, Issue (5257), dated 1/12/2013, p. 5200.

accountancy profession, in its two branches of accounting and auditing⁷⁰; (b) establishing an association for civil pilots, both working and unemployed, whose number is estimated at (700) pilots; (c) establishing an association for Sharia lawyers. With regard to this demand, 2013 witnessed notable progress, as the Chief Justice submitted to the Council of Ministers the draft Law of the Sharia Lawyers Association of 2013⁷¹; up to the date of preparing the report, the Council of Ministers had not taken a decision thereon.

In 2013, the festivals and popular conferences organised by the Council of Professional Associations on internal conditions and on the events through which the Arab region is passing in general continued, and no assault on participants or prevention of such events was recorded.

Labour Unions

Labour unions still suffer from numerous problems, and 2013 did not witness any tangible progress towards finding solutions to them. The most important of these problems and challenges may be highlighted as follows: (a) the failure to complete the procedures for adopting the Amended Provisional Labour Law No. (26) of 2010, it being known that the text contains provisions that conflict with the freedom of trade union organisation, which prompted many workers to continue joining the independent unions, which numbered (10) independent labour unions that established among themselves an independent labour federation, in addition to many independent union committees at workplaces; (b) the continued lack of homogeneity in union representation in many unions, such as the mining and metallurgical industries, petrochemicals, food industries and printing presses unions, to which workers in newspapers who are not journalists are affiliated, who are still demanding to be represented in independent unions; (c) the continued monopoly by the presidents of labour unions and the President of the General Federation of Jordanian Trade Unions of leadership positions and of membership of boards of directors and of union representation inside and outside the Kingdom, which requires substantial changes to the internal regulations of the labour unions and the General Federation in a manner that enhances labour participation, including prohibiting candidacy for the position of President or Vice-President of the Federation or of union president for more than two consecutive terms, and reducing the duration of the union term from (5) years to (4) years; (d) the lack of equality between employers and workers with regard to forming unions that look after and represent the affairs of the profession, as the Government has allowed employers to form unions whose number has reached approximately (85) employers' associations, whereas the number of licensed

⁷⁰ This profession is still regulated by the Jordan Association of Certified Public Accountants, which is subject to the direct supervision of the High Council for the Accountancy Profession; noting that during 2012 the draft law of the Accountants Association was reviewed and audited, and a general conference was held to launch the draft law, but this law has not been adopted by the Council of Ministers in preparation for proceeding with the constitutional procedures.

⁷¹ See the statement issued by the Chief Justice Department dated 27/3/2013: <http://www.alghad.com/index.php/portal/alghad-al-ordoni/article/616045>, which included a statement of the purpose of establishing this association: raising the level of the Sharia legal profession, organising the efforts of its members and helping to find legal means that guarantee a decent living for them and their families through the funds included in the draft law relating to retirement, health insurance and social security, as the association will work to look after the various affairs of the Sharia legal profession and its mission, serve justice and right, and consolidate the concept of cooperation among its members, in addition to regulating mechanisms for providing legal aid to those unable to afford it, which will reflect positively on the litigation process before the Sharia courts.

workers' unions stands at only (17) unions, and has not changed for four decades, which indicates that a broad sector of workers is deprived of joining in order to exercise their right to trade union organisation, which consequently reflects negatively on their labour rights, such as the right to collective bargaining, collective labour agreements, and economic and social rights and insurance.

Labour Protests

The phenomenon of protests demanding that workers be granted more labour rights continued, as these protests included workers in the public and private sectors. The number of protests in 2013 reached (894) protests, compared with (901) protests in 2012, while in 2011 they reached (829) protests. Labour protests took several forms, including strikes, sit-ins, threats to strike, and attempted suicide or self-immolation. Table No. (4) shows the number of these protests according to the type of protest.

Table No. (4): Distribution of Labour Protests by Type of Protest for 2013

Type of Protest	Number of Protests	Percentage
Strike	482	53.9%
Sit-in	283	31.7%
Threat to strike	106	11.9%
Suicide or suicide attempts	23	2.5%
Total	894	100%

It was observed in 2013 that nearly half of the labour protests were carried out by workers in the public sector, at a percentage of 54.3%, amounting to (485) protests, which indicates that broad sectors of public-sector workers feel aggrieved because of their low salaries, which are insufficient to cover their basic needs, the rise in the prices of goods and the requirements of living, the failure to review the salary scale in the public sector and the cost-of-living allowances, and the continuous and exorbitant rise in the prices of goods. By contrast, the percentage of labour protests carried out by workers in the private sector reached 40.2%, amounting to (360) protests, while the unemployed carried out (49) protests, representing 5.5% of the total labour protests⁷².

On another note, assaults on physicians and nurses while performing their work, whether working at the Ministry of Health or in private hospitals, continued in 2013. According to the Jordan Medical Association, 2013 witnessed six cases of assault on physicians, compared with (24) assaults⁷³ committed against physicians in 2012.

Recommendations

In view of the absence of real progress in 2013, whether in the field of legislation or practices relating to this right, the National Centre for Human Rights emphasises the importance of the legislative and executive authorities giving this right the necessary attention, proceeding from

⁷² Report on Labour Protests during 2013, prepared by the Jordan Labour Watch, Phenix Center for Economic and Informatics Studies, February 2013.

⁷³ <http://www.ammonnews.net/article.aspx?artid=149390#sthash.fhI7JYPW.dpuf>.

constitutional rules and international standards, as set out in the recommendations of the National Centre contained in its previous annual reports, the most important of which are:

- Reviewing the provisions of the Labour Law before the expiry of the period specified in Article (128) of the Jordanian Constitution, so as to guarantee the right of labour union organisation for each sector in a real manner and ensure the fair representation of its members, with the participation of labour unions in drafting it so that it does not conflict with the international conventions issued by the International Labour Organization that Jordan has ratified.
- Publishing all International Labour Organization conventions that have been signed in the Official Gazette, and ratifying International Labour Organization Convention No. (87) concerning Freedom of Association and Protection of the Right to Organise.
- The need for unions to follow the bases and standards of good governance and internal democracy and to develop their internal regulations in a manner that guarantees self-management and its rotation and serves the interests of their members.
- The engagement of professional associations in income-generating development and investment projects, and their undertaking a role in alleviating the economic and social burdens of their members and achieving appropriate standards of living for them.

The Right to Form and Join Societies

The Jordanian Constitution and international human rights instruments guarantee the right to form and join societies, and the Constitution entrusted the law with the task of regulating the formation of societies and monitoring their financial resources, while preserving the essence of this right and guaranteeing its exercise. Article (128) of the Jordanian Constitution affirms that no law may be issued that affects the essence of the right and its fundamentals.

Legislation

Despite the lapse of two years since the issuance of a decision of the Prime Minister to form a committee⁷⁴ to review the Societies Law with a view to amending and developing it in a manner consistent with the constitutional provisions and the international human rights instruments ratified by Jordan, 2013 did not witness any governmental initiative to review this legislation, and it was not included in the package of national legislation submitted by the Government to Parliament, even though the Amended Societies Law No. (51) of 2008, which governs this right, contains numerous problems and gaps liable to restrict the exercise of this right and is consequently inconsistent with the aforementioned Article (128), as the National Centre has emphasised in its previous annual reports⁷⁵.

⁷⁴ The membership of this committee comprises: the Ministry of Political Development and the relevant institutions, including the National Centre for Human Rights; however, this committee had not met up to the date of preparing the report.

⁷⁵ For further information on these problems, see the National Centre for Human Rights Report for 2012, p. (87).

In 2013, the Board of Directors of the Registry of Societies issued the “Instructions on the Classification of Societies” No. (1) of 2013⁷⁶, by virtue of which societies were classified according to their main specialisation, field of work and activities, and target groups, and a special form⁷⁷ was introduced for this purpose requiring societies to complete their technical, administrative and financial data, in addition to the list of the names of their staff. These Instructions also included a provision requiring all societies to regularise their status on the basis of the foregoing within a time period determined by the competent ministry, and should they fail to comply with these Instructions, the society shall be deemed in violation of these Instructions.

Despite the importance of these Instructions, which will help clarify the work of societies more effectively, they included a restriction on the freedom of societies in exercising their activities, as the report that the society’s management is required to submit to the Registry of Societies must contain detailed information on the society’s activities, the fields of its work, its administrative and financial activities, spending and expenditure mechanisms and other information, which constitutes interference in their internal affairs. It should be noted that the Societies Law obliges societies to submit annual financial and administrative reports to the general assembly in the presence of a representative of the supervising ministry and a representative of the Board of Directors of the Registry of Societies. This requirement, in addition to interfering in their freedom of work, constitutes a duplication in the submission of reports, since each society submits a report to the general assembly in the presence of the representatives of the ministry and the Registry Directorate pursuant to the provisions of the Law, in addition to the report that it will submit, in accordance with these Instructions, to the Registry Directorate.

On another front, 2013 witnessed activity by civil society institutions and societies concerned with human rights issues, represented in the formation of coalitions that prepared parallel reports to the second official report for the Universal Periodic Review of the human rights situation. They also participated actively in the discussions held in the Human Rights Council and submitted numerous recommendations to promote the human rights situation in Jordan, including amending the legislation governing this right, which converged with many of the recommendations submitted by Member States of the Human Rights Council to the Jordanian Government calling for the review of national legislation, including the Societies Law, and its harmonisation with the International Covenant on Civil and Political Rights, and the review of the Societies Law in a manner that guarantees the right to form societies and respects the right of individuals to join them.

Despite the announcement by the Ministry of Social Development on the International Volunteer Day on 5/12/2013 of its intention to develop the criteria for providing financial support to societies, in order to enable societies to achieve their objectives in the fields of eliminating poverty and illiteracy, promoting equality between the sexes and empowering women, providing health care and preserving the environment, in line with the Millennium Development Goals⁷⁸, the reality, regrettably, indicates the continued application of the “Instructions on Spending and

⁷⁶ Official Gazette, Issue (5223), dated 2/6/2013, p. 2496.

⁷⁷ To view the booklet on the classification of societies and the annual report form, see the link: <http://www.societies.gov.jo/SitePage.aspx?PageId=108>.

⁷⁸ See the website of the Ministry of Social Development: <http://www.mosd.gov.jo>.

Financial Support” for societies, which contain numerous problems that prevent societies from implementing their activities and place legislative obstacles before individuals’ exercise of their right to form societies⁷⁹.

Formation of Societies

The statistical figures issued by the Board of Directors of the Registry of Societies at the Ministry of Social Development indicate that in 2013 (533) societies were registered, compared with (568) societies registered in 2012. Accordingly, the number of societies registered and operating in the Kingdom in 2013 became (3924) societies⁸⁰, as shown in Table No. (5).

Table No. (5): Number of Societies Registered and Operating in the Kingdom for 2013⁸¹

Ministry	Number
Ministry of Social Development	2565
Ministry of Interior	547
Ministry of Political Development	94
Ministry of Culture	570
Ministry of Health	38
Ministry of Industry and Trade	10
Ministry of Agriculture	6
Ministry of Environment	59
Ministry of Awqaf and Islamic Affairs and Holy Places	7
Ministry of Information and Communications Technology	2
Ministry of Tourism and Antiquities	25
Ministry of Justice	4
Societies in respect of which a decision refusing registration was issued	17
Total	3,924

According to the field survey of the geographical distribution of societies issued by the Board of Directors of the Registry of Societies, it was found that 67% of societies are located in urban areas, 26% of societies are located in rural areas, and 7% of societies are located in the Badia, and that 45% of societies are located in Amman. This confirms the centralisation of the work of societies in urban areas and the capital, which calls for activating the role of societies in the Badia and rural areas as the areas most in need of spreading awareness, culture and development and of addressing the problems of poverty.

In 2013, the National Centre received two complaints relating to the right to form and join societies. The first complaint concerned the decision of the Minister of Interior issued on 11/6/2013 dissolving the Arab Organisation for Human Rights, owing to a substantive defect in

⁷⁹ For further information on the Centre’s observations on the content of the Instructions on Spending and Supporting Societies, see the National Centre for Human Rights Report for 2012, p. 89.

⁸⁰ See the website of the Board of Directors of the Registry of Societies at the link: <http://www.mosd.gov.jo>.

⁸¹ According to the minutes of the Board of Directors of the Registry of Societies published on the website of the Board of Directors of the Registry of Societies: <http://www.societies.gov.jo/ContentParts/Pages/BoardDecisions/wfrmAllViewBoardDecision.aspx>

its correspondence with the Ministry of Interior. Reports differed as to the reason for dissolving the society: according to the former president of the society, the dissolution is unlawful and constitutes a violation of the provisions of the Societies Law, whereas a number of members of the society's administrative board indicated that they had submitted complaints to the Ministry against the society's management and its president, in addition to the discrepancy in the accuracy and correctness of the correspondence between the former management and the Ministry of Interior, which prompted the Ministry to take this closure decision. The Ministry of Interior also stated that the society had violated the Societies Law No. (51) of 2008 by failing to regularise its status in a manner consistent with the provisions of the Law, contrary to the provisions of Article (28) thereof. Accordingly, a "dissolution" committee was formed and charged with carrying out the procedures for dissolving the association pursuant to Regulation No. (57) of 2010 on the Basic Statutes of Associations.

The second complaint concerned the refusal of the Board of the Registry of Associations to approve an application to establish an association, without stating the reasons for the refusal, notwithstanding that the complainants had attached to the registration application all the documents and papers required under the Law on Associations. The Centre addressed the Secretary General of the Board of the Registry of Associations regarding the substance of the complaint; however, the Centre had received no reply as at the date of preparation of this report.

The Centre affirms that the right to establish associations is constitutionally guaranteed and that no administrative or other obstacles should be placed before individuals exercising this right. It further affirms the necessity of stating the reasons for decisions refusing establishment or ordering dissolution, so that individuals may have recourse to the judicial authority and challenge such decisions in accordance with the provisions of the Law on Associations, thereby enabling the High Court of Justice, in turn, to exercise its oversight over the objectivity and legality of those reasons.

Funding of Associations

In 2013, the Ministry of Social Development provided support to charitable associations estimated at two million Jordanian Dinars in the form of grants and productive projects aimed at reducing poverty in the local communities in which the associations operate, enabling the associations to perform their developmental role in the local communities in which they are spread, and securing sustainable financial resources for their programmes and activities.⁸²

In 2013, the Board of the Registry of Associations also adopted a decision approving the provision of financial support to the projects of associations in the various governorates⁸³ in the amount of (336,530) Dinars; the number of associations that received support for their projects in that year

⁸² The records of the Ministry of Social Development for the period 2008–2013 indicate that a total of (789) productive projects and credit funds were provided in the amount of (10.5) million Dinars, of which (404) credit funds with a capital of (5.8) million Dinars and (385) productive projects in the amount of (4.7) million Dinars. For further information, see the following link: <http://www.mosd.gov.jo/>.

⁸³ This support was distributed among the associations as follows: Capital Governorate (16) associations, Irbid (6) associations, Zarqa (8) associations, Tafileh (2) associations, Aqaba (3) associations, Ma'an (8) associations, Ajloun (5) associations, Karak (12) associations, Madaba (2) associations, Mafraq (7) associations, Balqa (10) associations, and (13) associations from various governorates of the Kingdom.

reached (59) associations. Cash support in the amount of (386,000) Dinars was also provided to associations and unions in the various governorates, and the number of associations benefiting therefrom reached (259) associations. Accordingly, the total number of associations that benefited from project support and cash support reached (462) associations and unions, in a total amount of (1,257,980) Dinars.

The year 2013 also witnessed acts carried out by the management of certain associations indicating non-compliance by the latter with the provisions of the laws in force, such as the sit-in staged by providers and recipients of the services of the Society for the Care of Disabled Children owing to the attachment of its bank balances by the Social Security Corporation for its failure to comply with the laws and to enrol the employees of the centre affiliated with the association in the social security scheme. In order to clarify the financial capacity of the association, the Ministry of Social Development issued a statement dated 5/11/2013 setting out the volume of funding received by the association in 2012, which amounted to (17,931) Dinars, and (6,000) Dinars in 2013.

Recommendations

In light of this situation, the Centre reiterates the recommendations contained in its previous annual reports, with emphasis on the following recommendations:

- Expediting the implementation of the directives of His Excellency the Prime Minister regarding the formation of a committee to review, amend and develop the Law on Associations in line with international human rights standards.
- Amending the Instructions on the Classification of Associations so as to guarantee the right of associations to non-interference by the executive authority in their work, and likewise reviewing the Instructions on Associations so as to ensure that associations are enabled to perform the roles expected of them, with emphasis on defining the heads of expenditure by law and on objective criteria determining the amount of support provided to associations.
- Developing a national plan, with the participation of associations and other civil society organisations, regulating sources of domestic and foreign funding in a manner that takes into account national needs and the geographical distribution of these associations, with emphasis on funding associations working in remote areas and pockets of poverty and on giving priority to productive projects.

3. Economic, Social and Cultural Rights

The Right to Development

The Constitution does not refer clearly and expressly to the right to development;⁸⁴ however, the international conventions and instruments ratified by Jordan, foremost among them the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Universal Declaration of Human Rights, guarantee this right.

According to the Human Development Report for 2013, Jordan continued to maintain its position, held since 2010, within the category of countries with medium human development, the Report having classified Jordan within what it terms the “Medium Human Development Group”, with Jordan ranked 100th globally and (11th) among Arab States.⁸⁵

Jordan still faces a number of challenges that adversely affect the development process and the advancement of its position in the Human Development Report, most notably: (a) scarcity of water resources and the continuing rise in the water deficit; (b) Jordan’s continued reception of large numbers of Syrian refugees in light of the limited natural and financial resources of the State; (c) rising unemployment rates in the labour market, which reached 11.1% in 2013;⁸⁶ (d) continuing rise in poverty rates, which reached 14.4% in 2013; (e) instability of the food security situation in Jordan, with 0.3% of Jordanian households in the Kingdom recording a food-insecure level, while 2.1% of them are considered vulnerable to food insecurity;⁸⁷ (f) a rise in the population growth rate to 2.2%, with the population of Jordan in 2013 totalling (6,537,877);⁸⁸ (g) a continuing rise in the general budget deficit,⁸⁹ which reached 30.7% in 2013; (h) continuing rise in indebtedness, which was estimated in 2013 at (3179.3) million Dinars; (i) a decline in the level of women’s productivity and the low rate of their participation in the labour market, which is estimated at 14.7% of the overall Jordanian economy; and (k) rising energy prices.

Data issued by the Ministry of Finance indicate a decrease in the financial deficit⁹⁰ in the general budget for 2013, after grants, to (1307.2) million Dinars, compared with (1824.0) million Dinars for 2012. Excluding foreign grants, the financial deficit decreases to (1946.3) million Dinars in 2013, compared with (2151.3) million Dinars in 2012. The following chart shows the development

⁸⁴ The Jordanian Constitution has, however, referred to one of the forms of development in Paragraph (1) of Article (23) thereof, which states: “Work is the right of every citizen, and the State shall provide it to Jordanians by directing the national economy and raising its standards”.

⁸⁵ The Report relies on the following human development indicators: life expectancy at birth, mean years of schooling, expected years of schooling, and gross national income (GNI) per capita. The Report highlighted the measures of the development indicators in Jordan as follows: an increase in life expectancy at birth of (6.5) years; a fluctuation in mean years of schooling of (1–2); an increase in expected years of schooling of (5.5); and growth in GNI per capita in Jordan, which increased by approximately 32% between 1980 and 2012. The table below shows the progress achieved by Jordan in human development indicators between 1980 and 2012.

⁸⁶ Website of the Department of Statistics: http://www.dos.gov.jo/dos_home_a/main/index.htm.

⁸⁷ Food Security Status Report, Higher Population Council, 2012: <http://www.hpc.org.jo/hpc/Default.aspx?tabid=39>.

⁸⁸ Website of the Department of Statistics: http://www.dos.gov.jo/dos_home_a/main/index.htm.

⁸⁹ Website of the Ministry of Planning: <http://www.mop.gov.jo/arabic>.

⁹⁰ Ministry of Finance – General Government Finance Bulletin – Issue No. 12, January 2014.

of the general budget deficit in the Kingdom, in millions of Dinars, during the period from 2010 to 2013.

Development of the General Budget Deficit (in Millions of Dinars) during the Period 2010–2013

Year	Budget deficit after grants	Budget deficit before grants
2010	-1045.2	-1446.9
2011	-1382.7	-2597.7
2012	-1824	-2151.3
2013	-1307.2	-1946.3

On the other hand, net public debt continued to rise; at the end of 2013 it reached (19,096.5) million Dinars, i.e. 79.6% of gross domestic product (GDP), compared with (16,580.4) million Dinars,⁹¹ i.e. 75.5% of GDP, for 2012. The chart below shows the ratio of public debt to GDP for the years 2010–2013.

Ratio of Public Debt to GDP for 2013 Compared with Previous Years

Year	Public debt as a percentage of GDP
2010	61.09%
2011	65.40%
2012	75.50%
2013	79.60%

The inflation rate also rose this year to 5.6%, compared with 4.7% in 2012, as the chart below shows the inflation rate during the period 2010–2013. The rise in the inflation rate recorded in 2013 is attributed to increases in the transport group of 11.4%, the fuel and lighting group of 19.7%, vegetables of 14.3%, the fruit group of 17.0% and the rents group of 4.5%, while the prices of tobacco and cigarettes decreased by 8.5%, the cereals and cereal products group by 1.0%, the medical care group by 1.5% and the oils and fats group by 1.4%.

Inflation Rate for the Years 2010–2013

Year	Inflation rate (%)
2010	5
2011	4.4
2012	4.8
2013	5.6

Notwithstanding all the measures taken by the Government, including the lifting of subsidies on many commodities and the resulting rise in the prices of many of these commodities, it is observed that these measures were not reflected positively on the level of indebtedness, which continued to rise in 2013, reaching (19,096.5) million Dinars.

⁹¹ Ibid.

With the approach of the deadline for the Millennium Development Goals (MDGs) and the preparations for the global discussions on the post-2015 development agenda,⁹² this report will focus on the progress achieved at the level of the Kingdom within the framework of following up on the Millennium Development Goals:

Goal One: Eradicating Poverty and Hunger

Notwithstanding the national efforts made to alleviate the severity of poverty and hunger, through the Government and certain official bodies, such as the National Aid Fund, the Development and Employment Fund and the Zakat Fund, implementing a number of employment and poverty-reduction programmes by providing direct subsidies for certain basic commodities, and through certain civil society organisations, such as charitable associations, working to implement development projects and provide aid to those in need, Jordan continues to suffer from a persistently high poverty rate, which reached 14.4% in 2013.⁹³ The persistence of high poverty in Jordan is attributable to a number of reasons, most notably: (a) the political circumstances surrounding the region and their impact on Jordan through the increase in the number of Syrian refugees hosted, in addition to the continued hosting of Iraqi refugees in Jordan; (b) the continued competition of migrant workers with national workers; (c) demographic shifts in the population structure resulting from health advancement, which contributes to an increase in the number of births and a decrease in the number of deaths, without being accompanied by a change in government plans and policies to work towards securing employment opportunities and improving the standard of living of citizens; (d) the low contribution of Jordanian women to the economic sector, as women's participation in the economic process remains limited, with their participation rate standing at 14.7% of the overall economy; and (e) weak planning in the implementation of micro-development projects at the governorate level and in their management by civil society organisations, and the absence of prior planning and cooperation with civil society organisations to identify the locations for implementing such projects.

Goal Two: Achieving Universal Primary Education

Jordan has witnessed major progress in the field of universal primary education, leading to a substantial reduction in illiteracy levels among the population, with the illiteracy rate falling from 15% in 1994 to 6.7% in 2012. Notwithstanding this achievement, the National Centre considers that there are a number of challenges that persisted in 2013 which are liable to weaken these gains,

⁹² A United Nations System Task Team was established by the Secretary-General of the United Nations in January 2012 to support the system in preparing for the post-2015 development agenda. It comprises more than (60) United Nations entities, agencies and international organisations, and is co-chaired by the Department of Economic and Social Affairs and the United Nations Development Programme. The Task Team provides analytical inputs, expertise and outreach to the discussion on the post-2015 development agenda. It calls for an integrated policy approach to ensure inclusive economic development, inclusive social development, peace and security, and environmental sustainability within a development agenda that responds to the aspirations of all people for a world free from want and fear.

⁹³ It should be noted here that this rate relates to 2010, according to the report issued by the Department of Statistics for that year; no report has been issued since then up to the date of preparation of this report. On the basis of the consumption basket measure for the same year, the absolute poverty line (food and non-food) stood at (813.7) Dinars per person per year, i.e. (68) Dinars per person per month, while the abject poverty line for the household (the food poverty line) stood at (151.2) Dinars per year, and the food poverty line stood at (336) Dinars per person per year.

most notably: (a) the persistence of the phenomenon of school dropout, whose rate reached 0.3%, i.e. the equivalent of (3,500) students dropping out of school annually; indeed, projections of the Ministry of Education indicate that this number will rise to (35–40) thousand students over the next ten years. This phenomenon is unfortunately reinforced by the persistence of child labour, which encourages students to drop out of school; (b) the low quality and standard of education, particularly at the basic stages; (c) disparity in the illiteracy rate by sex, the rate reaching 10% among females compared with 3.5% among males; (d) the low enrolment of females compared with males in vocational secondary education, the ratio standing at (2 to 3) of the total enrolled in vocational education in favour of males; and (e) the failure to equip a large proportion of schools to receive children with disabilities.

Goal Three: Achieving Gender Equality and Empowering Women⁹⁴

In 2013, Jordan ranked (100) out of (148) countries on the Gender Inequality Index, according to the Human Development Report for 2013. The lack of progress on this index is attributable to a number of reasons, most notably: (a) the continued low rate of women's participation in the Jordanian Parliament, which reached only 12% of the total seats of the Seventeenth House of Representatives; although this percentage is the highest in the history of women's political participation in Jordan, it remains far from the genuinely equal political participation that the development goals seek to achieve; (b) the low rate of women's economic participation in the labour market, the rate of women's participation in the economy standing at 14.7% of the overall economy; and (c) the high unemployment rate among women, which reached 21.7% compared with 10.4% for men.

Goal Four: Reducing the Under-Five Child Mortality Rate by Two Thirds between 1990 and 2015: Jordan has achieved tangible progress in this regard, having succeeded in reducing the under-five mortality rate⁹⁵ from (28) cases per thousand live births in 2009 to (21) cases per thousand live births in 2012, noting that in 1990 it stood at (42) deaths per thousand live births. Jordan also succeeded in reducing the infant mortality rate from (23) deaths per thousand live births in 2009 to (17) cases per thousand live births in 2012, noting that in 1990 it stood at (37) cases per thousand live births. The Centre affirms that the continued success of Jordan in this field requires the Government to continue taking the measures necessary to expand the coverage of the national immunisation programme for children, to introduce new vaccines to protect them against emerging diseases, and to protect the reproductive health of mother and child, particularly in areas and among groups in which mortality rates remain high.

Goal Five: Improving Maternal Health:⁹⁶ Jordan has continued to maintain its success in achieving this goal, the maternal mortality ratio in 2012 having reached (16) cases per (100)

⁹⁴ The Gender Inequality Index reflects gender-based inequality in three dimensions: 1. reproductive health; 2. empowerment; and 3. economic activity. Reproductive health is measured by the maternal mortality ratio and adolescent fertility rates; empowerment is measured by the share of parliamentary seats held by each sex and the level of secondary and higher education attained by each sex; while economic activity is measured by the labour market participation rate of each sex.

⁹⁵ According to the Jordan Population and Family Health Survey for 2012.

⁹⁶ The principal objective of this goal is to reduce the maternal mortality ratio by three quarters between 1990 and 2015, in addition to achieving universal access to reproductive health services by 2015.

thousand live births, which approaches the development target set at (12) cases per (100) thousand live births. Surveys also indicate that 99% of women received early health care from health professionals (doctor, nurse, midwife) during pregnancy with their last child in the five years preceding the survey, as all residents in the territory of the Kingdom receive the free services of the Ministry of Health relating to maternity and childhood and family planning services.

Goal Six: Halting the Spread of the Human Immunodeficiency Virus (AIDS), Malaria and Other Diseases by 2015: In 2013, the number of persons infected with the human immunodeficiency virus continued to rise, with (86) new infections recorded in that year, bringing the total number of infections to (1,030) since the first infection appeared in 1986. In 2013, the Joint United Nations Programme on HIV/AIDS also issued a warning of the risks of the spread of AIDS in Jordan owing to its geographical location and the increasing demand for migration to it on the part of carriers of this disease who come to it through irregular migration or in search of employment opportunities.

Goal Seven: Ensuring Environmental Sustainability: Notwithstanding the efforts made by the Government to preserve the environment in recent years, by taking numerous measures to strengthen the management of environmental resources, the most important of which were: integrating the principles of sustainable development into government policies and programmes to halt the degradation of environmental resources by increasing the proportion of land area covered by forest; increasing the proportion of total water resources used and improving water quality; reusing 93% of wastewater for agricultural purposes; strengthening oversight of the application of environmental legislation; and conserving biodiversity, through the Ministry of Environment, the Ministry of Health, the Greater Amman Municipality and the municipalities monitoring environmental conditions within their respective competences, in addition to the establishment of a specialised department affiliated with the Public Security Directorate (PSD) (the Environmental Police Department) concerned with monitoring the application of environmental legislation, Jordan still faces a number of challenges in the environmental field, most notably: (a) the modest area of forests in Jordan, which still constitutes less than 1% of the area of Jordan; (b) the persistence of environmental pollution in Jordanian cities; and (c) the spread of the felling of forest trees and their use for heating and domestic purposes, particularly following the liberalisation of fuel prices in 2012.

Goal Eight: Developing a Global Partnership for Development: Although Jordan has worked in recent years to create an environment attractive to international financing instruments in support of national economies, through its accession to the World Trade Organization and the conclusion of partnership and free trade agreements with a number of economic blocs, such as the European Union, the United States of America, Canada and Turkey, the global financial crisis, the rise in fuel prices, in addition to the decline in exports and the rising numbers of Syrian refugees, continue to cast their shadow over the Jordanian economy and constitute obstacles to the attainment of the Millennium Development Goals. Jordan still needs the support and assistance of the international community in numerous fields, such as water and energy, and in bearing the burdens of Syrian asylum, in order to achieve these goals.

Recommendations

- Expediting the implementation of the provisions of the Poverty Reduction Strategy, while working to involve the private sector in its implementation.
- Adopting gender-sensitive development policies based on the political, economic and social empowerment of women, particularly in matters relating to guaranteeing women's access to the minimum wage, and calling for the minimum wage to be extended to cover the agricultural sector by means of a legislative provision guaranteeing equal opportunities in all sectors.
- To eradicate the twin problems of poverty and unemployment, there must be a targeted social system that works to empower the poor and encourages the principles of self-employment, which contribute to creating employment opportunities commensurate with the nature of the job seeker.
- Strengthening the active and free participation of citizens in the equitable sharing of basic resources, their management and the diversification of their means and mechanisms; the Centre still considers that there is slowness in developing mechanisms for the institutional participation of citizens in the formulation of public policies and the reform of the public sector.
- Adopting an approach based on integrating human rights concepts into the formulation of the State's general budget, so that the rights of citizens to education, health, work and other rights are given priority in expenditure.
- Strengthening partnership between the Governorates Development Fund and the relevant institutions and associations concerned, so as to ensure that the greatest possible number of citizens benefit from the programmes of the Development and Employment Fund.
- The competent authorities should pay greater attention to monitoring acquired immunodeficiency syndrome (AIDS), particularly among refugees, whose numbers have increased in recent years.

The Right to an Adequate Standard of Living

International instruments have accorded particular attention to the right to an adequate standard of living, given the importance of this right in human life; this is provided for in Article (25/1) of the Universal Declaration of Human Rights and Article (11) of the International Covenant on Economic, Social and Cultural Rights (ICESCR). As regards national Jordanian legislation, there is no reference to this matter, whether in the Jordanian Constitution or in the relevant laws; however, Article (6/3) of the Constitution provides that: "The State shall ensure work and education within the limits of its possibilities, and shall ensure tranquillity and equal opportunities for all Jordanians".

A number of laws include the requirement of achieving an adequate standard of living for citizens, including: the Development and Employment Law, which defines the purpose of the Fund as enabling poor, low-income or unemployed individuals, families and groups to engage in work and production, in order to contribute to combating poverty and unemployment; and the Zakat Fund Law, which defines the categories on which Zakat revenues are to be spent, including the poor

and the needy. The Draft Consumer Protection Law was also introduced to regulate the relationship between the trader and the consumer and to protect citizens from monopoly and price manipulation, as was the National Aid Fund Law No. (36) of 1986, which sets out the purpose of the Fund as the development of policies and plans to contribute to the protection and care of needy individuals and families and the provision of employment opportunities. In order to ensure that the services of the institutions established under these laws are utilised, the Centre affirms the necessity of coordinating the efforts of the administrations in charge of them in a manner that guarantees the delivery of services and assistance to those in need.

The Jordanian State has previously launched a number of strategies in an attempt to meet the needs of Jordanian society through sustainable economic and social development. These include the National Employment Strategy for 2011–2020, together with plans to link economic growth with employment through programmes to support the unemployed and plans to return them to the labour market. Another example is the National Poverty Reduction Strategy for 2013–2020, which aims to contain and reduce poverty by adopting a comprehensive approach directed at supporting the poor and those vulnerable to poverty.

The year 2013 witnessed a tangible rise in the prices of fuel and foodstuffs, as the tax on sales of mobile top-up cards was doubled from 12% to 24% and on mobile telephones from 8% to 16%; the tax on imported ready-made clothing was likewise raised from 5% to 20%, and the electricity tariff was raised⁹⁷ on the industrial and banking sectors by 15%, as of 15 August 2013, while the increase in electricity prices for the household sector for those whose monthly consumption exceeds (600) kilowatt-hours was postponed until the beginning of 2014, thereby launching the first step of the electricity tariff increase plan, which ends in 2017.⁹⁸

Inflation Rate for the Years 2010–2013

Year	2010	2011	2012	2013
Inflation rate (%)	5	4.4	4.8	5.6

In 2013, the Government took measures to control and limit the number of beneficiaries of cash subsidies for fuel,⁹⁹ and accordingly the Ministry of Finance reduced its estimates for cash fuel subsidies in the draft General Budget Law for the fiscal year 2014 to JD (210) million, compared with JD (270) million in the 2013 budget. Citizens did not feel the intended effect of the direct subsidy mechanism adopted by the Government to mitigate the impact of rising prices on citizens, as the amount of support provided to poor and middle-income families did not cover the burden resulting from the liberalisation of fuel prices. According to a study conducted by the World Bank on poverty in Jordan for 2013, ending government subsidies for a number of basic commodities is expected to lead to a cumulative increase in the poverty rate of 3.4%, as the liberalisation of the price of the gas cylinder alone would increase the proportion of the poor by 0.5% of citizens.

⁹⁷ Official Gazette, Issue No. (5236), dated 15/8/2013.

⁹⁸ The discount previously granted to each of the following was cancelled: associations, at a rate of 25%, and the security agencies, at a rate of 25%; the free consumption granted to municipalities for street lighting was likewise cancelled, as was the discount previously granted to employees of the designated companies, amounting to 75%, as of 15/8/2013.

⁹⁹ The Government distributed an amount of JD (270) million to Jordanian families meeting the eligibility conditions for cash support in compensation for the lifting of fuel subsidies, which began in November 2012 and ended in October 2013.

The year 2013 also witnessed a marked rise in the prices of vegetables and fruit, which at times exceeded 100%, prompting the Government to intervene by issuing a decision setting price ceilings for agricultural products, as a result of the unjustified rise in their prices on the local market, which is due in part to commercial intermediaries' control over prices at the central market. This year also witnessed a marked and unprecedented rise in the prices of table eggs,¹⁰⁰ which reached (4) and a half dinars per tray of eggs.

Poverty Rates and Means of Combating Poverty

The problem of poverty is one of the most important challenges facing Jordanian citizens, given its high rate and the varying impact it has on citizens across the governorates of the Kingdom, while programmes to combat it remain incapable of containing this serious social scourge that threatens the national fabric. According to the 2010 Poverty Report issued by the Department of Statistics and the Ministry of Planning, the poverty rate stood at 14.4%, while the World Bank estimates the proportion of Jordanians living directly on the edge of the poverty line at 37.5%. The Government officially adopts a poverty line of JD (813.7) per annum (JD 68 per month per individual) for the purposes of providing services to the poor, a figure considered very low compared with high price levels. Looking at the accompanying chart on the percentages of income brackets of Jordanian employees for 2013, issued by the Department of Statistics,¹⁰¹ we find that 47.7% of working citizens earn salaries of less than JD (500) per month, which means that they may easily slide into a zone close to the poverty line. This calls for linking the salaries of employees in the public and private sectors to inflation rates, particularly in light of deteriorating living conditions and steadily rising prices. This was confirmed by a survey conducted by the Centre for Strategic Studies,¹⁰² which included a conclusion that the income of the majority of Jordanian families does not cover their expenditure: 62% of the national sample answered that their families' income does not cover their basic needs and that they find it difficult to provide for these basic needs. The following chart shows the extent to which family income covers expenditure on basic needs.

Monthly Income Brackets of Working Jordanians for 2013

Income bracket (JD)	Less than 100	100–199	200–299	300–499	More than 500
Percentage (%)	1.1	8.9	31.8	47.7	10.4

Among the most notable developments in 2013 was that, as of 1 July 2013, the administration of the National Aid Fund¹⁰³ began implementing the decision of its Board of Directors providing for the disbursement of national aid to the first four members only of any poor family meeting the aid instructions, with the value of aid for families of four or more members raised by JD (20) per month to reach JD (180), i.e. JD (45) per individual. However, when the amount of aid is compared with the absolute poverty line of JD (68) per individual per month, it becomes clear that

¹⁰⁰ Egg production declines by 10–15% during the period from December to February owing to cold weather.

¹⁰¹ Department of Statistics, at: <http://www.dos.gov.jo>.

¹⁰² For the results of the survey, see: <http://www.css-jordan.org>.

¹⁰³ The number of families benefiting from the assistance of the National Aid Fund during 2013 reached (87.802) thousand families, on whom approximately JD (7,016,647) are spent monthly.

there is a gap of JD (23) per month for each individual, i.e. a total of JD (92) per month for a family of four members. In addition, this decision has deprived other members of the family of this aid where the family exceeds four members, whereas the instructions established that the poverty line applied by the Fund is JD (58),¹⁰⁴ yet the decision adopted JD (45) as the poverty line per individual. Moreover, the financial hardship of poor families that include persons with disabilities is increased by the special needs of such persons.

Jordanian Family Income and the Extent to Which It Covers Expenditure

Category	Percentage (%)
Family income does not cover expenditure on needs, and there is difficulty in covering needs	62
Family income covers expenditure on needs without savings	33
Family income covers expenditure on needs well, with the possibility of saving from it	5

Unemployment Rates and Means of Combating Unemployment

Notwithstanding official statistics¹⁰⁵ indicating that unemployment rates fell by 1.5% in the fourth quarter of 2013 compared with the same quarter of 2012, the high unemployment rate in Jordan remains one of the most important challenges facing economic and social development programmes. An examination of Table No. (6), which shows unemployment rates during 2013 compared with previous years, reveals that the rate of 11% is the lowest since 2009. Official statistics also show that the unemployment rate was high among holders of university degrees, reaching 16.2% compared with its value for other educational levels; moreover, 0.7% of the unemployed are illiterate, while the educational qualifications of 42.7% of the unemployed are below the General Secondary Certificate, the remaining 56.6% being holders of the secondary certificate or higher. According to statistics issued by the Department of Statistics, the highest unemployment rates were recorded among the age groups (15–19) years and (20–24) years, at 33.2% and 27.6% respectively. The highest unemployment rate was in Mafraq Governorate, where it reached 17.5%, while the Capital Governorate recorded the lowest unemployment rate, at 7.1%.

Table No. (6) on Quarterly Unemployment Rates for the Years 2010–2013

Quarters	2009	2010	2011	2012	2013
First	12.1	12.4	13.1	11.4	12.8
Second	13.0	12.7	13.2	11.6	12.6
Third	14.0	13.5	13.1	13.1	14.0
Fourth	12.2	11.8	12.1	12.5	11.0

¹⁰⁴ Article (2) of the Instructions on Financial Assistance and the Protection of Needy Families No. (2) of 2012, which defined the absolute poverty line as: “the amount of income that meets the minimum basic needs of the individual and the family, such that anyone whose income falls below this line is considered poor, currently set at JD (58) per individual per month and subject to amendment by the competent official authorities”.

¹⁰⁵ Department of Statistics, see: <http://www.dos.gov.jo>.

In 2013, the Ministry of Labour implemented the National Employment Campaign “We Are All Partners”, launched under Royal patronage in cooperation with numerous private-sector companies and institutions. The campaign aimed to provide (18,608) job opportunities; it succeeded in attracting (11,370) job seekers and (155) companies, and resulted in the provision of (8,800) job opportunities, of which males accounted for 74% and females 26%. Holders of the General Secondary Certificate and below obtained 53% of the jobs provided by the campaign, while holders of bachelor’s degrees, diplomas and master’s degrees obtained 47% of the job opportunities. Among the most notable positive results of this campaign was the employment of (103) persons with disabilities. The job opportunities were distributed across all governorates of the Kingdom, with Irbid Governorate obtaining 17%, Zarqa 17% and Amman 20%, while the remaining governorates obtained 46%.

Food Security and the Advancement of Agricultural Production

The total cultivated area in Jordan in 2013 reached (191) thousand dunums in the winter season and (979.3) thousand dunums in the summer season, an increase of 6.9% over the area cultivated in 2012. Agricultural exports of vegetables and fruit fell in 2013 to (793,805.0) tons compared with (801,069.6) tons in 2012, i.e. by 0.9%. The contribution of the agricultural sector to gross domestic product stood at 2.7% in the third quarter of 2013, compared with 2.6% in the third quarter of 2012. Although the agricultural sector is one of the most important economic sectors contributing to the achievement of food security, and its exports constitute a large share of Jordanian exports, this sector still suffers from numerous problems and challenges, most notably: (a) the reluctance of many farmers to continue their agricultural projects because of successive losses and accumulated debts owed to lending institutions, banks and agricultural companies; (b) the rise in the prices of production inputs such as fertilisers, seeds, pesticides and irrigation pipes, which together constitute more than 50% of the cost of production, owing to the lifting of subsidies on petroleum derivatives, which in turn led to higher transport fares; (c) the closure of the Syrian market and of the transit route to Europe.

In an attempt to revive this sector, the General Union of Jordanian Farmers¹⁰⁶ submitted in 2013 two project ideas to the Prime Ministry with the aim of supporting agricultural production and easing the burden on Jordanian farmers. The idea of the first project comprised the production of field boxes¹⁰⁷ in order to reduce the costs of the agricultural production process, while the second project aims to produce organic fertiliser¹⁰⁸ in order to preserve biodiversity and environmental

¹⁰⁶ Personal interview with the President and members of the General Union of Jordanian Farmers on 16/1/2014.

¹⁰⁷ The project targets farmers in the Southern Ghor, where the cultivated area is estimated at approximately (56) thousand dunums, which require no fewer than half a million polystyrene field boxes. For more than three decades, Jordanian farmers have used polystyrene and wooden boxes to market their produce, whether on the local market or on foreign markets, which means that there are non-recoverable agricultural costs borne by the farmer; in order to reduce the rising costs of the production process, the use of field boxes is therefore essential.

¹⁰⁸ The project targets farmers in the Southern Ghor and is to be implemented in the Al-Qatranah area in Karak Governorate as its area of operation, for reasons relating to the availability of infrastructure services, the availability of the water needed for the project at good prices, which helps reduce the cost of production, and the low population density in the area; moreover, the Al-Qatranah area lies between livestock production areas and areas of agricultural plant production.

and health balance. They were referred to the Ministry of Agriculture for study; however, as at the time of preparing this report, no decision had been taken on them.

The Right to Housing

The Quality of Life Report in Jordan,¹⁰⁹ which was based on the Household Expenditure and Income Survey, showed that 27.4% of Jordanian families live in homes suffering from poor ventilation, high humidity levels, the spread of rodents, high temperatures in summer and cold in winter.¹¹⁰ Adding to the burdens on families in obtaining suitable housing was the general rise in the prices and rents of residential apartments in 2013 owing to the growing number of Syrian refugees, which was reflected in an increase of 40% in the proportion of applications by poor Jordanian families during the first quarter of 2013 to benefit from the Housing for Poor Families Project¹¹¹ in the northern governorates.

Furthermore, in 2013 Parliament adopted an amendment to the Landlords and Tenants Law No. (22) of 2011, by virtue of which the “fair rent” provided for in the previous law was abolished and percentages were adopted for determining the increase in annual rent, such percentages to be reviewed every five years. The Council of Ministers adopted the Regulation on Proportional Increases in Rent,¹¹² which set the rate of increase in the rent of property leased before 31/8/2000 at 25% of the rent agreed between the landlord and the tenant, plus all the increases established under previous landlords and tenants laws, where the property is used for residential purposes, while the established rate of increase was 35% of the last rent where the leased property is used for non-residential purposes. Opinions on this amendment diverged between landlords and tenants: landlords consider the law in its current form to be unfair, since it allows the tenant to control the leased property for a long period, not to mention that the low rates of increase do not achieve justice owing to differences in the nature of leased premises from one area to another. As for new tenants, i.e. those who signed their contracts after 31/8/2000, their concern lies in landlords’ control over the duration of the contract and the possibility of being asked to vacate the property at any time.

The Transport Sector

The public transport sector continues to suffer from fundamental problems, the most important of which are the following: (a) the failure to adopt an integrated planning approach for this sector, and the limited budgets allocated to it, which impedes its rehabilitation and the necessary

¹⁰⁹ The Quality of Life Report in Jordan for 2010, based on the results of the Household Expenditure and Income Survey for 2010–2011, issued by the Department of Statistics, the Ministry of Planning and UNDP.

¹¹⁰ Numerous media outlets documented citizens living in houses on the verge of collapse and lacking the most basic requirements of a decent life, including the programme “Ta’lilat Al-Khair” on Al-Haqiqa Al-Dawliya channel, and the programme “Taxi Al-Khair”, which was broadcast during the holy month of Ramadan on Jordan Television.

¹¹¹ The number of dwellings handed over to poor families by the Ministry of Social Development since the launch of the Housing for the Poor Project in 2002 reached (1,406) dwellings, at a total value of JD (14,310,000), from which approximately (3,500) families benefited out of (11) thousand families. According to the statistics of the Ministry of Social Development, the Capital obtained the largest share of housing for the poor, followed by Balqa and Irbid Governorates, then Zarqa and Mafrqa. Work was also undertaken in 2012 and 2013 to purchase and maintain a number of dwellings, totalling (98) dwellings, at a total cost estimated at JD (1.5) million.

¹¹² Regulation No. (78) of 2013, published in the Official Gazette, Issue No. (5256), dated 24/11/2013.

expansion; (b) the continuing public transport crisis, which has become a source of concern for students and employees in the Kingdom. This crisis is exacerbated by the use of private cars to transport citizens. One study indicates that 50% of Jordanian families own a private car and that 80% of private vehicles travel with a single occupant only,¹¹³ causing severe congestion in a number of the Kingdom's governorates; (c) public transport buses do not run on fixed schedules, their movement being essentially dependent on the number of passengers; (d) thousands of buses of all sizes lack the conditions of public safety or a decent standard that would persuade citizens to use them; (e) the continuation of individual ownership of public transport vehicles, which means that this sector remains unregulated, as 86% of the transport sector consists of unorganised individual ownerships; (f) the continued suspension of the Bus Rapid Transit project,¹¹⁴ the implementation of which the Greater Amman Municipality commenced in 2010 in order to resolve part of the traffic crisis in the capital, on the pretext that the necessary and comprehensive engineering, social, environmental and economic studies had not been conducted for this project.

The Water Sector¹¹⁵

The year 2013 witnessed the inauguration of the Disi Water Conveyance Project¹¹⁶ on 17/7/2013 as a pioneering step in the management of water resources, in order to meet the challenges of water shortage in all governorates of the Kingdom, with approximately (100) million cubic metres being pumped annually to the city of Amman and the surrounding areas. This project is expected to raise the per capita share of water from (145) litres to (190) litres per day, and water pumping is to continue for a period of fifty years.¹¹⁷

However, the water sector suffered in 2013 from a number of challenges, most notably: (a) the abnormal increase in population resulting from the influx of Syrian refugees; (b) the high rate of water loss, as the Ministry of Water and Irrigation estimated the loss rate for 2013 at approximately 44%, of which 70% resulted from attacks on water networks. It should be noted that in 2013 the Ministry of Water, in cooperation with the Public Security forces and the Gendarmerie, removed a large number of attacks on water networks: (5,500) attacks were seized in the Central Region, (1,500) attacks in the Northern Region and (800) attacks in the Southern Region, and (174) wells out of (800) illegally dug wells were backfilled.

In 2013, a memorandum of understanding was also signed with both the Palestinian and Israeli sides for the implementation of the first phase of the Red Sea–Dead Sea Conveyance Project, which the Government described as one of the most important vital strategic water projects for the Kingdom. It will provide Jordan with (100) million m³ of water at a reasonable cost, which will cover the Kingdom's needs over the next ten years as a first phase, to be followed by

¹¹³ According to the former Minister of Transport, Senator Alaa Al-Batayneh, during a meeting organised by the Consumer Protection Society on 9/2/2014 entitled "The Reality of Public Transport in the Kingdom".

¹¹⁴ The foundation stone of the project was laid in July 2010 as a flexible and integrated public transport system providing a rapid and safe service, relying on high-capacity buses running on dedicated lanes and offering a high level of service.

¹¹⁵ Jordan is one of the four most water-scarce countries in the world, and the demand for water exceeds the water resources available in it.

¹¹⁶ The water of the Disi basin is pumped by means of a conveyor line (340) kilometres long, from (55) wells at a depth of (500) metres and (9) pressure wells at a depth of (400) metres.

¹¹⁷ Based on the designs of the conveyance pipes, whose design life ends after half a century of operation.

subsequent phases according to developments and the future needs of the country. The Dead Sea will be supplied with (100) million m³/year of the saline water resulting from the desalination process, which is compatible with the nature of the Dead Sea.

Recommendations

While reaffirming its recommendations set out in the annual reports for previous years regarding the reduction of poverty and unemployment levels and the raising of citizens' standard of living, the Centre emphasises the following:

- The need for the Government to adopt a clear strategy to reduce unemployment rates, based on a number of foundations, the most important of which are: linking educational outputs to labour market requirements; contributing to the preparation of training and educational programmes to qualify young Jordanian men and women; continuing to devise and implement employment initiatives that contribute to reducing the unemployment rate; increasing the responsibility of private companies in addressing this problem; and supporting small and medium-sized enterprises, particularly in poverty pockets.
- Re-examining the value of salaries and wages on the basis of the cost of living, linking salaries to rates of price increases (inflation), and limiting the imposition of fees and taxes on medium and low salaries.
- Adopting a strategy for suitable public housing that provides a safe and stable life for the various segments of society, in conformity with international standards on the human right to an adequate and appropriate standard of living.
- Providing insurance coverage for farmers and their families and including them under the social security umbrella, and activating and supporting the Agricultural Risk Management Fund, which was established to support farmers in cases of natural disasters such as frost and the like.
- Supporting agricultural product processing projects, including the reopening of the tomato paste factory in order to benefit from the surplus of local production, and opening military and civil institutions to the marketing of national agricultural produce.
- Providing financial support to the public transport sector in order to improve and develop public transport, thereby encouraging citizens to use it so as to save energy and eliminate severe traffic congestion; and developing individual ownerships into collective ownerships, and reorganising the public transport network through companies capable of providing a high-quality service to citizens under government oversight.
- Re-examining the economic feasibility of the Bus Rapid Transit project and taking appropriate measures to resolve the problem of road narrowing resulting from the Bus Rapid Transit lane on Queen Rania Street.
- Studying the projects submitted by the General Union of Farmers and, should their economic benefit be established, we recommend proceeding with their implementation on the ground.

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 provide it to them by directing and promoting the national economy. Accordingly, the 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 to guarantee 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 and 8) the right of individuals to enjoy satisfactory conditions of work that guarantee the provision of equal work opportunities for all workers; fair, equitable and equal wages for all without discrimination; the securing of a decent life; working conditions in which safety and health are ensured; and the reasonable limitation of paid working hours, including rest and leisure time.

The International Labour Organisation has issued (189) international conventions, of which Jordan has ratified (25),¹¹⁸ in particular the fundamental conventions, with the exception of Convention No. (87) concerning freedom of association, which has not been signed, and International Convention No. (198) concerning decent work, which provides protection for the rights of domestic workers and was adopted on 16/6/2011.

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, established a full, inclusive and comprehensive codification of all the guarantees and rights of migrant workers that must be observed.¹¹⁹ The Centre calls on the Government to accede to this international convention.

As regards the measures taken to promote and protect labour rights, the Ministry of Labour carried out numerous activities and measures in 2013, most notably: (a) visiting many establishments, factories and commercial premises: the Ministry conducted (71,364) inspection visits, issued warnings to (12,364) establishments and recorded (19,116) violations against violating establishments. The number of labour complaints received by the Ministry of Labour reached (4,329) complaints, of which (3,480) were resolved; (b) in 2013, the Government issued a decision granting migrant workers a period of two months to regularise their status; (c) the Government also issued a decision in 2013 granting domestic workers a period of (60) days to regularise their status and exempting them from residence fines and work permit fees for previous periods; (d) the Ministry of Labour launched numerous programmes and initiatives aimed at helping job

¹¹⁸ The most important of these conventions are: ILO Convention No. (98) on the Right to Organise and Collective Bargaining; ILO Convention No. (29) on Forced Labour; ILO Convention No. (105) on the Abolition of Forced Labour; ILO Convention No. (138) on the Minimum Age; ILO Convention No. (182) on the Worst Forms of Child Labour; ILO Convention No. (100) on Equal Remuneration; and ILO Convention No. (111) on Discrimination in Employment and Occupation.

¹¹⁹ The most important matters addressed by this Convention for the protection of migrant workers and their families include the following: (the right to work and to receive fair and adequate remuneration; 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).

seekers obtain employment, the most important of which were: the Paid Training-for-Employment Programme, which aims to train and employ unemployed persons with private-sector companies; the initiative to establish production branches of companies, particularly in areas experiencing high unemployment rates; and the “Employment Knights” initiative, as well as job fairs and career days for job seekers.

Social Security

In 2013, Parliament debated the Social Security Law, which was adopted at the beginning of 2014. It provided for the following insurances: old age, disability, death, employment injuries and survivors’ entitlements. Notwithstanding the progress made in this Law in providing for unemployment insurance and allowing housewives to join the social security umbrella, in conformity to some extent with the Social Security (Minimum Standards) Convention No. (102) of 1952 issued by the International Labour Organisation, the system of social insurances provided by the Social Security Corporation is still not comprehensive in accordance with the international standards set out in the relevant international conventions: health insurance remains outside this system, and insurance against unemployment has been replaced by insurance against loss of employment, which suffers from certain shortcomings. In addition, the mechanisms for calculating retirement pensions remain unfair and do not provide decent standards of living for the majority of retirees. Moreover, the proportion of persons covered by social security remains low, as they constitute 56% of the total labour force (employed and unemployed); the number of active insured persons (those currently in employment) at the end of 2012 stood at approximately one million beneficiaries.

Although there are multiple bodies providing social insurance services in Jordan—the civil and military retirement systems provide social security for public-sector employees, and the retirement schemes of the professional associations provide a range of social insurances to varying degrees from one professional association to another, such as old-age benefits (retirement pensions), survivors’ and disability benefits and health insurance—a considerable proportion of workers still remain outside social insurance coverage. According to the estimates of the Jordan Labour Watch (Phenix Centre for Economic and Informatics Studies, 2013), approximately (350) thousand workers in Jordan and their families do not enjoy any form of health insurance, whether in the private sector or the public sector.¹²⁰ The number of establishments subject to social security reached (170) thousand establishments, and the number of insured persons reached (1,074,000) persons as at 31/12/2013.

The State of Wages

The year 2013 did not witness any initiative to raise workers’ wages or to raise the minimum wage.¹²¹ During this year, some workers continued to receive wages below the minimum wage set by the Wages Committee and the Ministry of Labour, amounting to (190) Jordanian dinars; teachers working in private schools and some secretarial workers in the private sector are among

¹²⁰ For further details, see the report of the Jordan Labour Watch / Phenix Centre for Economic and Informatics Studies, 2013.

¹²¹ With the exception of certain labour movements that staged sit-ins demanding improved wages.

the most important of these categories. The Centre affirms that these violations clearly result in a lack of a decent life for this category of workers, if the rising price levels of various goods and services are taken into account, which will lead to an expansion of the working poor.

Sit-ins and Strikes

Workers' sit-ins and strikes continued in 2013, with approximately (19) sit-ins and strikes carried out during this year, covering both the public and private sectors. The number of disputes handled by the Ministry of Labour reached (77) disputes. Workers' demands were a continuation of their demands in previous years, which focused on the following matters: (a) increasing wages and salaries; (b) obtaining additional gains such as thirteenth- and fourteenth-month salaries; (c) rejecting administrative restructuring or the application of new instructions; (d) demands for the permanent appointment of workers, particularly daily-wage workers, and of some social security workers in their posts; (e) protests relating to trade union matters and the improvement of trade union conditions.

Agricultural Labour

Notwithstanding the passage of five years since the entry into force of the Amending Law to the Labour Law, which made agricultural workers¹²² subject to the provisions of the Labour Law, 2013 did not witness any government initiative to enforce Article Three of the Labour Law and to issue the regulations governing the rights of agricultural workers. This means that the same problems suffered by agricultural workers, which the Centre has previously set out in its prior annual reports, persist, the most important of which are: (a) the failure to cover some workers in this sector with health insurance and social security; (b) long working hours and breaches of employment contracts by sponsors, and failure to comply with the provisions of employment contracts; (c) manipulation by some employers of the employment contracts of Egyptian workers, and allowing them to work in activities outside the scope of agricultural work in return for sums of money; (d) requiring some Egyptian workers to sign papers and bonds to ensure that they do not abscond; (e) the continued employment of women and children in this sector without the provision of appropriate working conditions for this category of workers.

Child Labour

Notwithstanding the efforts made by various authorities and non-governmental bodies to curb the phenomena of child labour and begging, 2013 witnessed the continuation of this phenomenon, specifically in the unorganised sectors, particularly the craft sectors such as vehicle repair shops, vehicle spare-parts shops, blacksmith and carpentry workshops, and restaurants. It is noted that a large proportion of these jobs are by their nature hazardous to children and fall within the classification of the worst forms of child labour under international conventions. In 2013, the Centre also monitored an increase in the phenomenon of child begging in residential neighbourhoods, in front of shopping centres and at traffic lights.

¹²² On 17/8/2008, the Labour Law No. (8) of 1996 was amended by the Amending Law, which provided in Article (3) for subjecting workers in the agricultural sector to the provisions of the Labour Law by virtue of a special regulation to be issued for this purpose.

Following interviews with a number of these children, the National Centre concluded that their work and begging are attributable to the following reasons: (a) the low income level of some families; (b) the desire of parents to have their children learn a specific trade that will guarantee them a livelihood in the future; (c) high unemployment rates and the lack of job opportunities in the organised sectors; (d) family breakdown; (e) the unwillingness of some children to enrol in education, particularly vocational education, as many of them are convinced that learning and working in such shops is a more effective and faster way of learning the trade which they wish to learn, in addition to the fact that they sometimes obtain an income that helps them to cover their daily expenses and, at times, to assist their families.

The Centre considers that the work of children in such places without oversight constitutes a violation of the provisions of the Labour Law and amounts to a violation of the rights of these children, exposing them to numerous risks, the most important of which are: (a) increased opportunities for the delinquency of children; (b) the exposure of these children to numerous immoral practices, and the exposure of some of them to beating and verbal abuse in obscene language, whether by employers or by older persons working in these places; (c) the exploitation of some children in drug trafficking and, at times, their use of drugs; (d) long working hours; (e) low wages that do not reach the minimum wage.

Combating Trafficking in Persons

The year 2013 witnessed the launch of the First National Report on Combating Trafficking in Persons for the years 2009–2013, which covered numerous themes addressing this phenomenon, whether on the legislative side, capacity-building, protection or future challenges.¹²³ The National Centre for Human Rights also implemented an awareness project to familiarise migrant workers, particularly those working in the agricultural sector, hotels and Qualifying Industrial Zones, as well as domestic workers, with the concept of trafficking-in-persons crimes, the means of protection against and prevention of such crimes, and the authorities to which recourse must be had should any person feel that he or she is a victim of trafficking in persons. Twelve awareness workshops were held in various regions of the Kingdom on this phenomenon.

However, the obstacles to which the Centre had referred in its report for 2012 persisted in 2013, the most important of which are:¹²⁴ the weak activation of the provisions of the Prevention of Trafficking in Persons Law; the weak implementation of the National Strategic Plan to Combat Trafficking in Persons; and the slowness of the procedures for establishing a shelter for victims of trafficking in persons, which requires serious work on the part of the competent authorities to overcome and resolve these obstacles.

The Syrian refugee influx into Jordan, which began with the outbreak of the Syrian crisis in March 2011, has contributed to the rise in the unemployment rate in the Jordanian labour market, as a result of a large proportion of Syrian migrants working in place of local labour, particularly in the

¹²³ The National Committee for the Prevention of Trafficking in Persons, First Report, 2009 to 2013. For further clarification, please refer to the Committee's website: ahtnc.org.jo.

¹²⁴ For further details on these obstacles, see the Report on the Situation of Human Rights in the Hashemite Kingdom of Jordan for 2012, p. 125.

informal sectors, and gradually replacing it owing to their acceptance of lower wages than local labour would accept, given the in-kind or cash assistance that displaced families receive from international, regional and local organisations and bodies. A study issued in 2013 by the Economic and Social Council, entitled “The Economic and Social Impacts of the Syrian Displacement Crisis on the Jordanian Economy”, indicated that more than 80% of Syrian refugees are outside the camps and distributed across numerous governorates of the Kingdom, which has constituted a tangible challenge to the State’s public policy in creating employment opportunities for Jordanians or in replacing migrant workers with them. The study indicates that the total number of job opportunities taken up by Syrian workers exceeds (38) thousand job opportunities in the Jordanian labour market during the period of the study, from March 2011 to the beginning of November 2012, i.e. approximately 40% of the total job opportunities required annually by Jordanian labour. It is noted that the majority of workers from among Syrian refugees are not registered with the Ministry of Labour, which means the loss to the Treasury of certain revenues accruing from work-permit fees or from social security contributions.¹²⁵

Recommendations

In order to ensure the enjoyment of the right to work, the National Centre for Human Rights reaffirms the recommendations contained in its previous reports.¹²⁶

The Right to Education

The right to education is set out in the Constitution under the chapter on the Rights and Duties of Jordanians, Article (6/3) of which provides that “The State shall ensure work and education within the limits of its possibilities, and shall ensure tranquillity and equal opportunities to all Jordanians”. Article (19) of the Constitution 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 of the law and are subject to the control of the Government in matters relating to their curricula and orientation”, while Article (20) affirms that “Elementary education shall be compulsory for Jordanians and free of charge in Government schools”.¹²⁷ Jordan has also acceded to the international human rights instruments that recognise 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.

¹²⁵ The Economic and Social Council, a study entitled “The Economic and Social Impacts of the Syrian Displacement Crisis on the Jordanian Economy”, p. 26.

¹²⁶ For these recommendations, see the Report of the National Centre for Human Rights for 2012, pp. 126–128.

¹²⁷ The Education Law No. (3) of 1994 set out the objectives of education and the foundations on which the educational process is based, and it contained provisions reflecting the necessity of directing education curricula towards developing the individual in line with human rights values; however, it did not include a clear reference to the integration of the principles of human rights and freedoms into school curricula.

The Educational Process

The year 2013 witnessed an increase in the budget of the Ministry of Education to (866,882,000) Jordanian Dinars, constituting 11% of the State's general budget, whereas in 2012 it amounted to (785,163,750) Dinars, constituting 10.5% of the general budget. This year also witnessed an increase in the number of schools of 0.38% over the previous academic year. Despite the rise in the budget allocated to the Ministry of Education, the year 2013 witnessed the persistence of the challenges impeding the provision of an environment that guarantees the enjoyment of the right to education in practice, to which the Centre has repeatedly referred in its previous annual reports,¹²⁸ and which may be summarised as follows: (a) the failure to fully activate the principle of free education; (b) the continued shortage of teaching staff; (c) the inability of the official authorities to bring the phenomenon of school dropout under control, the dropout rate for 2012–2013 having been 0.31%, and it is noteworthy that this phenomenon is concentrated in the villages and Badia areas located in the south of the Kingdom and in the Middle Jordan Valley; (d) the continued existence of a number of rented government schools, numbering (883) schools and constituting 24.9% of the Kingdom's schools; (e) the continued suffering of students in numerous government schools from the severe cold in winter; (f) the continued low level of cleanliness in a number of schools, particularly in sanitary facilities; (g) the continued failure to meet health and public safety requirements in numerous schools, particularly in remote areas; (h) the continued wide disparity in programmes and curricula between certain private schools and the majority of government schools; (i) the Government's failure to adopt the principle of classifying private schools, which leads to continued increases in school fees in certain schools despite the low quality of education in them; (j) the existence of schools operating a double-shift system, in which the proportion of students enrolled amounted to 10.8% of the total number of students.

In 2013, certain challenges also emerged clearly, the most prominent of which are: (a) the revelation of the low quality of education, particularly at the basic stage, since teaching methods generally still rely on rote learning and memorisation rather than an interactive approach, and do not sufficiently attend to building critical thinking and promoting research methodology and applied work, not to mention the acute shortage in the educational environment of schools, since the number and quality of laboratories, libraries, theatres, playgrounds and other required facilities remain very limited. What confirms the low quality of education is the announcement by the Minister of Education regarding the outcomes of the study prepared by the Ministry on the quality of education, which revealed that 22% of pupils in the first three grades cannot read and write properly, which prompted the Ministry to prepare a plan for the next three years,¹²⁹ which the

¹²⁸ For details of these challenges, see the Report on the Situation of Human Rights in the Hashemite Kingdom of Jordan for 2012, p. 131 et seq.

¹²⁹ It is noted that this plan aims to achieve the following: developing the educational ladder so that it becomes nine years, plus three years of secondary education, with compulsory education remaining ten years; expanding the government kindergarten stage so that it becomes a compulsory stage; reducing the educational tracks in a manner that positively reflects on the quality of education; developing the curricula for the various stages of education so as to equip students with the skills required for the knowledge economy; developing the General Secondary Examination; increasing the proportion of students enrolled in vocational education and restructuring its specialisations; improving the efficiency of human resources management and investment, and ending transfers from teaching posts to administrative posts; amending the criteria for appointing teachers so that they focus on quality in selection and appointment, and adopting a career path for them; constructing and rehabilitating school buildings; developing a national educational system to monitor the outcomes of

Centre hopes will address the gap in the quality of education in the Kingdom; (b) the increased burden on educational institutions in Jordan owing to the increase in the number of foreign students, particularly Syrians, whose number reached (111,589) students in the academic year 2012/2013, of whom (90,599) students study outside the camps and (20,990) students inside them; (c) overcrowding in certain schools, the number of pupils in some classrooms having reached (50–60) pupils per class, particularly in the governorates that have received large numbers of Syrian refugees; (d) the insufficient attention paid to the qualification of the teachers responsible for implementing the educational process, and the absence of incentives for them, whether material or moral.

Literacy and Adult Education

Statistics relating to literacy and adult education indicate that the illiteracy rate among males and females in 2013 amounted to 6.7%, the illiteracy rate among females being 10% and among males 3.5%. The figures also indicate a decline in literacy programmes in 2013, the number of literacy centres having amounted to (509) centres, whereas in the previous year it amounted to (543) centres. The total number of enrolled learners of both sexes and at all levels amounted to (5,763) learners, compared with (6,150) learners in the previous year, noting that the age group with the highest enrolment in the centres is that aged (45) years and above. It is noted that this programme suffers from the problem of insufficient financial support, since the teacher's remuneration in this programme amounts to (1.6) Dinars per hour, not to mention that teachers are not covered by social security and health insurance. Correction and Rehabilitation Centres also suffer from the insufficiency of literacy centres within them, which number only three centres, namely at the Swaqa, Al-Muwaqqar and Umm Al-Lulu Centres.

Curricula and Human Rights

In 2013 the National Centre developed a National Plan for the Dissemination of a Human Rights Culture for the years 2013–2016, which was presented to His Majesty the King. The Plan includes numerous activities relating to the integration of human rights concepts and their evaluation, and targets the school and university education sectors and personnel working in the official institutions of the three authorities (legislative, executive and judicial), in addition to civil society. The Centre still hopes that the funding required for its implementation will be provided, in cooperation with the competent authorities, foremost among them the Ministry of Education and the Ministry of Higher Education.

Kindergartens

The year 2013 witnessed an increase in the budget item allocated to the kindergarten sector in the budget of the Ministry of Education, reaching (60,271) Dinars, compared with (30,730) Dinars in 2012, which had a positive impact on the creation of (87) classrooms this year, bringing their number to (1,060) classrooms for 2012/2013. The number of children in kindergartens also rose to 18.9% of the total number of students for the academic year 2012/2013, their number reaching

education; and institutionalising partnership and internal and external community responsibility in the service of the education system.

(21,104) pupils distributed across 22% of schools, compared with 4.6% in 2003 distributed across 6.2% of schools, noting that the plan of the Ministry of Education aims to reach 38% in 2023. By contrast, the number of kindergartens in the private sector amounted to (1,556) kindergartens, in which a total of (64,359) pupils are enrolled, which indicates that the largest proportion remains in the private sector.

The Centre affirms the persistence of the challenges to which it referred in its previous annual reports concerning kindergartens, and calls once again for the expansion of pre-school education programmes through the establishment of kindergartens, which studies have shown reduce dropout rates and increase the chances of success in subsequent school education, in addition to their impact in bridging the educational gap between the less fortunate areas and those that enjoy better resources. Despite these efforts, there are challenges in the field of generalising kindergartens in terms of the financial challenges of expanding the establishment of kindergartens in the Kingdom; the unsuitability of the physical environment of government kindergartens for children with disabilities; the lack of awareness of the importance of kindergartens; the failure to cover all government kindergartens with school feeding; and the weakness of kindergarten evaluation programmes and of their integration into education plans. We therefore recommend that the necessary financial allocations be provided so that kindergarten becomes compulsory.

Special Education

With regard to special education, the Special Education Directorate at the Ministry of Education continues to face a number of challenges and difficulties,¹³⁰ which the National Centre for Human Rights addressed in its annual report for 2012. The total number of students enrolled in special education programmes in 2013 amounted to (2,106) students with disabilities, ranging between learning difficulties, intellectual disabilities, deafness and muteness, speech and language difficulties, and physical disabilities. The number of classrooms for students with disabilities amounted to (860) classrooms, and the number of schools for the deaf and mute amounted to (11) schools. The Centre calls for expediting the procedures for transferring the “Al-Manarat” centres for students with intellectual disabilities to the establishment of the Ministry of Education, as it is the principal authority responsible for the education of students with disabilities.

School Violence

The year 2013 witnessed the persistence of the phenomenon of school violence in all its forms, physical, verbal and psychological, and an increase in cases of violence among students themselves, on the one hand, and between students and teachers, on the other. The Ministry of Education was unable to curb this serious phenomenon. The number of complaints submitted in cases of violence against pupils also rose to (80) complaints in the academic year 2012/2013, compared with (33) complaints in 2011/2012. These centred on physical abuse in (44) complaints, verbal abuse in (21) complaints, and emotional abuse and neglect in (15) complaints, while students and their parents continue to refrain from submitting complaints for fear of a change in the treatment they receive from teachers and the school administration, which suggests that the

¹³⁰ For further information on these difficulties and challenges, see the Report of the National Centre for Human Rights for 2012, p. 136.

scale of this problem is larger than it appears; moreover, 30% of the complaints registered are subsequently withdrawn by the complainant.

Private Schools

The year 2013 witnessed the continued commission by certain private school administrations of numerous violations affecting the rights of both students and teachers¹³¹ at the same time. A number of violations also emerged this year, the most important of which are: (a) the unjustified rise in the cost of study in these schools, since the student bears the cost of textbooks at a price not subsidised by the Ministry of Education, in addition to the price of uniforms and the high price of supplementary books, the total of which may reach hundreds of Dinars in some schools, owing to the monopoly exercised by the school administration and the vendor supplying it, and to the lack of oversight by the Ministry, not to mention that students in the private sector are at times compelled to enrol in paid extra-curricular courses; (b) compelling certain teachers to perform work other than teaching, such as accompanying the bus assigned for the transport of pupils; (c) the exposure of certain teachers, particularly female teachers, to verbal abuse by the administrations of certain schools; (d) the failure to include private-sector teachers in the training programmes and grants supervised by the Ministry of Education, contrary to the Education Law;¹³² (e) the lack, for teachers working in the private sector, of a scale of job grades, and the failure to link salaries to such grades; (f) the lack of job security for teachers, particularly female teachers, in the private sector, since they are easily dismissed without obtaining their legal entitlements owing to their signing annual contracts that expire at the end of the academic year; (g) the circumvention by many private school administrations of the provisions of the Social Security Law by failing to enrol teachers in the social insurance to which they are entitled; (h) the low level of salaries of teachers, particularly female teachers working in the private sector, compared with the public sector. The National Centre calls upon the Ministry of Education, the Teachers' Association and the Association of Private School Owners to assume their national responsibility and take effective measures to curb these violations, in order to guarantee teachers' enjoyment of their fundamental rights and their sense of security, which increases their motivation to provide distinguished education, which is the right of all pupils.

The Teachers' Association

In 2013 the Teachers' Association succeeded in achieving the following gains for teachers: (a) the conclusion of a memorandum of understanding with the Ministry of Interior providing that a teacher shall not be detained in educational cases until they are adjudicated by the courts; (b) the provision of legal assistance and representation of teachers in professional cases and matters; (c) the conclusion of an agreement between the Ministry of Education, the Teachers' Association, the Association of Private School Owners, the Ministry of Labour and the General Federation of Trade Unions guaranteeing that, in the event of renewal of the contract, the teacher shall be

¹³¹ For further information on these violations, see the Report of the National Centre for Human Rights for 2012, p. 138.

¹³² Article (21) of the Education Law provides: "The Ministry shall, within the limits of its capabilities, provide opportunities and means for personnel working in government and private educational institutions who do not meet the conditions set out in Articles (16–20) of this Law to raise their academic and educational level to the level set out in those Articles, in accordance with Instructions issued by the Minister."

covered for the summer vacation; (d) the deposit and archiving of employment contracts with the Association in order to safeguard teachers' rights. These gains have contributed to increasing the oversight of the Association and the Ministry over the appointment of Jordanian teachers on satisfactory terms of employment. The Ministry of Education also agreed to the participation of the Association in the Education Council, which formulates policies, despite the absence of any legal provision to that effect. Despite these gains, the Association suffered in 2013 from an inability to communicate with teachers in the private sector with a view to their joining the Association, owing to the negative stance of the administrations of certain private schools towards the Association.

The Tawjihi Problem

Despite Jordan's extensive experience in organising the General Secondary Examinations, known as the Tawjihi, recent years, and particularly the academic year 2012/2013, witnessed a state of disorder manifested in the leaking of examination questions; assaults by students and their families on examination-hall directors and invigilators, as well as on Tawjihi teachers; the growth of the phenomenon of cheating in the Tawjihi examinations, including the use of modern technological means; and a breakdown of supervision in certain examination halls. This necessitates taking the measures necessary to control and halt these practices.¹³³

Higher Education

Legislation and the Independence of Universities

The Higher Education and Scientific Research Law No. (23) of 2009 regulates the educational process. This Law contains a number of provisions that undermine the independence of universities, the most important of which are: (a) the mechanism for forming the Council; (b) the inability of the Council to formulate policies relating to education; (c) the lack of independence of the Scientific Research Fund. This Law also confers the power to decide on the termination of the service of presidents of public universities, whether by accepting their resignation or by relieving them of their duties, through the Higher Education Council, which constitutes a broad power for the Council and limits the independence of universities;¹³⁴ indeed, it goes further, as their service may be terminated by appointing a replacement without any prior procedure.

Furthermore, the Jordanian Universities Law No. (20) of 2009, which replaced the Jordanian Private Universities Law No. (26) of 2007 and the Temporary Jordanian Public Universities Law No. (42) of 2001, contains a set of provisions that conflict with the independence of universities, the most important of which are: (a) granting the Board of Directors of the company the power to nominate two-thirds of the members of the university's Board of Trustees, including the President, which affects the independence of the university and increases the owner's influence; (b) the

¹³³ It is noted that during the academic year 2013–2014 the Ministry of Education, in cooperation with other official authorities, made efforts that bore fruit in curbing the state of disorder that the General Secondary Examinations had recently witnessed.

¹³⁴ Prof. Nu'man Al-Khatib: a paper entitled "The Legislation Regulating Higher Education and Scientific Research in Jordan", presented at a seminar held by the National Centre for Human Rights and the Jordan Engineers Association entitled "Academic Freedoms in Jordan between Reality and Aspiration", 7/8/2010.

interference of the owners of private universities in determining university fees, registration fees, services, transportation and all financial matters; (c) allowing university owners to conduct their activities from their offices on the university campus, which enables them to interfere in the administration of the university, not to mention the rapidity and frequency of the amendments to the legislation regulating higher education, which causes confusion in the administration of universities and an inability to adopt a stable and clear strategy commensurate with their capabilities and with the legal frameworks regulating them.

The number of higher education institutions in the Kingdom as at the end of 2013 amounted to (30) universities teaching various academic specialisations, of which (10) are public universities, (18) are private universities and two are regional universities, in addition to (40) community colleges affiliated to Al-Balqa Applied University, as shown in Table No. (7).

Table No. (7): Proportion of Females to the Number of Students in Jordanian Universities

	Number	Number of Students at All Levels	Proportion of Females
Public universities	10	201,495	56.55%
Private universities	18	66,655	35.77%
Total	28	268,150	51.39%

University Fees and Admission Criteria

The rise in the proportion of admissions on the basis of exceptions and the multiplicity of admission programmes, whether the parallel or the international programme,¹³⁵ in addition to the admission of students to private universities with low grade averages and the general leniency in passing examinations and tests, not to mention the failure to provide teaching staff capable of performing the task of teaching and the failure to provide the necessary incentives for the competent among them, have all contributed to the decline of the values of competitiveness and merit in the field of higher education and to the deterioration of the educational process as a whole. Higher education still suffers from the two problems of university fees and admission criteria, which involve numerous difficulties¹³⁶ that the National Centre for Human Rights has addressed in its annual reports for previous years. In 2013 the opportunity was opened for Jordanian students holding the Jordanian General Secondary Certificate to register in the international programme, which means an increase in the number of Jordanian students paying high fees, notwithstanding that they are subject to the same educational programme. This year also saw continued weak government spending on financially disadvantaged students through the Student Support Fund, which provided a total of (25,549,476) Dinars, from which a total of (34,896) male and female students benefited, noting that the total number of students who applied to benefit from it

¹³⁵ Despite the illegality of these programmes, universities have gradually adopted them in order to meet their financial obligations and address their financial deficit, and successive governments have accepted this, whereas the solution for maintaining the required standard of university education lies in the Government's transfer to the universities of the fees it collects in the name of university fees.

¹³⁶ For further information on the problems of higher education, see the Report of the National Centre for Human Rights for 2012 and previous years, pp. 140–141.

electronically was (51,640) students, of whom (44,800) students completed the required documents.

Human Rights Education

With regard to human rights education in higher education, it is noted that certain universities continue to offer a human rights course; however, this course remains confined to faculties of law and political science, or is offered as an elective course for university students, and the human rights course has not yet been integrated into other specialisations. On the other hand, the activities of human rights clubs in universities remain limited and require greater engagement with them on the part of civil society institutions.

University Violence

The year 2013 witnessed an increase in cases of university violence, which has become a worrying and serious phenomenon threatening the institution of higher education and social peace in general, since it has claimed the lives of students and teachers. The most important features of this phenomenon this year were:

- a. The spread of violence from the university to the local community, as occurred at Al-Hussein Bin Talal University and Al-Balqa Applied University.
- b. The impact of acts of violence on academic work, as classes were suspended at several universities.
- c. The severity and brutality of acts of violence, in which firearms and bladed weapons were used and which, most regrettably, resulted in (4) deaths at Al-Hussein Bin Talal University and one death at Mu'tah University, as well as a number of injuries, as shown in Table No. (8).¹³⁷

Table No. (8): Number of Brawls in Jordanian Universities in 2013

Year	2010	2011	2012	2013
Number of brawls	31	58	68	97
Number of deaths	One death (Al-Balqa Applied University)	—	One death (Mu'tah University)	5 deaths (one at Mu'tah University and four at Al-Hussein Bin Talal University)

- d. Furthermore, 90% of brawls were accompanied by the destruction and vandalism of university facilities and the burning of property, which indicates an absence of any sense of belonging to the university and of concern for it on the part of students.

- e. The suspension of classes at the universities that witnessed brawls, which reached a maximum of (28) days at Al-Hussein Bin Talal University. Table No. (9)¹³⁸ shows the periods of suspension of classes at those universities.

Table No. (9): Dates and Periods of Suspension of Classes in Jordanian Universities in 2013

¹³⁷ Based on the report of the Dhabahtoon campaign.

¹³⁸ Ibid.

University	Date of Brawl	Period of Suspension of Classes
Al-Hussein Bin Talal University	29/4/2013	28 days (from 29/4 until 26/5)
Mu'tah University	28/3/2013	One day
Mu'tah University	31/3/2013	Two days (31/3 and 1/4)
Mu'tah University	2/4/2013	Five days (from 2/4 until 7/4)
Al-Balqa Applied University	19/11/2013	One week (from 19/11 until 26/11)

Academic Freedoms

Professors and staff in universities are still calling for an association to regulate and protect their rights. Professors, researchers and students also continue to suffer from the interference of executive authority bodies in policies relating to curricula and the appointment of faculty members, and from the failure to adopt national committees elected by academics to undertake the appointment, secondment and promotion of professors, in order to guarantee the values of competence, integrity and transparency, whether with regard to the selection of professors or the admission of students.

The mechanism of student representation remains one of the problems hindering students' ability to participate and to express themselves, as there is no general union for all students in the Kingdom; students are represented at each university separately, each having its own representative mechanism. Furthermore, there are no elected student councils at Isra University, Petra University, Jerash University and Irbid National University, and the elections of a number of student councils were postponed at the Hashemite University, Al-Balqa Applied University, Al al-Bayt University, Amman Al-Ahliyya University and Mu'tah University. In addition, students have complained of interference and pursuit by the security services aimed at influencing student elections, which constitutes a challenge to the right of students to participate and to choose their representatives freely.

Recommendations

In light of this reality, the Centre reiterates its recommendations contained in its previous annual reports,¹³⁹ with emphasis on the following recommendations:

- Amending the Education Law so as to ensure that education is directed towards strengthening respect for human rights and fundamental freedoms, and so as to include both kindergarten stages within the compulsory stage, and not only the Rawda stage.
- Establishing an association for university professors and staff.
- Activating the responsibility of the State to ensure that pupils enrol in basic education, by prosecuting parents who do not send their children to school, particularly in light of the growing number of working children, in order to safeguard their right to education.
- Taking prompt and transparent measures to investigate all the causes of university violence, including the elements of the educational process, university admission criteria

¹³⁹ For further information on the recommendations, see the Report of the National Centre for Human Rights for 2012, pp. 142–143.

and rising university fees, the failure to enable students to exercise their rights, and the various societal pressures to which students are exposed.

- Reviewing the legislation regulating higher education and Jordanian universities in order to activate the principle of university independence, in line with the National Strategy for Higher Education 2014–2018, and to enable universities to perform their role effectively in achieving their objectives in education, scientific research and community service.

The Right to Health

Although the Jordanian Constitution contains no explicit provision on the human right to health, international instruments have accorded this right particular attention in view of its importance to the human right to life, foremost among them the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR). A number of national laws have likewise accorded this right special attention, as expressed in the Public Health Law, which provides that the Ministry of Health is responsible for all health affairs in the Kingdom, in addition to numerous other laws relating to the control of food and medicine, such as the Drug and Pharmacy Law, the Food Control Law, the Jordan Food and Drug Administration Law, the Narcotic Drugs and Psychotropic Substances Law, and the Law on Conducting Pharmaceutical Studies. There remains a pressing need to enact the Medical Liability Law, the draft of which was prepared in 2010, in order to curb the phenomenon of medical errors and to regulate medical and therapeutic tourism in the Kingdom.

In 2013, the Strategic Plan of the Ministry of Health for the years (2013–2017) was adopted. The Plan aims to support and advance the health process and to address and tackle the main issues facing the work of the Ministry in the coming phase, within nine main pillars, namely: primary health care; secondary and tertiary health care; financial management; human resources management; infrastructure; the health care services pillar; regulation and oversight; knowledge management; and the leadership pillar.¹⁴⁰

In 2013, the Ministry of Health also formed a technical committee on human rights, comprising experts and specialists in the field of human rights from among the staff of the Ministry of Health and the National Centre for Human Rights, to assist the Ministry of Health in performing its role in protecting and promoting human rights in the field of health.¹⁴¹

• Combating Communicable Diseases

The Centre noted that in 2013 the Ministry of Health took a number of measures to limit the spread of diseases, both communicable and non-communicable, most notably: (a) the continued

¹⁴⁰ For the contents of this Plan, see the following link: www.moh.gov.jo.

¹⁴¹ This Committee was entrusted with the following tasks: reviewing the human rights recommendations issued by the National Centre for Human Rights, rectifying situations and remedying the shortcomings related thereto; reviewing and activating health policies, legislation, programmes, activities, projects, training manuals and procedures capable of promoting human rights, and making proposals and recommendations in that regard; activating the mechanism for human rights complaints, examining and addressing them, and following up the mechanism of the measures necessary to protect and safeguard human rights; and building capacities and raising awareness among health personnel of the human rights guaranteed by the Constitution and the law, and training them thereon.

monitoring and control of communicable diseases throughout the Kingdom through numerous programmes and projects which, taken together, seek to control communicable diseases and to limit them as far as possible. Perhaps the foremost of these programmes is the “Epidemiological Surveillance System for Communicable Diseases”, which is recognised as an effective and sensitive system for a large number of these diseases, enabling rapid action and the measures necessary to control them. This has been reflected in a decline in the mortality rate from communicable diseases in Jordan, which stands at (84/100,000), considerably lower than the global rate of (230/100,000). (b) The continuation of the National Immunisation Programme against certain communicable diseases, which seeks to achieve the highest possible vaccination coverage, reaching 98% and 100% for some vaccines. This has led to the control of the diseases against which vaccination is given: no case of childhood poliomyelitis has been recorded since 1992, and Jordan is free of certain other diseases no longer included in the National Immunisation Programme, such as malaria, bilharzia and cholera. A review of the statistics issued by the Ministry of Health for 2013 shows that the Ministry continued to succeed in limiting communicable diseases, with the exception of an increase in the number of measles cases, which reached (120) cases in 2013 compared with (24) cases in 2012; an increase in the number of hepatitis A cases to (956) cases in 2013 compared with (509) cases in 2012; and an increase in the number of cases of non-epidemic meningitis to (402) cases compared with 325 cases in 2012. (c) The continuation of the National AIDS Control Programme, established in 1986, and the updating of the National AIDS Strategy for the years 2012–2016, which was developed in cooperation with the Joint United Nations Programme on HIV/AIDS and other international organisations. (86) new cases of the disease were recorded in 2013, of which (19) cases were among Jordanians and the remainder among expatriates.¹⁴² (d) The implementation of a national vaccination campaign against measles and rubella for the age group under twenty in November 2013; the campaign succeeded in vaccinating (3,361,516) children, of whom (252,431) were Syrian children. (e) The implementation of a national vaccination campaign against poliomyelitis for the age group under five years in November, in which (1,111,221) children were vaccinated, of whom (115,808) were Syrian children. (f) The implementation of a national vaccination campaign against poliomyelitis for the age group under five years in December, in which (898,896) children were vaccinated, of whom (83,582) were Syrian children.

- **The Primary Health Care Pillar¹⁴³**

¹⁴² Communicable Diseases Directorate / Ministry of Health.

¹⁴³ The literature and practice relating to the right to health frequently refer to three levels of health care: primary health care, which typically deals with common and relatively minor illnesses and is provided by health professionals and/or generally trained doctors working within the community at relatively low cost; secondary health care, which is provided in centres, usually hospitals, and typically deals with relatively common minor or serious illnesses that cannot be managed at community level, using specialty-trained health professionals and doctors and special equipment, and sometimes providing in-patient care at a higher cost compared with primary care; and tertiary health care, which is provided in a relatively small number of centres and typically deals with a small number of minor or serious illnesses requiring specialty-trained health professionals and doctors and special equipment, and is often relatively expensive. Since the forms of primary, secondary and tertiary health care frequently overlap and often interact, this classification does not always provide sufficient criteria for distinguishing between them in a manner that helps to determine the levels of health care that the State must provide (Committee on Economic, Social and Cultural Rights, Twenty-second session (2000) / General Comment No. 14 / The right to the highest attainable standard of health).

The Ministry of Health provides primary health care services through the health directorates, which number (12) health directorates, together with a wide network of health centres covering all population clusters in the Kingdom, through which it provides general medicine, dentistry, public health, maternal and child services and health education, in addition to certain specialised services.¹⁴⁴ In 2013, the number of these centres reached (691) centres, distributed as follows: comprehensive centres (93), primary centres (387) and sub-centres (211), in addition to (447) maternity and childhood centres.

Through its numerous visits to certain remote areas,¹⁴⁵ the National Centre recorded a number of observations on the services provided by the health centres, most notably: (a) shortages of medicines, and the lack of certain childhood vaccines in some centres. (b) The lack of antenatal care services in some centres. (c) Shortages of medical personnel, their failure to adhere to full working hours, and their absence on certain days. (d) The remoteness of some health centres from the places where citizens reside. (e) The unavailability or insufficiency of certain medical equipment in some centres.

- **The Secondary and Tertiary Health Care Pillar**

Secondary health care services and certain tertiary health care services are provided through (28) hospitals affiliated with the Ministry of Health, including: (8) teaching hospitals, (9) main non-teaching hospitals, (10) subsidiary hospitals, and the National Centre for Mental Health hospital (to which are affiliated the Al-Karama Hospital for Psychological Rehabilitation and the National Centre for the Rehabilitation of Addicts); as well as (11) hospitals affiliated with the Royal Medical Services, two university hospitals and (63) private hospitals.¹⁴⁶

In 2013, the Ministry of Health expanded and modernised eight of its hospitals, and Prince Hashem bin Abdullah II Hospital (affiliated with the Royal Medical Services) was opened in Aqaba Governorate. The hospital has a capacity of (212) beds and is expected to provide medical and therapeutic services to the residents of the city of Aqaba and the neighbouring areas, covering those enrolled in military and civil health insurance, uninsured civilians, and tourists visiting Aqaba.

Despite the efforts made by the Ministry of Health to develop and improve the health services provided to citizens, some hospitals and health centres continue to suffer from a number of problems that impede the achievement of their objectives, which the Centre has addressed in its previous annual reports, most notably: (a) shortages of personnel and of the necessary medical equipment in some hospitals and health centres throughout the Kingdom relative to the number of patients, leading to a decline in the standard of medical care provided to patients owing to the short time a doctor allocates to examining each patient, which exposes the doctor to error when diagnosing cases. (b) Shortages of certain vaccines and certain essential medicines, particularly medicines for chronic diseases such as hypertension, diabetes and heart disease, in some hospitals

¹⁴⁴ The Strategic Plan of the Ministry of Health 2013–2017.

¹⁴⁵ Examples of health centres visited by the Centre's teams that suffer from certain problems include: the Al-Za'tari, Al-Mushrif and Al-Mafraq health centres in Mafraq Governorate, and the Al-Qatrana health centre in Karak Governorate (Al-Za'tari / Mafraq Health Directorate, in the Al-Mafraq area / Mafraq Governorate).

¹⁴⁶ Ministry of Health.

in the Kingdom, forcing patients to purchase them at their own expense from pharmacies. (c) Long waiting times for appointments in outpatient clinics. (d) Overcrowding in the emergency departments of some government hospitals. (e) A decline in the number of trained, experienced and skilled doctors, as they continually obtain employment opportunities outside the Kingdom owing to the low salaries offered and the failure to provide suitable specifications for a comfortable working environment for doctors.

Through its field visits to the governorates and remote areas, the National Centre's team received a number of complaints regarding the services provided by certain hospitals, including, for example, Mafraq Hospital. These observations may be summarised as follows: (a) the lack of certain important medical specialties, such as cardiac surgery. (b) The absence of certain technologies for some types of radiological imaging, resulting in patients being referred to Al-Bashir Hospital in Amman, with the consequent burden and financial cost to patients, in addition to the fact that some patients come in the first place from distant areas, such as the Al-Ruwaished area, to Mafraq Hospital and are thereafter referred to Al-Bashir Hospital.

- **Mental Health Services**

Mental health services in Jordan¹⁴⁷ remained limited in 2013, relying primarily on tertiary-level care in psychiatric hospitals rather than on cost-effective primary health care and community-based care, as the National Centre has pointed out in its previous reports. This was confirmed by the results of the field visits carried out by the Centre's team to numerous bodies, including its visit to the Integrated Services Centre for Combating Domestic Violence on 17/7/2013. This prompted the Centre to address the Prime Ministry with a view to according due attention to residential mental health care and to including in the general budget for the coming years the financial resources sufficient to secure such care for citizens in all governorates of the Kingdom and to establish centres dedicated to this purpose. In response, the allocations of the Ministry of Health in its draft budget for 2014 were increased by 35% over their 2013 level, so as to ensure that the necessary costs of mental health care are covered.

- **School Health**

During the 2012/2013 school year, the Ministry of Health took a number of measures to promote school health, the most important of which were: (a) the issuance of health requirements for school canteens and of the foods permitted and prohibited for sale therein. (b) Requiring private schools and non-governmental kindergartens to provide dental services. (c) The introduction of a unified health inspection form for all schools, entitled ("Notice to Remedy Shortcomings").

Despite the Ministry of Health's achievements in the area of school health, the National Centre observed, during the numerous field visits it carried out to certain remote areas, a general lack of cleanliness in a number of government schools, posing a danger to children's health.

¹⁴⁷ When reference is made to the optimal model for mental health services developed by the World Health Organization and compared with the organisation of mental health services in Jordan, it is found that the pyramid of services in Jordan is inverted. Shifting the focus from tertiary-level care to primary health care and community-based mental health care will increase the availability and accessibility of high-quality services, and will bring mental health services closer to where people live and work. Community-based services will also facilitate the provision of treatment that avoids restraint, and will reduce stigma and human rights violations.

- **Food and Drug Control**

In 2013, the Jordan Food and Drug Administration carried out approximately (238,506) inspection visits to ensure that food establishments, factories and restaurants throughout the Kingdom comply with public health and safety requirements. These visits resulted in the issuance of (29,676) warnings, (2,495) violations referred to the judiciary, and (1,781) closures of food establishments. The Administration announced that, through this effort, it was able to satisfy itself that more than 92% of the food in Jordan is of known origin, compared with certain neighbouring countries, some of which do not exceed 40% or less.

In 2013, the Food and Drug Administration also reduced the prices of approximately (750) pharmaceutical items. It seized (177,780) counterfeit tablets in public vehicles, (164,387) counterfeit tablets in a residential area and herbalist shops, and (70) counterfeit tablets in a public pharmacy, totalling (342,487) tablets, the value of which amounted to (102,746) dinars. As a result, the Administration announced that it had succeeded in reducing the proportion of counterfeit medicines in the Kingdom to less than 1%.

In 2013, the Food and Drug Administration also continued to oversee pharmaceutical research companies in order to verify their compliance with the rules and conditions stipulated in the Law on Conducting Pharmaceutical Studies. The number of bioequivalence studies approved in 2013 reached (160) studies; these are studies conducted on well-known medicines that have long been on the market and are carried out on healthy volunteers. There are also (13) therapeutic studies being conducted on patients in hospitals licensed to conduct such studies. The Jordan Food and Drug Administration has also established a periodic schedule for inspecting the entities conducting pharmaceutical studies.

The year 2013 witnessed the emergence of a disturbing phenomenon, namely the death of (14) persons as a result of using expired stimulants and hormone injections, owing to irregularities in a number of sports and bodybuilding clubs frequented by young people, in which smuggled, expired stimulant injections and hormones are used.¹⁴⁸

- **Conditions of Health Personnel**

In 2013, medical personnel made numerous demands for the improvement of their living conditions. These demands took several forms, most notably: (a) a strike by nursing staff in the hospitals and centres of the Ministry of Health, which led to a complete paralysis of the Ministry's centres, to demand an increase in incentives, the grant of an acquisition and transport allowance, the opening of the possibility of unpaid leave, and the opening of the possibility of appointment in lieu of those on leave.¹⁴⁹ (b) A strike by nurses working at the Jordan University Hospital in April 2013 to demand an increase of the technical allowance to 135%, and an increase in the rate of administrative incentives and of the incentives for both shifts (B and C) to 25%. The strike resulted in the fulfilment of part of these demands, with salaries being increased as follows: (35) dinars for assistant nurses, (50) dinars for registered nurses and (10) dinars for coordinators, in addition to a procedural allowance to be applied at the beginning of 2014.

¹⁴⁸ Al-Ghad newspaper, dated 7/2/2013.

¹⁴⁹ Al-Ghad newspaper, dated 25/2/2013.

In 2013, the phenomenon of assaults on medical personnel continued, with the number of cases of assault reaching (71) cases.¹⁵⁰

- **Health Insurance**

International instruments have affirmed the right of the individual to social insurance and social security, as provided for in Article (9) of the International Covenant on Economic, Social and Cultural Rights.¹⁵¹

According to information issued by the Health Insurance Administration at the Ministry of Health, the proportion of citizens with health insurance in 2013 reached 86.7%. Insurance covers all civil service employees and a large proportion of the poor, in addition to other networks such as the social safety net, the poorest areas, remote areas, Jordanian children under the age of six, children from the Gaza Strip, persons suffering from communicable diseases, persons with special needs, cancer patients and kidney dialysis patients.

There is an intention to introduce compulsory insurance for all workers, whether in small or large private-sector companies, as set out in the National Employment Strategy for the years 2013–2014.

Despite these efforts, there has been a noticeable decline in the medical profession, particularly with the entry of the financial investment dimension without clear regulation and standards, and negative competition manifested in practices inconsistent with medical ethics and the terms of the Hippocratic Oath, in particular the unethical treatment of patients coming to Jordan to seek treatment. Furthermore, the increase in the number of students admitted to faculties of medicine, particularly under the parallel and international programmes, together with a clear shortage in the number of faculty members in certain basic specialisations, has led to a decline in the scientific and practical standards of graduates of faculties of medicine.

Recommendations

In order to protect the right to health, the Centre reiterates its previous recommendations set out in its report for 2012,¹⁵² with emphasis on the following recommendations:

- Developing and improving the quality of services in primary health care, in view of its 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, to include identifying needs, analysing the causes of problems, collecting and interpreting data, monitoring trends, conducting research and evaluating results.

¹⁵⁰ Ministry of Health / Legal Affairs Directorate.

¹⁵¹ Article (9) of the International Covenant on Economic, Social and Cultural Rights provides that: “The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.”

¹⁵² For further information on the previous recommendations, see the Report of the National Centre for Human Rights for 2012, pp. 154–156.

- 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 medical treatment services so as to guarantee citizens access to the best standard of health care, in accordance with a tariff that takes into account the economic circumstances of citizens.
- Imposing health oversight on sports centres, particularly bodybuilding centres, in order to prevent the use of stimulant injections and hormones that 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 of food and food establishments.
- Providing awareness programmes on the dangers of acquired immunodeficiency disease (AIDS), and on non-discrimination against persons living with it.
- The Ministry of Health and the Ministry of Education should activate the school health programme, particularly in remote areas and in private schools that do not comply with this programme, and at the same time strengthen health oversight of government school canteens in order to ensure the quality and safety of the food sold therein.
- Expediting the implementation of the provisions of the National Employment Strategy for the years 2013–2014 concerning the provision of compulsory insurance for all workers, whether in small or large private-sector companies.

The Right to a Healthy Environment

Although the Jordanian Constitution contains no explicit provision on the human right to a healthy environment, the numerous international conventions ratified by Jordan have guaranteed this right, as have the Environmental Protection Law No. (52) of 2006 and the regulations and instructions issued pursuant thereto.

In 2013, a package of environmental legislation was adopted, which it is hoped will contribute to promoting this right. This legislation emanated from the Environmental Protection Law No. (52)

of 2006,¹⁵³ the Provisional Agriculture Law No. (44) of 2002,¹⁵⁴ and the Public Health Law No. (47) of 2008.¹⁵⁵

- **Environmental Policies and Performance**

In 2013, the Ministry of Environment continued to implement the environmental policies referred to by the Centre in its report for 2012.¹⁵⁶ The national policies relating to the three Rio environmental conventions (biological diversity, combating desertification and climate change) were also reviewed and developed, relying on research as a guide for policy, and a comprehensive document was prepared for the rehabilitation of the phosphate hills area in Russeifa District.

- **Air Pollution**

In 2013, there was an increase in the level of pollution from stationary and mobile sources (the transport and industrial sectors) and natural sources, which are among the most significant sources of ambient air pollution in the Kingdom, particularly suspended fine particulate matter and the gaseous pollutants produced by these sources, in addition to pollution resulting from the use of fertilisers, insecticides and fungicides in the agriculture and public health sectors. Factors contributing to the increase in the level of pollution in 2013 included population growth and the mass influx of refugees (Syrian and Iraqi), and the consequent heavy pressures on basic needs and infrastructure, which have led to a decline in their capacity to meet the requirements of these large numbers of migrants. Unless addressed effectively and promptly, these pressures will in the near future become severe strains with major negative impacts on all sectors, particularly the environmental sector.

In order to ensure that the problem of gas emissions (carbon dioxide) is curbed, notwithstanding the limited contribution of the Kingdom's emissions compared with global emissions, the Ministry of Environment must take effective measures capable of reducing these emissions, by monitoring concentration levels of gaseous air pollutants and suspended fine particulate matter in the most polluted areas and in the qualifying industrial cities (King Abdullah II City/Sahab, Al-Hassan Industrial City/Irbid and Al-Hussein Industrial City/Karak), and in the industrial clusters that emerged in a haphazard, ill-considered and unqualified manner and that witness a clear violation of the human right to a clean and healthy environment (Al-Muwaqqar, Al-Jiza, Al-Khalidiya, Al-Baqa'a and Russeifa); monitoring concentration levels of suspended fine particulate matter in the Al-Fuhais and Al-Rashadiya areas; monitoring the concentrations of emissions from

¹⁵³ The Instructions on Specially Protected Areas; the Instructions on the Control, Use, Import and Re-export of Ozone-Depleting Substances and the Devices and Equipment Containing Them; the Environmental Protection Fund Regulation and its amendments; and the Regulation on the Environmental Requirements for the Production of Electric Power Using Direct Combustion of Oil Shale.

¹⁵⁴ The Instructions on the Conditions and Procedures for the Registration of Vegetable Seed Varieties; the Instructions on Licensing the Establishment and Operation of Olive Presses; the Instructions on Licensing Places for the Sale of Ornamental Plants and Their Seedlings; the Instructions on the Conditions and Procedures for the Registration of Imported and Locally Produced Vegetable Seed Varieties and Their Rootstocks and the Conditions for the Production of Vegetable Seedlings; the Instructions on the Registration, Manufacture, Preparation, Import, Circulation of and Trade in Pesticides; and the Instructions Regulating the Management of Government Forests and Forest Trees Growing on Treasury Lands.

¹⁵⁵ The Instructions on the Prevention of Health Nuisances Relating to Health Hazards Arising from Housing Units of Labour Compounds.

¹⁵⁶ For these policies, see the Report of the National Centre for Human Rights for 2012, p. 157.

major factories, such as the cement factories in Al-Rashadiya and Al-Fuhais, and linking them electronically and fully with the Ministry of Environment, and linking the remaining major factories thereto; and monitoring the vibrations resulting from blasting carried out at mining sites close to population centres, which may cause cracks and fissures in houses. The National Centre commends the Ministry of Environment for having monitored and recorded, in 2013, the levels of bromine and chlorine gas in the ambient air around the bromine factories in the Dead Sea area, through the direct linking of the detection devices for these gases with the Ministry of Environment, as a preventive measure to reduce these emissions.

- **Water Resources and Sanitation**

In 2013, the role of the Water Authority in treating wastewater at the treatment plants located on the outskirts of the capital, Amman, continued to be deficient, as it merely transports wastewater by tankers from these plants to the Ain Ghazal plant and then conveys it to the Al-Khirbeh Al-Samra plant. The Greater Amman Municipality also continued to discharge slaughterhouse waste into the sewerage system, resulting in health nuisances affecting the artesian wells in the Birin area, and causing major environmental pollution, particularly of the Zarqa River and King Talal Dam, which already suffer from pollution resulting from the presence of a large number of factories near the Zarqa River, whose wastewater is discharged into the river and which increase year after year.

The effects of this pollution are aggravated by the continued reliance of farmers in the areas adjacent to the Zarqa River and King Talal Dam on this water to irrigate vegetables, part of which is consumed fresh without cooking, such as lettuce, parsley, mint, etc. Studies also indicate that increased pollution of the dam's water leads to increased levels of ammonia and phosphorus in the water, which contributes to the growth of algae that reduce the level of oxygen in the water and cause harm to fish stocks. The Centre recommends monitoring the mechanism for the disposal of waste from the factories located on the banks of the Zarqa River in order to curb its discharge therein. It further recommends relocating polluting factories away from population centres and water sources, and expediting the treatment of the pollution of the waters of the Zarqa River and King Talal Dam by reducing its causes and establishing strict oversight of the factories.

In 2013, signs emerged of an environmental disaster in the Al-Husayniyat basin area in the Northern Badia, located three kilometres south-east of Al-Za'tari Camp, owing to the accumulation of wastewater in open ponds extending over long distances across an area exceeding (300) dunums. The drivers of wastewater tankers belonging to a contractor engaged by one of the relief organisations in Al-Za'tari Camp deliberately discharge their loads of wastewater into the valleys and agricultural lands in the Al-Husayniyat basin instead of discharging them at the designated dumping sites. Should these practices continue, they will lead to an environmental disaster in the area, posing a serious danger to the health of citizens and threatening pastureland and crops. While warning of the consequences of such conduct, the Centre calls upon the competent authorities to take prompt and effective measures to halt this disaster in order to protect the environment, health and public safety.

- **Protection of Nature and Biodiversity and Combating Desertification**

The Kingdom continues to face numerous major environmental challenges, represented by water scarcity, desertification and urban sprawl. In an effort to address these challenges, the Government

has in recent years designated the Fifa Reserve and the Qatar Reserve as nature reserves and designated the Wadi Ibn Hammad area as a specially protected area. It has also begun implementing the National Biosafety Framework, with a grant from the Global Environment Facility, and has completed the implementation of the road map as a first phase for the rehabilitation and development of rangelands in the Jordanian Badia. A community action plan and an executive programme for the rehabilitation of the Badia have also been prepared.

- **Waste and Waste Management**

In 2013, the problem of deficient treatment of waste in its various forms persisted, owing in part to the inability of the competent authorities (the Greater Amman Municipality and the municipalities) to collect it regularly, which leads to its accumulation and, at times, to recourse to treating it by burning it on site, constituting a serious violation of the right to a healthy environment. Hazardous and medical waste also continues to be treated in a traditional manner through storage and landfilling at the Swaqa and Al-Ghabawi landfills, after being received from local institutions and companies. The National Centre notes that electronic waste has not yet received adequate attention from the relevant authorities, whether in terms of legislation or policies, as practices show that it is handled in a traditional manner without awareness of its danger and its negative impacts on the environment.

- **Fly Control**

The Jordan Valley area continues to suffer from the problem of a dense proliferation of flies, despite the efforts made to address this problem under the National Plan for Fly Control in the Jordan Valley.¹⁵⁷

- **Oversight and Inspection**

The oversight bodies, namely 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 they exercise are the following:

(a) Licences

In 2013, the Central Licensing Committee granted (1,135) licences for industrial, agricultural and craft projects and warehouses, compared with (1,119) licences in 2012. By contrast, the Committee rejected (326) applications, compared with (277) applications in 2012, for violating the environmental conditions for licensing investment projects, as shown in Table No. (10).

¹⁵⁷ The National Plan for Fly Control included the following measures: 1. Manufacturing food-bait fly traps and distributing them throughout all areas of the Jordan Valley; preparations are currently under way for a new campaign to distribute food-bait fly traps and the baits for them. 2. Activating the role of the Royal Department for Environmental Protection in preventing the entry of untreated manure into the Jordan Valley. 3. Carrying out numerous spraying campaigns by the Ministry of Agriculture. 4. Implementing an integrated media campaign in this regard.

Table No. (10): Environmental Licences and Their Numbers

Outcome of Licence Applications	Industrial	Agricultural	Craft	Warehouses	Total
Approved	550	95	240	250	1,135
Not approved	167	44	65	50	326
Total	717	139	305	300	1,461

In 2013, (6) environmental audit studies were also reviewed, (4) of which were approved, and the environmental compliance plans related thereto were discussed; in addition, (36) environmental impact assessment studies for a number of projects were reviewed, compared with (31) environmental impact assessment studies in 2012.

(b) Violations

In 2013, the Ministry of Environment issued violations against (55,967) establishments in various parts of the Kingdom for contravening the law, compared with (56,914) violations in 2012. A marked increase was recorded in 2013 in the number of environmental violations relating to public health, as (36,501) health violations and (13,467) vehicle violations were recorded, compared with (30,883) health violations and (15,509) vehicle violations in 2012. In addition, some factories, industrial workshops and commercial premises are still polluting the air; in 2013 such violations decreased to (4,957) violations, compared with (8,991) violations in 2012, consisting of the dumping of waste or the burning of tyres by factories, industrial workshops and commercial premises, distributed as shown in Table No. (11).

Table No. (11): Type and Number of Environmental Violations

Type of Violation	Animal	Plant	Marine	Water	Workshops	Health	Vehicles
Number	439	158	3	344	4,957	36,501	13,467

(c) Closures and Warnings

In 2013, the Ministry of Environment also closed (19) establishments for contravening environmental conditions and issued a number of warnings to development establishments in the Kingdom, totalling (89) warnings, and referred (10) establishments to the competent courts, as shown in Table No. (12).

Table No. (12): Number of Warnings and Closures

Warnings	Industrial	Craft	Service	Agricultural	Total
Warnings	40	25	6	18	89
Closures	5	6	4	4	19
Referral to court	2	7	1	0	10

Recommendations

In light of the foregoing, the National Centre recommends the adoption of a set of measures that would provide protection for the right to a healthy environment, most notably the following:

- Working to find technical environmental solutions, in coordination with the private sector, for the treatment of hazardous waste, including medical and electronic waste, in accordance with modern scientific and environmental methods, in addition to raising public awareness of the risks and harms of such waste and the proper methods of disposing of it, following the issuance of special legislation to regulate its collection and destruction.
- Establishing a national programme for the protection and rehabilitation of the Zarqa Stream and for monitoring factory waste, particularly that of the factories adjacent to it.
- Linking major factories electronically with the Ministry of Environment in order to monitor gas emissions and the vibrations resulting from blasting carried out at mining sites located close to population centres, which may cause cracks and fissures in homes.
- Establishing oversight of the discharge and treatment of wastewater inside refugee camps, and establishing a tracking system for tankers loaded with wastewater.
- Coordination among the relevant authorities (the Water Authority, electricity, telecommunications, public works and the municipalities) during the opening and paving of roads, particularly after the stage of surfacing roads with hot asphalt mixes.

Cultural Rights

The right to participate in cultural life is one of the rights guaranteed by the Jordanian Constitution in Article (15). It is likewise guaranteed by international instruments and covenants, foremost among them the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Numerous laws also provide for the protection and promotion of the cultural rights of Jordanian citizens, such as the Culture Promotion Law, the Copyright Protection Law, the Trade Names Law, the Higher Council for Youth Law, and the Urban and Architectural Heritage Protection Law, among other laws.

In 2013, there was a marked increase in the number of cultural bodies and centres registered with the Ministry of Culture, as a total of (26) bodies were registered, bringing the number of cultural bodies, societies, troupes, forums, centres, leagues and clubs registered with the Ministry to (522) cultural bodies, compared with (496) bodies in 2012. No application for the registration of a cultural body was rejected this year.

In 2013, the support provided by the Ministry of Culture to cultural bodies declined; the total support provided to them amounted to (291,000) Jordanian Dinars, from which (347) bodies benefited, compared with (461,600) Dinars provided as support in 2012. In addition, (15) cultural bodies were permitted to obtain foreign funding to implement their activities and programmes, and no rejection of any application to obtain foreign funding was recorded.

This year also saw the Ministry of Culture freeze the Creative Full-Time Grant (Creative Sabbatical) System, justifying this by the need to reconsider the bases governing the support, a matter that provoked the indignation of some creative artists. This year further saw a decline in the value of the support provided for the publication of cultural works to (150,000) Dinars, after it had amounted to (300,000) Dinars in 2012. This support was distributed as shown in Table No. (13).

Table No. (13): Type of Cash Support for the Publication of Cultural Works

Project	Achievement	Number of Copies
Partial support for the author	(120) titles	(120,000) copies
Full publication	(9) titles for children; (7) titles for adults	(18,000) copies; (7,000) copies
Purchase of books and magazines	(540) titles	(10,800) copies (at a rate of twenty copies purchased per author)

In 2013, the challenges adversely affecting cultural rights¹⁵⁸, to which the National Centre had referred in its previous annual reports, persisted, despite the increase in the budget of the Ministry of Culture for 2013, which amounted to (8,548,000) Dinars, compared with (7,915,000) in 2012. In addition, some projects face challenges in implementation, particularly for reasons relating to the provision of the necessary funding, such as the Jordanian Cities of Culture projects, the development of cultural industries and better linkage between tourism and culture, and there are complaints regarding the lack of objectivity in the selection process of the Cultural and Literary Diversity Programme.

In 2013, work continued on the Jordanian Cities of Culture project, which began in 2006 and was implemented in Irbid, Salt, Karak, Zarqa, Ma'an and Madaba, while Ajloun was selected as the City of Culture for 2013. The Ministry supported the city of Ajloun with an amount of (500,000) Dinars after its selection as the City of Culture. This project is regarded as one of the important projects that respond to the cultural needs of Jordanian cities, activate cultural dynamism and activities, and support the cultural projects, bodies and societies therein so that they may perform their role to the fullest.

Regrettably, 2013 did not witness the official opening of the new National Museum in the Ras Al-Ain area in the heart of the capital (Amman), which had been expected to be officially opened in the summer of 2013; however, it has not opened to date owing to financial weakness.

In the field of intellectual property protection, no new developments occurred in the legislation governing this field. In 2013, (4,361) manuscript works were deposited, of which the National Library received only (1,365) works. The number of intellectual property infringement cases referred to the judiciary by the Copyright Protection Office amounted to (462) cases, compared with (162) cases in 2012, (356) cases in 2011 and (580) cases in 2010.

In 2013, the National Centre for Human Rights also contributed to the dissemination of a human rights culture with the aim of raising awareness of economic, social and cultural rights and of civil and political rights; the number of activities it implemented amounted to (212) activities in all governorates of the Kingdom. Table No. (14) shows the areas of human rights culture dissemination implemented by the Centre in 2013.

Table No. (14): Areas of Human Rights Culture Dissemination Implemented by the Centre in 2013

¹⁵⁸ For further information on these challenges, see the National Centre for Human Rights Report for 2012, p. 167.

Area	2013	2012
Training courses	14	20
Lectures	117	26
Seminars	24	4
Conferences	10	2
Meetings	22	20
Plays	19	1
Consultative meeting	6	10
Total	212	84

In order to follow up on the demands of artists that had emerged during their sit-in in 2012, the National Centre organised, on 28 February 2013, a seminar on their rights, in which a number of artists participated, who raised many of the problems from which the artistic community in Jordan suffers, which may be summarised as follows: (a) the lack of importance attached to the arts in school education, as art teachers are viewed with disdain by some members of society, and arts education in art classes is confined mainly to drawing, not to mention the failure to provide the requirements for teaching the arts in schools; (b) the deprivation of Jordanian artists of professional stability; (c) the failure to provide appropriate health insurance; (d) the restriction of membership of the Artists Association to Jordanian artists, which has deprived many artists who have served Jordanian art of joining the Association; (e) the failure of the Intellectual Property Law to cover certain artistic works, which may result in the counterfeiting of the creative output of Jordanian artists and the violation of their intellectual property rights; (f) the failure of both Jordan Television and the Ministry of Culture to archive all Jordanian artistic works, and the placing of obstacles before artists seeking to obtain their archived artistic works; (g) the lack of the infrastructure necessary for artistic creativity in Jordan in general, and in the governorates in particular, as they suffer from a shortage of theatres and musical instruments; (h) the exercise by certain bodies and persons not legally authorised to do so of censorship over art and artists, which constitutes a restriction on their freedom; (i) the failure to activate the Culture Support Fund and to provide it with the necessary support, and the imposition of numerous fees, taxes and customs duties on artistic works, which adversely affects the income of Jordanian artists.

Recommendations

In light of this situation, the Centre reiterates the recommendations contained in its previous annual reports¹⁵⁹, with emphasis on the following recommendations:

- Activating the role of the Artists Association and amending the Association's Law so as to permit non-Jordanian artists who have served Jordanian art to join it.
- Providing the necessary financial support to expedite the opening of the National Museum.
- Supporting cultural bodies, particularly in the governorates; working to establish councils for cultural bodies; developing the work of programmes for training and qualifying

¹⁵⁹ For further information on the recommendations, see the National Centre for Human Rights Report for 2012, pp. 171–172.

creative artists in each governorate; and training institutions in effective and good management.

- Developing infrastructure in schools, including theatres, art equipment, libraries and other facilities, and providing a sufficient number of teachers specialised in singing, music and acting, in order to teach students the scientific arts curricula.
- Activating the application of the Creative and Cultural Full-Time Grant (Sabbatical) System and granting it to cultured, qualified and full-time persons, free from favouritism (*wasta*) and nepotism.
- Establishing a Higher Council for Culture and the Arts.

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

Women's Rights

The Constitution, in Article (6) thereof, guarantees the principle of equality among all Jordanians, and affirms that the family is the foundation of society, founded on religion, morals and patriotism; that the law shall preserve its legal 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) refers to the necessity of laying down special conditions for the work of women and juveniles.

The National Report

In 2013, the draft sixth national report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was prepared by 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. The report concluded that Jordan had made notable progress on a number of the Convention's areas, both in terms of the legislation and the measures taken to achieve gender equality and advance the status of women in accordance with the Constitution, laws and public policies of the State.

The National Strategy for Jordanian Women

On 20 January 2013, the Council of Ministers approved the National Strategy for Jordanian Women for the years 2013–2017, which was prepared by the Jordanian National Commission for Women in cooperation with the bodies concerned with women's rights. The Strategy aims to enhance the role of women in policy-making and decision-making in the various areas and sectors, so as to qualify them for public participation in building the family, society and the nation, and in achieving sustainable development in a society governed by justice, equality and equal opportunities¹⁶⁰. The Strategy addresses: a community culture supportive of women's empowerment; media and information and communications technology; the mainstreaming of gender in national legislation, policies, plans, programmes and budgets; and the institutional development of organisations working in the field of women's empowerment.

- **In 2013, there were several positive developments in support of women's rights, the most important of which were:**

a. The raising of women's share in the Council of Ministers to 11.1% pursuant to the ministerial reshuffle of the second Government of Abdullah Ensour, which took place on 21/8/2013, after the proportion of women's representation in the Council of Ministers in the first Government of Abdullah Ensour had been 5.5%.

¹⁶⁰ The Strategy seeks to raise the rate of women's participation in national and local councils and in the various decision-making positions to no less than 30% as a minimum, gradually, with a view to achieving the constitutional principle of equality represented by equal opportunities for all Jordanians.

b. The increase in the rate of participation of Jordanian women in the management of public affairs through an increase in their overall participation rate in each of the following: 1. Jordanian women won 12% of the seats of the Seventeenth House of Representatives, i.e. (18) seats out of (150) seats, the highest proportion in the history of women's political participation in Jordan. 2. Women obtained (9) seats out of (75) seats in the Senate, i.e. 12%, compared with (6) out of (60) seats, i.e. 10%, in 2011. 3. Jordanian women won (345) seats out of (961) seats on municipal councils, i.e. 35.9%; women's share was distributed as (282) seats through the quota, (51) seats through open competition, and (12) seats by appointment owing to the absence of female candidates to fill them by election. The increase in the proportion of women's representation on municipal councils is attributable to the raising of the quota in the Municipalities Law No. (13) of 2011 from 20% to 25%.

- (c) The launch of the "Forum of Jordanian Women Parliamentarians" in September 2013, which aimed to study legislation that discriminates against women and to press for its repeal and for the amendment of laws in a manner that grants women their rights in all fields.
- (d) The issuance of the Sharia Enforcement Law No. (10) of 2013, which contains a number of necessary provisions that facilitate citizens' access to their rights by addressing the matter of executory instruments and agreements concluded between the two parties to a relationship without a dispute before the courts, and in harmony with the Family Reconciliation and Mediation Offices Regulation¹⁶¹.
- (e) The issuance of the Family Reconciliation and Mediation Offices Regulation¹⁶² No. (17) of 2013, which contains numerous provisions that strengthen women's rights, the most important of which are: 1. The establishment of a Family Reconciliation and Mediation Office in every Sharia court with the aim of ending family disputes by amicable means. This Office examines disputes referred to it by the Sharia courts, or upon a request submitted by both parties to the dispute, or one of them, to the president of the court. These offices are also responsible for awareness-raising and education on the rights and duties of spouses. 2. Obliging the offices to complete family reconciliation and mediation procedures within a period not exceeding thirty days from the date on which the dispute is referred to them or the request is submitted. In implementation of the provisions of this Regulation, the Supreme Judge Department established a Family Reconciliation and Mediation Directorate within the Department to supervise the Family Reconciliation and Mediation Offices established under this Regulation, of which there are three offices, located in the Supreme Judge Department, the Salt Sharia Court and the Zarqa Sharia Courts Complex.
- (g) The issuance of the Civil Service Regulation No. (82) of 2013, which contains a number of positive provisions that are expected to strengthen women's rights, most notably: 1)

¹⁶¹ Executory instruments are judicial judgments, decisions with expedited execution, and instruments and agreements embodying a right that are issued or ratified by the Sharia courts, including marriage contracts and foreign judgments that have acquired the executory formula before the Sharia courts within their functional jurisdiction.

¹⁶² It is worth noting that the National Centre for Human Rights recommended in its previous reports the adoption of the aforementioned Regulation, the draft of which had been proposed since 2005.

granting a male employee paternity leave with full pay and allowances for a period of two days in the event of his wife giving birth, on the basis of a medical report from a physician or a licensed midwife; 2) granting a female employee, upon the expiry of the maternity leave provided for in Paragraph (a) of this Article, and for a period of nine months, one nursing hour per day for the purpose of breastfeeding her newborn, without affecting her annual leave, salary or allowances; 3) granting a male employee leave of ten days in the event of the death of his wife.

While the National Centre commends the Government's response to its demand, set out in its report on the situation of human rights in Jordan for 2012, that female employees be granted a nursing hour, it emphasises the necessity of including in the Civil Service Regulation provisions obliging official institutions to provide nurseries for the children of female employees, as well as the payment of the family allowance to female employees on the same terms as the allowance paid to men. It likewise emphasises the necessity of introducing legal provisions into the Labour Law granting workers paternity leave.

- (h) The issuance of the Social Security Law No. (1) of 2014, which contains a number of provisions that strengthen women's rights through the introduction of maternity insurance and unemployment insurance, and the provision of protection for insured working women, and which motivates and encourages employers to employ women and not to dispense with their services upon their marriage or as their entitlement to maternity leave approaches. Optional membership has also been introduced, enabling housewives to subscribe to social security, and the social security umbrella has been extended to cover women working in small establishments such as sewing workshops, beauty salons and clothing shops. The Law also allows a widow to combine her share of the retirement or disability pension devolving to her from her husband with her wages from work, and likewise to combine her share of the retirement and disability pension devolving to her from her parents or from her children.

l. Women dentists won three seats on the Council of the Dentists Association; this success came after women had been absent from representation on the Association's Council for more than twenty years, since 1992.

m. Jordan won the 2013 United Nations Public Service Award in the category of promoting gender mainstreaming in public service, which was received by the Ministry of Social Development on behalf of the Integrated Services Centre for Victims of Domestic Violence (Dar Al-Wifaq Al-Usari)¹⁶³, which is affiliated to the Ministry.

Conversely, **the Centre records a number of shortcomings affecting women's right to participate in public life**, the most important of which are:

- (a) The continued reservation to Article (9/2) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), relating to granting women equal

¹⁶³ Dar Al-Wifaq Al-Usari (the Family Reconciliation House) was opened under the patronage of Her Majesty Queen Rania Al-Abdullah on 17/2/2007 pursuant to the Family Protection Homes Regulation No. (48) of 2004, with the aim of providing protection to girls and women who are exposed to domestic violence and of reintegrating them into society. Since its opening, the House has received beneficiaries from all governorates of the Kingdom.

rights with men with respect to conferring their nationality on their children, and the Government's failure to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, notwithstanding the Centre's recommendation to that effect in its previous reports and its letter to the Prime Ministry dated 14/11/2012 calling for the ratification of the Protocol.

- (b) Jordanian women's lack of equal opportunities to hold senior positions and to obtain promotion, and to obtain training opportunities inside and outside the country. The best evidence of this is the failure to appoint any woman to the Constitutional Court, the failure to appoint any woman to the first Board of Commissioners of the Independent Election Commission (IEC), and the appointment of only one woman to the National Integrity System Committee.
- (c) Notwithstanding the preparation of the draft Alimony Advance Fund Regulation by the Supreme Judge Department and its submission to the Prime Ministry on 6/12/2011, it had not been adopted as of the date of preparation of this report.
- (d) The failure to amend Article (308) of the Penal Code No. (16) of 1960, which provides for the discontinuance of prosecution or the suspension of the execution of the penalty imposed on a convicted person who has committed one of the offences set out in the special chapter (on offences of assault on honour) in the event that he marries his victim, despite the demands of women's organisations to that effect, since such a marriage in practice exempts the offender from punishment on the pretext of averting social disgrace from the victim and her family, constitutes an additional crime against the victim, and inflicts further psychological and physical harm upon her for the rest of her life. The Centre faults the legislature for its failure to respond to the recommendation of the National Centre for Human Rights in its previous report to repeal the provision, a matter that requires the legislature's prompt intervention to provide that prosecution shall not be discontinued nor the execution of the penalty suspended, while taking into account the best interests of the child with regard to parentage should a pregnancy result from the assault.
- (e) Notwithstanding the growing attention at the level of the leadership and the Government to raising awareness of the dangers of violence against women and its negative effects on women, the family and society, violence against women continued in 2013. A study prepared by the National Council for Family Affairs on the social and economic characteristics of cases of domestic violence showed that males are the main perpetrators of violence, at a rate of 92.1%, and that the majority of victims are females, at a rate of 75.9%. The most prevalent form of domestic violence is physical violence, at a rate of 86%, and the majority of domestic violence is perpetrated by a single member of the family, at a rate of 95.6%. The study also showed that the majority of domestic violence occurs in urban areas, at a rate of 72.6%, and that domestic violence recurred more than once in 47% of cases of violence.
- (f) Notwithstanding the affirmation by the revealed religious laws of women's right to inheritance, and the affirmation of these rights by the Jordanian Personal Status Law of 2010 and its amendments, together with the granting to women of independent financial liability, erroneous customs, traditions and social legacies at times prevent women from

enjoying their right to inheritance. This occurs through some heirs attempting to placate the woman into waiving her rights in exchange for giving her a sum of money that is less than her actual share of the inheritance; should the woman refuse, she is disowned and shunned by her brothers. Some fathers also transfer their funds or property to their male children during their lifetime by way of fictitious sale or gift. In some cases, the woman herself is the cause of depriving herself of her right to inheritance, owing to fear that her male siblings or the other heirs will harm her, or fear of being shunned by her family; this is also due to society's negative view at times of a woman who claims her inheritance, and to her lack of knowledge of the laws and procedures relating to the division of inheritance.

The Centre considers that depriving females of their share of inheritance may stir up resentment and hatred among members of the same family, leads to family disintegration, and distances society from social solidarity, which is one of the most important principles of our true religion. Accordingly, the relevant authorities must accord this matter the utmost attention, and raise awareness among women and men, by all means, of women's right to inheritance and of the importance of ensuring that women obtain their right as prescribed by Islamic Sharia.

Economic Rights of Women

The study prepared by the Ministry of Labour in 2013 concluded that there are explicit provisions in the Labour Law prohibiting discrimination in employment and occupation and mandating equal pay for men and women for work of equal value. It also pointed to recurrent violations in certain sectors of employment (particularly private education), consisting of compelling the workers therein, especially female workers, to sign receipts stating that they have received their wages in full, whereas in reality they receive them reduced and in instalments. This is sometimes done under coercion, sometimes through exploitation, and sometimes under threat of dismissal, alongside a high rate of violations relating to overtime pay and work on public holidays. As regards maternity protection and workers with family responsibilities, it was found that the period of maternity leave under the Labour Law is shorter than the maternity leave provided for under the Civil Service Regulation and the International Labour Organization Maternity Protection Convention, and that employers fail to comply with the obligation imposed on them by law to provide nurseries.

The Situation of Women's Rights in Remote Areas

With the aim of ascertaining the actual situation of women in remote areas, the National Centre for Human Rights formed a team which visited the areas referred to in Table No. (15) and followed up on the women residing in these remote areas. After listening to these women, it became evident that women face the following challenges and violations:

Table No. (15): Visits Conducted by the National Centre for Human Rights to Remote Areas

Governorate	Villages
The Capital	Umm Al-Rasas, Irmeel, Northern Khashafiyya, Southern Khashafiyya
Madaba	Falha, Al-Nahda, Al-Shaqiq, Eastern Dhuhaiba, Western Dhuhaiba
Balqa	Al-Karama, Al-Jofa, Dirar, Northern Al-Tawal
Zarqa	Al-Qunayya, Umm Rummana, Rujm Al-Shouk, Bani Hashem villages

Governorate	Villages
Karak	Al-Lajjoun, Jarma, Ghor Fifa, Ghor Al-Safi
Tafileh	Jurf Al-Darawish, Aima, Irhab, Arweem
Ma'an	Abu Al-Alaq, Al-Mahatta, Al-Naqab
Aqaba	Al-Risha, Al-Rahma, Al-Quwaira, Al-Disa, Al-Quraiqira
Irbid	Al-Mashare', Al-Sheikh Hussein, Lower Mukhaiba, Aqraba
Mafraq	Al-Ein, Al-Dajaniyya, Hayyan, Bal'ama
Ajloun	Balas, Al-Safina, Al-Sakhina, Balas
Jerash	Al-Majr, Souf, Al-Hawaya, Al-Mansoura

(a) In most of the areas referred to above, women had no effective role in the municipal and parliamentary elections other than exercising the right to vote, under the direction and pressure of their families to elect a particular person of their choosing. In addition, women are unable to reach the polling stations, which are usually located outside the village. Women are also generally discouraged from standing as candidates in elections, as they lack an independent and free position in principle. Thus, male dominance, the force of prevailing customs, traditions and social heritage, and the poor state of services and means of communication prevent the realisation of women's right to stand as candidates in municipal and parliamentary elections. Moreover, women's lack of financial means constitutes a further obstacle to exercising their right to stand as candidates, in addition to the absence of awareness-raising programmes on women's rights, whether by civil society organisations or by official institutions.

(b) Women's low awareness of their rights in general and their lack of knowledge of how to claim their rights, resulting in their modest role in public life, if not its total absence. This is attributable to: the failure of official institutions, particularly those concerned with women's affairs, to reach these areas and to perform the role expected of them; and the weak role of civil society organisations in reaching rural and Badia areas.

(c) The absence of places of recreation or entertainment, such as parks, public libraries and children's playgrounds, which drives children to play in the street.

(d) Women resorting to violence against their children as a result of the pressures they face owing to difficult material living conditions and the absence of recreational places.

(e) A high rate of unemployment, attributable to the absence of investment projects by the private sector in these areas, in addition to the scarcity or absence of transport from and to these areas to and from the cities and nearby areas where employment opportunities are available.

(f) The inadequacy of the health care provided to women, consisting of a shortage of medical staff and medicines in health centres and the absence of obstetrics and gynaecology specialists.

(g) The absence of markets, shops or bakeries in most of the areas visited, which adversely affects the health of women and their children owing to their lack of a varied diet.

(h) The prevalence of flies, insects, reptiles, snakes, scorpions and rodents in these areas, as a result of the failure of local councils to combat these pests.

Recommendations

In order to promote and protect the rights of women, the Centre recommends that a number of legal and practical measures be taken, most importantly:

- Ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women concerning individual complaints; and lifting the reservation to Article (9/2), concerning women granting their nationality to their children.
- Urging the Government to work towards improving the level of services in village municipalities, so as to ensure the promotion of local development and raise the economic standard of their inhabitants, thereby having a positive impact on women's enjoyment of their rights.
- Cooperation among all relevant bodies to combat violence against women by various legal, social and cultural means.
- Developing a national plan to increase the rate of women's participation in the management of public affairs by raising the women's quota in the House of Representatives and increasing their numbers in senior leadership positions in the State, and considering the possibility of amending the laws governing trade unions and professional associations so as to provide explicitly for the allocation of reserved seats for women on union and association councils.

Rights of the Child

The Jordanian Constitution and national legislation guarantee the rights of the child, as do the international conventions and instruments ratified by Jordan, foremost among them the International Convention on the Rights of the Child. This is notwithstanding Jordan's reservation to Article (14) of the Convention on the Rights of the Child of 2006, concerning the right to freedom of thought, conscience and religion, and to Articles (20) and (21) concerning the system of adoption and alternative care for the child, on the grounds that they are provisions incompatible with Islamic Sharia.

Legislation

The year 2013 witnessed the adoption of a package of legislation which contributed to promoting the rights of the child, most importantly:

(a) The approval by the Council of Ministers of the Regulation on Family Reform and Reconciliation Offices, whereby a directorate named the Directorate of Family Reform and Reconciliation shall be established within the Supreme Judge Department to supervise the family reform and reconciliation offices, such that an office named the Family Reform and Reconciliation Office shall be established at each Sharia court as needed, by decision of the Supreme Judge. These offices are entrusted with attempting to settle family disputes amicably, raising awareness and educating on marital rights and duties, and providing family counselling in a manner that ensures the protection of the rights of the child. Under this Regulation, any family dispute shall be referred to these offices in an attempt to resolve marital disputes arising from cases of custody, guardianship and maintenance amicably before proceeding to file lawsuits before the courts.

(b) The amendment of the Civil Service Regulation, which provided in Article (105/c) for granting a female employee, upon the expiry of her maternity leave and for a period of nine months, one nursing hour per day for the purpose of breastfeeding her newborn, provided that this shall not affect her annual leave, salary or allowances. The Regulation also provided for granting fathers paternity leave of two days following the delivery of the pregnant woman.

(c) The issuance of the Regulation on Exemptions for Disabled Persons No. (14) of 2013, which provided that one vehicle used to transport a disabled person with total or partial impairment shall be exempted from customs duties, which is expected to have a positive impact on the situation of disabled children.

On the other hand, a number of pieces of legislation relating to the rights of the child still require prompt adoption and amendment, including: the Draft Child Rights Law¹⁶⁴, the Juveniles Law¹⁶⁵, the Labour Law¹⁶⁶, and the Protection from Domestic Violence Law¹⁶⁷, as well as giving effect to the provisions of Article (321) of the Temporary Personal Status Law No. (36) of 2010, which provided for the establishment of a Maintenance Advance Fund, which would facilitate women and their children obtaining the maintenance awarded to them by the judiciary.

It should be noted that the average number of maintenance cases relating to children over the past five years amounted to (6,375) cases, which underlines the importance of adopting this system in order to secure the best interests of the child in obtaining maintenance by the easiest means and at the lowest cost. Table No. (16) shows the total number of maintenance cases relating to children, the total value of maintenance and the average amount awarded.

Table No. (16): Total Maintenance Cases Relating to Children, the Total Value of Maintenance and the Average Amount Awarded, 2009–2013¹⁶⁸

No.	Year	Total Maintenance Cases	Total Value of Maintenance (Fils)	Total Value of Maintenance (Dinars)	Average Maintenance Awarded (Fils)	Average Maintenance Awarded (Dinars)
1	2009	5,527	940	237,907	45	43
2	2010	6,486	925	277,516	787	42
3	2011	5,837	173	278,439	702	47
4	2012	7,052	5	368,968	321	52
5	2013	6,977	0	382,521	826	54
Total		31,879	43	1,545,353	476	48

¹⁶⁴ It should be noted that the Draft Child Rights Law was withdrawn by the Ministry of Social Development in 2013, because, in its view, it constituted a repetition of the provisions of the Convention on the Rights of the Child as published in the Official Gazette.

¹⁶⁵ It should be noted that the Draft Juveniles Law was referred by the House of Representatives to the Senate in completion of the constitutional procedures for its adoption.

¹⁶⁶ It should be noted that the Draft Law Amending the Labour Law was referred to the House of Representatives and was discussed by the Labour and Development Committee; however, it has not yet had its turn for debate under the Dome.

¹⁶⁷ It should be noted that certain amendments were made to the Protection from Domestic Violence Law, and it was submitted to the House of Representatives.

¹⁶⁸ According to the statistics issued by the Supreme Judge Department.

Children of Unknown Parentage

No notable progress was made in 2013 on the issue of children of unknown parentage, as they continue to demand their rights, which may be summarised as follows: (a) changing the national number which distinguishes them from other citizens, as it begins with a specific number; (b) providing employment opportunities that afford them a decent life; (c) providing suitable housing to protect them from homelessness; (d) the provision of health insurance for them by the official authorities. This keeps their issue open and liable to expand once again, which calls for the prompt adoption of radical solutions to their problems.

With the aim of identifying the problems faced by these children and finding solutions to their problems, the National Centre listened to their problems and addressed both the Islamic and Christian religious authorities with a view to reaching a satisfactory solution to their issue. Regrettably, however, the Centre did not receive a clear response that would enable it to adopt their cause and build upon it in order to reach a solution to their issue.

Child Labour

The year 2013 also witnessed the persistence of the phenomenon of child labour¹⁶⁹, at a time when the Labour Law prohibits the employment of children and provides for the imposition of penalties and fines against establishments that employ children¹⁷⁰. However, the statistics of the Ministry of Labour indicate that there are (32) thousand children in the labour market, some of whom work in hazardous places and occupations. These figures reflect the laxity of the responsible authorities and their failure to discharge their oversight responsibility to curb this phenomenon. In 2013, there also continued to be an absence of effective regulation of the situation of children engaged in the labour market who are over the age of (16) years, as there is a noticeable absence of effective oversight of compliance with the working conditions stipulated in the Labour Law, including the provision of public safety and security conditions and occupational health at their places of work, which may result in their exposure to neglect, violence and occupational accidents.

In 2013, the phenomenon of unpaid child labour performed by both girls and boys continued, with boys engaged to a greater extent in shopping and repair activities, whereas girls are engaged in household cleaning, washing clothes and caring for children, older persons and the sick. Some

¹⁶⁹ A special report issued in 2013 by the Jordan Labour Watch and the Phenix Center for Economic and Informatics Studies, in cooperation with the German Friedrich Ebert Foundation, affirmed that Jordan has not achieved any tangible progress in reducing the number of working children, as there is no national database on child labour through which it could be determined whether or not there has been a decrease in the number of working children in Jordan. The report, which was issued on the occasion of the World Day against Child Labour, stated that it is evident to the naked eye and through direct observation that this phenomenon is widespread across the various governorates of the Kingdom. The report added that the majority of working children belong to poor families (according to various international, Arab and Jordanian studies), whose need drives them to take their children out of school, or to tolerate their dropping out of school, in order to contribute to generating additional income that helps these families meet their basic needs.

¹⁷⁰ Article (73) of the Labour Law provides that: "Subject to the provisions relating to vocational training, a juvenile who has not completed sixteen years of age may not be employed in any manner whatsoever", and Article (74) of the Law provides that: "A juvenile who has not completed eighteen years of age may not be employed in hazardous or arduous work, or work harmful to health; such work shall be determined by decisions issued by the Minister after consulting the views of the competent official authorities".

reports indicated that approximately one third of children provided unpaid family services to members of their families (regular family work).

Juvenile Justice

In 2013, the Government sent the Draft Juveniles Law in its amended form to the House of Representatives. The draft law raised the age of criminal responsibility to (12) years instead of (7) years, and required that legal aid be provided to the juvenile throughout all stages of trial. The draft law expanded the scope of the restorative justice approach, which consists of a shift towards non-custodial penalties, or what are known as alternative penalties, to which bodies dealing with juvenile cases may resort, whether they are judicial police officers, public prosecutors or judges. The draft law also considered social specialists to be part of the composition of the court hearing the case of the accused juvenile. The National Centre hopes that the Juveniles Law will be adopted expeditiously in order to overcome many of the problems and violations in this field, the most important of which are: a. recording criminal records against juveniles without reliance on a decision issued by the competent courts, rather than confining such records to police entries and registers; b. the administrative detention of juveniles, as the police frequently request the juvenile judge to return the juvenile (the accused) to the security centre after the juvenile court has concluded his or her case, and impose house arrest on him or her, particularly in theft cases, which constitutes a violation of international standards.

The year 2013 witnessed an increase in the number of crimes committed by juveniles compared with 2012, as the number of crimes committed by juveniles in 2013 reached (2,500) crimes compared with (2,451) crimes committed in 2012, as shown in Table No. (17). Among the worrying matters revealed by the statistics on crimes committed by juveniles is an increase in the number of felonies and misdemeanours against the person committed in 2013, which reached (305) felonies and misdemeanours compared with (263) felonies and misdemeanours in 2012, as well as an increase in the number of crimes constituting a danger to public safety committed in 2013, which reached (119) crimes compared with (71) crimes in 2012.

Table No. (17): Number of Crimes Committed by Juveniles in 2011–2012¹⁷¹

Type of Crime	2012	2013
Felonies and misdemeanours against the person	263	305
Crimes against public trust	11	3
Crimes against property	1685	1615
Crimes against religion and the family	3	3
Crimes against the public administration	143	124
Crimes constituting a danger to public safety	71	119
Crimes against public morals	210	230
Other crimes	65	101
Total	2451	2500

¹⁷¹ This table was prepared by the National Centre for Human Rights on the basis of the Criminal Statistical Report for 2012.

Recommendations

In this regard, the National Centre for Human Rights reiterates its recommendations set out in its previous reports, the most important of which are:

- Adopting the Draft Child Rights Law in a manner consistent with the International Convention on the Rights of the Child.
- Adopting the Draft Juveniles Law, including expediting the development of a comprehensive system of alternative penalties for children, and maintaining detention as a measure of last resort.
- Giving effect to the Protection from Domestic Violence Law, while emphasising the urgent need to amend the Law.
- Taking the necessary measures to give effect to the text of Article (74) of the Labour Law concerning the prohibition of the employment of children in hazardous work and work harmful to health.

Rights of Persons with Disabilities

The Jordanian Constitution guarantees the rights of persons with disabilities and protects their dignity from abuse and exploitation¹⁷²; it also guarantees, in Article (7) thereof, the principle of respect for the inherent dignity of persons and their individual autonomy, including the freedom to make their own choices, and their independence. The Kingdom's policy and commitments towards persons with disabilities stem from Arab and Islamic values, the Jordanian Constitution, the Universal Declaration of Human Rights, and the principles and provisions set out in the international conventions on the rights of persons with disabilities and the Law on the Rights of Persons with Disabilities No. (31) of 2007.

The year 2013 did not witness any official or unofficial initiative to attempt to determine the extent of disability in Jordan¹⁷³, which calls for the necessity of conducting an accurate and comprehensive survey to identify the extent and types of disability, the nature and extent of its prevalence, the level of services and facilities provided to persons with disabilities, the obstacles and impediments they face, and the challenges that stand in the way of their enjoyment of their rights.

Legislation

In 2013, the Royal Decree was issued approving the Regulation on Exemptions for Disabled Persons No. (14) of 2013, which included a set of exemptions allocated to persons with disabilities. The scope of those covered by comprehensive exemptions was expanded, and the categories covered by the exemption and the procedures for obtaining an exemption for domestic

¹⁷² Article (6/5) of the Jordanian Constitution 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”.

¹⁷³ It should be noted that the Higher Council for the Affairs of Persons with Disabilities has commenced, in cooperation with the Department of Statistics, the inclusion of disability issues in the set of surveys periodically conducted by the Department.

workers and for institutions providing services to persons with disabilities were clarified. In 2013, the Higher Council for the Affairs of Disabled Persons also formed a legal committee comprising a select group of experts to study national legislation and determine the extent of its harmonisation with the provisions of the International Convention, and to prepare a new draft law consistent with international standards on the rights of persons with disabilities.

In 2013, a number of challenges emerged which hindered the proper application of legislation relating to persons with disabilities, the most prominent of which were: the weak commitment of the relevant bodies to applying the national legislation pertaining to this category of citizens, and the lack of proper understanding of the roles entrusted to the Higher Council for the Affairs of Disabled Persons and other institutions concerned with providing a suitable environment for persons with disabilities.

Environmental Accessibility

In 2013, the National Building Council, in cooperation with the Higher Council for the Affairs of Disabled Persons and a number of relevant institutions, began work on updating the code for government buildings, pavements and traffic signals so as to suit the needs of persons with disabilities and enhance their ability to interact within society. The intention is to develop this code to cover all disabilities, unlike the current code adopted in 1993, which benefits only persons with physical disabilities; the amended code is expected to be issued in 2014. In addition, in 2013 the Higher Council for the Affairs of Disabled Persons worked on rehabilitating (12) schools across the governorates of the Kingdom under the “My School” initiative to receive students with disabilities, in addition to rehabilitating (6) restaurants in the Northern Region and the Central Region under the Tourism Development Project, and rehabilitating (9) vocational training centres in the three regions in cooperation with the Vocational Training Corporation so as to be equipped to receive students with disabilities. In 2013, a committee (Equal Opportunities) was also formed by the Higher Council for the Affairs of Disabled Persons to ensure that this category enjoys its right to work in an environment free from environmental and behavioural barriers, through the issuance of a guide setting out the facilities that must be available in workplaces. In 2013, a sign language dictionary was also launched.

Education

In 2013, students with disabilities continued to suffer from difficulties in mobility and access to government and private schools, as well as difficulty in joining certain classes owing to the failure to provide appropriate environmental facilities. In 2013, the Higher Council for the Affairs of Disabled Persons undertook two initiatives to alleviate the suffering of students. The first consisted of signing an agreement with the Ministry of Education and the Ministry of Social Development to facilitate the integration of students with disabilities into government schools; the agreement provided for the Council to purchase and furnish classrooms to receive students with disabilities, with the Ministry of Education in turn appointing teachers for each class. The agreement also provided for the purchase of buses worth (100) thousand dinars to transport students with physical disabilities. As a result of this agreement, (20) classrooms were established in 2013 to serve this category of students. The Higher Council for the Affairs of Disabled Persons also signed an agreement with the Ministry of Education to facilitate the integration of students

with disabilities into a number of government schools after rehabilitating these schools environmentally and providing classrooms for students with mild intellectual disabilities, and providing buses to transport students to and from these classes. Environmental facilities were accordingly provided for (62) schools as a first phase, and work will be completed in all schools of the Kingdom in which students with physical disabilities are present; caravans were prepared and a tender for buses was issued to complete the first phase of the work, and a number of students (with physical disabilities and cerebral palsy) were integrated into certain schools. A procedural guide on standards for inclusive schools was also issued and will be launched in 2014.

Health

In 2013, the challenges and obstacles facing persons with disabilities in obtaining appropriate health care continued, and may be summarised as follows: insufficient budgets allocated to disability programmes; the failure to allocate amounts in ministries' budgets to cover the costs of health care for persons with disabilities; and the lack of specialised medical staff at the Ministry of Health to provide health care to persons with disabilities. Notwithstanding these obstacles, in 2013 the Higher Council for the Affairs of Disabled Persons provided financial support for the establishment of a (PKU) laboratory at Prince Hamzah Hospital for the early detection of cases of disability, and the Ministry of Health trained its staff (physicians, nurses and licensed midwives) to raise their competence in the detection of disabilities. A committee was also formed of the Higher Council for the Affairs of Disabled Persons, the Royal Medical Services, the Ministry of Health and the Ministry of Development to visit the diagnostic centres affiliated with the Ministry of Health and the Ministry of Social Development and to evaluate them on the basis of diagnostic standards. The Higher Council for the Affairs of Disabled Persons also worked on establishing a mechanism to support persons with disabilities who suffer from autism spectrum disorder, through purchasing services for (72) students from the Capital, Zarqa and Ajloun governorates.

Higher Education and Scientific Research

In 2013, students with disabilities continued to suffer from difficulties in mobility and access to universities, as well as difficulty in accessing certain lecture halls, owing to the failure to provide appropriate environmental facilities. The Higher Council for the Affairs of Disabled Persons made a number of efforts to alleviate the suffering of students, the most important of which were: (a) purchasing the services of (23) male and female sign language interpreters to interpret for deaf students enrolled at universities; (b) disbursing a grant from His Highness Prince Raad bin Zeid to university students with disabilities, from which (612) male and female students benefited at the intermediate diploma, bachelor's, higher diploma, master's and doctoral levels enrolled at official universities (public and private) for the academic year 2012/2013; (c) the Higher Council for the Affairs of Disabled Persons prepared the criteria for the admission of General Secondary Education Certificate holders with disabilities for the academic year 2013/2014, whereby (247) male and female students with disabilities who passed the General Secondary Education Certificate examination were admitted within the lists of students under unified admission at official universities, of whom (30) male and female students obtained averages ranging between 90% and 97% in the General Secondary Education Certificate examination, and (62) male and female students obtained averages ranging between 80% and 89.9%. Coordination was also

undertaken with official universities to grant students with disabilities at all stages of higher education in the regular programme a discount on university fees of up to 90% of the university fees payable by them, pursuant to the Decision of the Ministry of Higher Education No. (222) dated 9/7/2011.

Media

The problems and challenges facing persons with disabilities did not receive adequate attention from media professionals in 2013, which prompted the Higher Council for the Affairs of Disabled Persons to address a number of newspapers to increase the space allocated to disability issues in the media and to change certain terms relating to persons with disabilities in the preparation of news reports, in a manner consistent with the rights of this category. In order to raise awareness of the rights and problems of persons with disabilities, the Higher Council conducted (58) television and radio interviews and issued (68) news items and press reports.

Recommendations

In order to promote and protect the rights of persons with disabilities, the National Centre for Human Rights reaffirms its recommendations set out in its previous reports and calls for the following steps to be taken promptly:

- The relevant bodies concerned with persons with disabilities and with the population census should conduct a comprehensive survey to determine the numbers of persons with disabilities by age, qualifications and type of disability.
- Strengthening and supporting the programme adopted by the Higher Council for the Affairs of Persons with Disabilities for reporting children with disabilities from birth, for the purposes of linking them to early detection and early intervention programmes.
- Disseminating a societal culture based on human diversity, which relies on promoting a rights-based rather than a welfare-based approach to the issues of persons with disabilities, in order to raise awareness within society of the rights of these persons; and developing media work through the establishment of specialised media which relies, in investigating and disseminating facts, on a rights-based rather than a welfare-based approach.
- Developing a curriculum commensurate with the abilities of persons with disabilities, by making the necessary modifications to the various schools in order to strengthen educational inclusion programmes for the various categories of disability; supplying educational institutions with staff and administrations qualified to deal with students with disabilities, in addition to providing appropriate environmental facilities; and incorporating community service hours into the study plans and programmes of schools and universities as a mandatory requirement for graduation from schools and universities.
- Urging those in charge of higher education at Jordanian universities to increase the number of practical training rooms for students enrolled in the humanities in special education centres (in quantity and quality).
- Ratifying the Optional Protocol to the International Convention on the Rights of Persons with Disabilities.

Rights of Older Persons

The constitutional amendments and national legislation have guaranteed the rights of older persons,¹⁷⁴ as have international instruments, in particular the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), even though these instruments do not contain an explicit reference to the rights of older persons. However, the comments of the treaty committees have affirmed that older persons enjoy all human rights. A comment of the Committee on Economic, Social and Cultural Rights states that “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 recognizes 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 recognized in the Covenant. This approach is also fully reflected in the Vienna International Plan of Action on Ageing. Moreover, in so far as respect for the rights of older persons requires special measures to be taken, States parties are required by the Covenant to do so to the maximum of their available resources.”¹⁷⁵

- **The Situation of Older Persons in Jordan**

Table No. (18): Percentage distribution of older persons across the governorates of the Kingdom, 2013

Governorate	Percentage
Amman	42%
Irbid	17.6%
Zarqa	14.1%
Tafileh	1.22%

Life expectancy at birth for Jordanian citizens stands at (74.4) years for females and (71.6) years for males, i.e. an overall average of (71.5) years, and persons aged (65) years and over make up 3.2% of the total population.¹⁷⁶ The largest proportion of older persons is concentrated in the capital, Amman, and in Irbid and Zarqa, while the smallest proportion of older persons is concentrated in Tafileh Governorate,¹⁷⁷ as shown in Table No. (18). The “Global AgeWatch Index” classified Jordan among the countries ageing most rapidly, together with a group of developing countries. The report ranks countries according to the quality of the services provided

¹⁷⁴ Article (6/5) provides that “The law shall protect motherhood, childhood and old age, shall care for the young and persons with disabilities, and shall protect them from abuse and exploitation.” At another level, the Regulation on Licensing Care Homes for Older Persons and Their Clubs of 2012 explicitly and clearly defined an older person in terms of age, providing that this means “every woman who has passed the age of fifty-five and every man who has passed the age of sixty, where either of them is in need of residential care.” Other national legislation has also addressed the rights of older persons and regulated the financial matters relating to them, such as the Social Security Law, the Civil Retirement Law, the Military Retirement Law and the Ministry of Social Affairs Law.

¹⁷⁵ Committee on Economic, Social and Cultural Rights (Thirteenth Session, 1995), General Comment No. (6): The Economic, Social and Cultural Rights of Older Persons.

¹⁷⁶ Statistical Yearbook for 2012, published on the website of the Department of Statistics; see the link: www.dos.gov.jo.

¹⁷⁷ Department of Statistics data.

to their older populations and is based on (4) main pillars of the well-being of older persons, namely: income; health; employment and education; and an enabling environment. In 2013, the AgeWatch Index ranked Jordan (88th) out of (91) countries worldwide in terms of its suitability for older persons. The Index stated that the economic security factors (income security) for older persons, as well as health, employment and education for persons over (60) years of age, were poor in Jordan. Jordan was ranked (61st) out of (91) with regard to income security for older persons, and likewise with regard to health care, and was the worst country (91/91) in securing employment and education for older persons, whereas it achieved a relatively good rank (36/91) with regard to the suitability of the social environment for older persons.

- **Care Homes for Older Persons**

Care for older persons in Jordan is generally provided by members of their families, while care for persons who lack family care is provided by care homes and day clubs.

In 2013, the number of care homes stood at nine, housing (350) older persons; five of them belong to the voluntary sector and four to the private sector. They are distributed over four governorates, namely: the Capital, Balqa, Zarqa and Irbid, as shown in Table No. (18). The number of older persons in each room of these homes varies according to the cost of the home concerned. The Centre's team observed severe overcrowding in some rooms, reaching as many as (22) beds in one of the care homes.

The number of day clubs in the Kingdom stood at five, distributed over the governorates of the Kingdom as shown in Table No. (19).

Table No. (19): Distribution of care homes for older persons across the governorates of the Kingdom, 2013

Governorate	Care homes	Day clubs
Amman	6	3
Balqa	1	—
Zarqa	1	—
Karak	—	1
Madaba	—	1
Irbid	1	—

The small number of care homes and day clubs dedicated to the care of older persons is noted, which prompted the Ministry of Social Development in 2013 to move towards establishing the first home for older persons under its auspices; the Ministry allocated the sum of (20) thousand Jordanian dinars in its budget to carry out the studies and engineering designs for the home, which is to be built in the city of Zarqa. Furthermore, in 2013 the Ministry of Social Development conducted a survey to verify that older persons in care homes held their identity documents bearing their names and the addresses of their relatives. The survey revealed that (11) older men and women had no identity documents showing their real names, which prompted the Ministry to publish their photographs in the daily newspapers so that their families might identify them. As a result, five persons were identified, while the search to identify six other persons by their families is still ongoing. The presence of this number of older persons in care homes without identity documents reflects shortcomings in the supervision and oversight of homes for older persons, the

absence of specific standards and criteria on the basis of which they are admitted, and the failure to notify the Ministry of any older person of unknown identity.

- **The Situation of Care Homes**

In 2013, the National Centre for Human Rights carried out (5) visits to residential homes for older persons in order to ascertain the reality of the services provided by these homes to older persons. The findings of these visits revealed the persistence of the problems and challenges from which these homes suffer and to which the Centre had drawn attention in its previous reports, namely the following: (a) Most of the buildings of these homes are unsuited to the needs of older persons in terms of the area of the rooms allocated to residents and their number; the number of sanitary facilities is not commensurate with the number of rooms and their capacity; and, in addition, the halls allocated for leisure time are cramped, and these buildings are in need of maintenance and renovation, as it was evident to the team that these homes lack periodic maintenance. (b) These homes do not meet general safety requirements; the visiting team observed cleaning materials, such as chlorine, stored in large gallon containers in the storerooms of some homes, not tightly sealed and with a pungent odour, which may harm the health of the older persons and the staff in such homes. (c) In most homes the residents' rooms lack cleanliness and give off foul odours, in addition to the unsoundness of their plumbing installations; the visiting team observed that some drains had no covers, resulting in the spread of insects and foul odours. The environment surrounding older persons is also unhygienic, as items for the personal use of older persons are placed on the dining table at which the older person eats and drinks, not to mention that the rubbish bins contain unhygienic waste. Moreover, some homes do not change bed linen regularly and do not regularly attend to the personal hygiene of older persons who are unable to look after themselves. (d) Most homes for older persons lack specialised health care, in addition to lacking psychologists and social workers. (e) Most homes for older persons lack a nutritionist to set the standards necessary for preparing food in a manner appropriate to the health condition of older persons, particularly as most of them suffer from diabetes and hypertension, in addition to other diseases requiring special diets. The team also observed that older persons are not given sufficient freedom to choose the meals they want. Indeed, some older persons complained that the lunch served to them was insufficient, while others complained that the managements do not adhere to the meal programme they set, as breakfast and dinner are often limited to "sandwiches". The team also recorded the presence of expired foodstuffs in some homes, the failure to seal certain foodstuffs properly, mould on them, and the failure to follow hygienic methods for storing food. (f) There are no criteria for admitting beneficiaries to the services of these homes; many of them are younger than the required age and are classified as humanitarian cases, such as persons with disabilities and the poor. Older persons are also admitted regardless of their health, psychological or mental condition. It was observed that all homes house older persons suffering from mental illnesses, depression and intellectual disabilities, and that some of them suffer from physical illnesses and are unable to look after themselves. (g) Artificial lighting is poor in many homes; moreover, some of it does not work or is out of order, and some of it is switched off to reduce expenses, which exposes older persons to multiple risks, particularly during the evening and when using the sanitary facilities. (h) Suitable conditions for residents are not available in winter, as is clearly evident from: 1. inadequate heating, which is operated only at specified times, and the lack of sufficient alternatives to central heating, which adversely affects the health of older persons, who by virtue of their age need an adequate level of heating; 2. the absence of carpets or fitted

carpeting in all homes for older persons, which contributes to low temperatures and exposes older persons to multiplied dangers should they slip or fall; 3. the inadequacy of blankets in some homes, as it was observed that there were one blanket or two light blankets on the beds; the management justified this on the grounds that blankets are placed in the storeroom or in a special room in the morning. However, during one of the visits the Centre's team observed an older person sleeping with only one blanket despite the cold weather. (i) The high financial cost of a private room in some homes, reaching (600) Jordanian dinars per month, although this cost is not commensurate with the service provided, particularly given that the private rooms in some homes contain old furniture and others have no wardrobes, and their sanitary facilities are old and contain no additions distinguishing them from the other double or triple rooms. (j) The furniture of the care homes is unsuited to the conditions and needs of older persons; the Centre's team observed that the beds are generally old, some of them made of iron with thin, old mattresses, and they lack safety and protection features such as the side rails necessary to prevent the older person from falling, particularly as most older persons suffer from various illnesses, some are blind or immobile, and some suffer from neurological diseases. It was also observed that some wardrobes do not meet the needs of all the older persons in the room owing to their small size or insufficient number. Furthermore, some older persons and their families complained that the clothes of older persons were mixed up and that they wore the clothes of others. (k) In most homes, the staff who deal with older persons have not been qualified and trained to deal with residents on scientific and psychological bases consistent with the principles of dealing with older persons; during the interviews, some older persons expressed their discomfort and distress at the manner in which the home's management and staff treat them. At the same time, the Centre observed that older persons were afraid to disclose how they are treated, confining themselves to giving hints such as "whoever behaves badly is treated badly", "the older person is not treated violently unless he himself behaves violently" and "the treatment here is a matter of carrot and stick". One older person complained to the Centre's team that one of the supervisors (of Egyptian nationality) had beaten him to force him to bathe, and another older person residing in the same room confirmed this account. The Centre's team also recorded one of the staff members scolding an older person who tried to stand up and head towards the door of the hall during the visit of the Centre's team, which clearly indicates that the staff are not qualified to deal with older persons. The team also recorded certain administrative practices inconsistent with the particular needs of older persons, such as older persons moving from one place to another with difficulty, whether on foot or in wheelchairs, without the presence of supervisors, as well as the loss of older persons' money in some homes.

Recommendations

- Establishing a national database on older persons setting out all information relating to them, and working to develop a strategy for them based on the outputs of this database and in line with the global pillars of the well-being of older persons.
- Reviewing the legislation so as to enable the promotion and protection of the rights of older persons and to assist in implementing the National Strategy.
- Adopting comprehensive policies that ensure the economic and health well-being of older persons, including the provision of employment opportunities commensurate with their experience and abilities.

- Adopting comprehensive programmes at the official or societal level to integrate older persons into social and cultural life, and promoting a culture of voluntary work in the service of older persons or to benefit from their experience; and liaising with the Deanships of Student Affairs at universities to encourage students to engage in such noble programmes.
- Directing charitable donations and zakat to such homes, and raising awareness thereof through liaison with the Ministry of Awqaf and mosque preachers.
- Strengthening oversight of homes for older persons, taking the necessary measures against violators, and following up the rectification of the situations relating to older persons.
- Providing training and qualification programmes for all staff in homes for older persons so as to ensure that they receive dignified treatment.

5. Annexes

Complaints Received by the Centre in 2013

Total number of complaints received by the National Centre for Human Rights by alleged violated right, 2013

Right subject of the complaints	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	Under follow-up	Complainant's non-cooperation	Violation not established
Recognition of legal personality (nationality)	19	1	–	–	13	3	2
Obtaining identity documents	31	5	1	–	24	–	1
The right to freedom of residence and movement	29	5	1	1	15	1	6
The right to life	11	1	–	1	7	1	1
The right to asylum	7	1	–	–	5	1	–
The right to personal liberty	27	4	–	–	18	–	5
The right to physical integrity and personal security	71	5	1	1	50	5	9
The right to humane treatment	2	–	–	–	1	–	1
The right to work	72	15	2	2	42	4	7
The right to hold public office	1	–	–	–	1	–	–
The right to social insurance	7	2	–	1	3	–	1
Rights of inmates of Correction and Rehabilitation Centres	35	5	1	2	26	–	1
The right to health	18	4	–	–	11	1	2
The right to education	14	3	–	1	7	1	2
The right to equality and non-discrimination	7	–	–	–	5	–	2
The right to a fair trial and the administration of justice	56	15	–	6	24	2	9
Rights of the child	5	1	–	1	2	–	1
Family rights	13	1	–	2	9	1	–
Rights of persons with disabilities	3	1	–	–	1	–	1
The right to an adequate standard of living	6	–	–	–	5	–	1

Right subject of the complaints	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	Under follow-up	Complainant's non-cooperation	Violation not established
The right to housing	4	–	–	1	3	–	–
The right to freedom of opinion and expression	3	–	–	–	3	–	–
Cultural rights	1	–	–	–	1	–	–
The right to property	4	–	–	1	3	–	–
The right to a healthy environment	2	–	–	–	2	–	–
The right to join trade unions and parties	6	–	–	–	6	–	–
The right to vote and to stand for election	3	–	–	1	–	–	2
The right to religious belief	1	1	–	–	–	–	–
The right to compensation	10	2	–	2	3	–	3
Grand total	468	72	6	23	290	20	57
Percentage %	100%	15.4%	1.3%	4.9%	61.9%	4.3%	12.1%

The number of complaints received by the Centre this year stood at (468) complaints, compared with (428) complaints in 2012. The number of complaints relating to civil and political rights was (309) complaints, while the number of complaints relating to economic, social and cultural rights stood at (151) complaints, and the number of complaints relating to the rights of the groups most vulnerable and most in need of protection stood at only (8) complaints. (72) complaints, i.e. 15.4%, were closed successfully; (6) complaints, i.e. 1.3%, were closed without reaching a satisfactory outcome; and (23) complaints were closed as falling outside the Centre's mandate, i.e. 4.9% of the total number of complaints. (57) complaints were also closed because no violation of human rights was established, i.e. 12.1%, while the number of complaints still under follow-up stood at (290) complaints, i.e. 61.9%. The decrease in the number of cases closed with an unsatisfactory outcome is attributable to the cooperation or positive response of some of the bodies complained against to the recommendations and requests of the Centre. 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; delayed replies and the lack of cooperation of some bodies with the Centre; the lack of cooperation of some complainants in certain complaints; and the shortage of specialised staff at the Centre to follow up these complaints.

Requests for Assistance Received by the Centre in 2013

Total number of requests for assistance received by the National Centre for Human Rights by alleged violated right, 2013

Right subject of the request	Number of requests	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	Under follow-up	Violation not established
The right to freedom of residence and movement	10	1	–	–	4	5
The right to obtain identity documents	4	2	–	–	2	–
The right to asylum	3	0	–	–	3	–
The right to equality and non-discrimination	1	1	–	–	–	–
The right to personal liberty	4	2	–	–	2	–
The right to physical integrity and personal security	5	1	1	–	3	–
The right to health	9	1	1	1	4	2
The right to work	14	2	1	3	8	–
The right to property	1	–	–	1	–	–
The right to housing	2	–	–	–	2	–
The right to an adequate standard of living	4	1	–	–	3	–
The right to social insurance	2	–	–	1	1	–
Women's rights	1	–	–	–	1	–
Rights of the child	3	–	–	–	2	1
Rights of persons with disabilities	1	–	–	–	1	–
The right to education	4	2	–	–	2	–
Rights of inmates of Correction and Rehabilitation Centres	12	3	1	–	8	–
The right to compensation	1	–	–	–	1	–
Family rights	4	1	–	–	3	–
The right to a fair trial	10	–	–	1	8	1
Grand total	95	17	4	7	58	9
Percentages	100%	18%	4.2%	7.3%	61%	9.5%

The total number of requests for assistance received by the Centre this year stood at (95) requests, compared with (118) requests in 2012. The number of requests for assistance relating to civil and political rights was (49) requests, while the number of requests relating to economic, social and cultural rights was (41) requests, and the number of requests for assistance relating to the rights of vulnerable groups stood at (5) requests. (17) requests, i.e. 18%, were closed successfully, while the number of requests closed without a satisfactory outcome stood at (4) requests, i.e. 4.2%. The number of requests still under follow-up stood at (58) requests, i.e. 61%. The Centre received (7) requests falling outside its mandate, i.e. 7.3%, and received (9) requests that were closed because no violation was established, i.e. 9.5%. The closure of a number of cases with an unsatisfactory outcome is attributable to the failure of the body from which assistance was requested to respond positively to the recommendations and requests of the Centre. An increase in the number of complaints and a decrease in the number of requests for assistance received by the Centre in 2013

compared with 2012 are noted, as shown in the following chart, owing to the multiplicity and diversity of the bodies that receive requests for assistance:

Chart: Numbers of complaints and requests for assistance, 2012–2013

Year	Requests for assistance	Complaints
2012	118	428
2013	95	468

The receipt of complaints orally and in person at the Centre ranked first among the various means, as 77.1% of the total complaints were received orally through complainants attending the Centre in person and explaining their complaints before the Centre's staff. Receipt of complaints by fax came second, accounting for 9% of the total complaints, followed in third place by e-mail at 5.8%, while press monitoring and monitoring missions came fourth at 3% of the means of receiving complaints. The Centre also received 0.8% of complaints by ordinary mail, and the proportion of complaints received through liaison officers in the governorates and through the hotline stood at 2.1% each. This points to the need to focus on activating the role of liaison officers by introducing them and their role in receiving and following up complaints through the various media, and to develop a plan for 2014 to activate these means so as to ensure easier access to the services provided by the Centre.

Chart: Means of receiving requests for assistance

Means	Complaints (%)	Requests for assistance (%)
In person	77.1	82
Fax	9	7.3
Ordinary mail	0.8	2.2
E-mail	5.8	1.6
Hotline	2.1	5.3
Liaison officers	2.1	0
Press monitoring	3	1.6

The submission of requests for assistance orally and in person ranked first among the various means, as 82% of the total requests were made orally through attendance at the Centre in person. The submission of requests for assistance by fax came second at 7.3%, the hotline came third at 5.3%, ordinary mail fourth at 2.2%, and e-mail and monitoring came fifth at 1.6% each of the total requests.

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

As regards the distribution of complaints across the various governorates of the Kingdom, the following chart shows that the Capital continues to rank first in the number of complaints received by the Centre, accounting for 54.4% 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 came second, with complaints submitted by its residents accounting for 12.6%; Irbid

Governorate came third, with complaints accounting for 6.2%; and Madaba Governorate came fourth, with complaints accounting for 4.5%.

Chart: Number of complaints by governorate of the Kingdom

Governorate	Number of complaints
Amman	255
Irbid	26
Madaba	21
Tafileh	4
Mafrq	17
Ajloun	9
Zarqa	59
Karak	15
Aqaba	8
Ma'an	8
Jerash	10
Balqa	10
Outside Jordan	26

As regards requests for assistance, the Capital Governorate ranked first at 51.5%, Zarqa Governorate second at 10.5%, Irbid third at 9.5%, and the governorates of Madaba and Ajloun fourth at 5.3% each.

Chart: Number of requests for assistance by governorate of the Kingdom

Governorate	Number of requests for assistance
Amman	49
Irbid	9
Madaba	5
Mafrq	4
Ajloun	5
Zarqa	10
Karak	1
Ma'an	1
Jerash	4
Balqa	2
Outside Jordan	5

As regards the bodies complained against, the following chart shows the proportion of complaints according to the governmental body against which the complaints were submitted. It is noted that the security agencies continue to account for the largest share of the complaints received by the Centre, at 40% of the total complaints; complaints submitted against the Public Security Directorate (PSD) alone accounted for 29.4%, followed by the General Intelligence Directorate (GID) at 10.2% and then the Ministry of Interior at 9.6%. This indicates that these bodies have not taken the hoped-for measures to stop violations, and confirms the need for the Centre to continue to give them priority and to focus on them in order to reduce the number of complaints and promote human rights in the Kingdom. An increase is also noted in the proportion of

complaints received against certain bodies, such as the Judicial Council, the General Command of the Jordan Armed Forces, the Military Judiciary, the State Security Court and the Ministry of Foreign Affairs, compared with 2012. A decrease is likewise noted in the proportion of complaints relating to labour and recruitment agencies, which stood at 4.4% compared with 25% in 2012 and 21% in 2011.

Chart: Number of complaints by body complained against

Body complained against	Number of complaints
Ministry of Interior	45
Ministry of Justice	5
Ministry of Education	13
Ministry of Higher Education	1
Ministry of Labour	5
Ministry of Foreign Affairs	11
Ministry of Social Development	9
Ministry of Health	5
Ministry of Municipal Affairs	4
Ministry of Environment	1
Ministry of Awqaf, Islamic Affairs and Holy Places	2
Department of the Chief Justice	1
General Intelligence Directorate	48
Public Security Directorate	138
Domestic worker recruitment agencies	21
Prime Ministry	5
Civil Service Bureau	4
Military Judiciary and State Security Court	9
Greater Amman Municipality	6
Professional associations	4
Judicial Council	15
Social Security Corporation	2
Embassies	2
United Nations High Commissioner for Refugees	3
General Command of the Jordan Armed Forces	18
Independent Election Commission	4
Anti-Corruption Commission	2
Ministry of Finance	3
Department of Lands and Survey	6
General Directorate of the Gendarmerie	3
Ministry of Water	3
Universities	5
Other bodies	65

A decrease is also noted in the proportion of complaints submitted against certain ministries, such as the Ministries of Education and Social Development, compared with 2012.

As regards the bodies from which assistance was requested, the following chart shows that the largest proportion of requests for assistance was directed to the security agencies, at 28.4%. Requests for assistance relating to the Ministries of Interior and Foreign Affairs accounted for 5.3% each, while the number of requests for assistance received concerning the Ministry of Social Development rose to (6) requests this year compared with one request in 2012. Requests for assistance directed to the Prime Ministry decreased to (5) requests compared with (6) requests in 2012.

Chart: Number of requests for assistance by body complained against

Body complained against	Number of requests for assistance
Ministry of Interior	5
Ministry of Education	3
Ministry of Foreign Affairs	5
Ministry of Social Development	6
Ministry of Health	4
General Intelligence Directorate	6
Public Security Directorate	17
Prime Ministry	3
Royal Hashemite Court	2
Civil Service Bureau	2
Customs Department	1
Greater Amman Municipality	4
Embassies	6
United Nations High Commissioner for Refugees	5
General Command of the Jordan Armed Forces	4
Department of the Chief Justice	1
Ministry of Justice	1
Ministry of Awqaf	1
Civil Consumer Corporation	1
Ministry of Agriculture	1
Other bodies	17

The following chart shows the numbers of complainants by nationality. Complainants holding Jordanian nationality accounted for 62.3%, while Filipino nationality ranked second at 8.6%, Syrian nationality third at 6.2%, followed by Palestinian nationality at 5.8%.

Chart: Number of complaints by nationality

Nationality	Number of complaints
Jordanian	283
Palestinian	9
Indian	1
Sri Lankan	2
Syrian	6
Iraqi	4
Egyptian	5

Nationality	Number of complaints
German	1
Saudi	1
Filipino	40
Bangladeshi	3
Other	55

As regards the nationality of applicants for assistance, the foregoing chart shows that Jordanian nationality accounted for the largest proportion, at 67.3% of the total number of applicants for assistance; Palestinian nationality ranked second at 9.4%, Syrian nationality third at 7.4%, and Egyptian nationality at 5.2%.

Breakdown of Complaints and Requests for Assistance by Sex

The following chart shows the high proportion of complaints and requests for assistance submitted by males, at 68% of complaints and likewise 69.4% of requests for assistance, while the proportion of complaints submitted by females stood at 32% and of requests for assistance at 30.6%.

Chart: Numbers of complaints and requests for assistance by sex, 2013

Sex	Requests for assistance	Complaints
Males	66	319
Females	29	149

In following up these complaints and requests for assistance with the bodies complained against and the bodies concerned, the replies to the Centre's letters and correspondence were as follows:

Total complaints: (468) complaints.

Complaints in which a reply was received to the letters sent to the bodies concerned: (208).

Complaints in which no written reply was received: (260).

Body	Letters	Initial reply	Final reply	No reply received by the Centre
Ministry of Social Development	11	—	5	6
Public Security Directorate	75	9	39	27
Ministry of Interior	41	13	7	21
Ministry of Health	6	—	5	1
Ministry of Education	15	1	7	7
Universities	4	—	1	3
Prime Ministry	2	2	—	—
Judicial Council	2	—	1	1
Ministry of Environment	1	—	—	1
Ministry of Justice	4	—	2	2
Ministry of Finance	4	—	—	4
Ministry of Water	2	—	1	1
Ministry of Foreign Affairs	2	—	1	1
Ministry of Labour	3	—	1	2

Body	Letters	Initial reply	Final reply	No reply received by the Centre
Civil Status and Passports Department	5	—	3	2
Ombudsman Bureau	1	—	—	1
Civil Defence	2	—	—	1
General Command of the Jordan Armed Forces	4	—	2	2
Amman Attorney General	1	—	—	1
Phosphate Company	1	—	—	1
Social Security	1	—	—	1
UNRWA	1	—	—	1
Military Judiciary	1	—	—	1
Civil Service Bureau	2	—	—	2
United Nations High Commissioner for Refugees	3	—	—	3
Department of Camps Affairs	1	—	—	1
Greater Amman Municipality	2	—	—	2
Anti-Corruption Commission	1	—	—	1
Independent Election Commission	2	—	1	1
Wadi Al-Seer Training College	1	—	—	1
Joint Chiefs of Staff	1	—	—	1
Major Felonies Court	1	—	—	1
Department of Lands and Survey	1	—	—	1

A review of the replies of the bodies concerned to the letters addressed to them by the Centre regarding the complaints it received shows the following:

1. The replies received from the General Intelligence Directorate to the Centre's letters are oral replies; the Centre has never received a written reply from the Intelligence Directorate.
2. The replies of the Ministry of Interior to the Centre's letters are, for the most part, brief initial replies requiring the aggrieved party to apply to the Follow-up and Inspection Department in the cases relating to it.
3. The replies of the bodies concerned are delayed for more than thirty days, notwithstanding Article Eight of the National Centre for Human Rights Law No. (51) of 2006, which affirms that the Centre's requests must be answered without delay or procrastination, as well as Circular No. (1/11/18/5820) of His Excellency the Prime Minister dated 22 March 2011, which requires official bodies to answer the Centre's requests within thirty days of the date of the request.
4. Despite the swift response of the Prime Ministry to the Centre's letters, its replies are brief initial replies merely addressing the ministries to follow up the subject of the complaint.
5. Some bodies resolve the substance of the complaint with the complainant without informing the Centre by a reply explaining what took place.