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The National Centre for Human Rights

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Part One: Introduction

I

The state of human rights in the Kingdom in 2016 becomes apparent through the legislative and political developments and the practices that took place with respect to the various components of the universal human rights system and their national manifestations. The most prominent themes through which these developments manifested themselves in Jordan were as follows: security and human rights; public participation; guarantees of prompt justice; respect for the rule of law; social justice, particularly combating poverty and unemployment; progress, or the lack thereof, in efforts to protect the rights of the groups most vulnerable to violation (women, children, persons with disabilities and older persons); and, further, the treatment of non-governmental organisations, including civil society institutions and civil, trade union, labour and other bodies. The elections to the Eighteenth House of Representatives (20/9/2016), the Seventh Royal Discussion Paper, and the formation of the Royal Committee mandated to develop and modernise the judiciary came as practical examples demonstrating the importance of these issues in public life in the Kingdom in 2016.

The governmental (and non-governmental) initiatives and steps taken in this regard, and the developments affecting human rights in the Kingdom, were influenced – positively or negatively – by the **regional environment**, which is governed by conflicts, internal wars and civil armed conflicts, including the terrorism raging in the region, and by external interventions. On the other hand, we cannot conceal or deny the effects of this regional situation, and of the violence, unrest, tensions and external interventions that prevail over and govern it, **on the domestic political, social, economic, cultural and security structures**, and their impact on determining the conduct of the State and the performance of official institutions and agencies at more than one level, including in the areas relating to the protection and promotion of human rights. The expression (domestic structures) denotes the **institutions, ideas, roles, objectives, and functions or ends** that direct behaviour and drive and design processes, which in turn generate the policies, laws and initiatives that proceed from the parties' understanding of the nature of the opportunities and challenges in both environments: the domestic and the external. Hence, we find that the nature of the prevailing political system, the legislative structure (the Constitution, laws and regulations), the economic structures, and the system of social traditions and customs and cultural heritage exert a fundamental and constant influence in determining the content, form and level of government initiatives and the latter's approach to opportunities and challenges, particularly as regards identifying sources of threat, crystallising options and ordering priorities at each stage or era, and consequently determining the conduct of the State in the areas of national security, reform, the management of public affairs, and the provision of prosperity or welfare for citizens; and the extent to which such conduct takes into account respect for the fundamental freedoms and rights of the citizen.

The state of chaos sweeping the region, including international and regional wars and interventions, has led to an unprecedented, large-scale process of external asylum from neighbouring sister States, which has weighed heavily on Jordan in vital areas, most notably:

security and stability; social cohesion and civil peace; and the provision of protection, subsistence and public services to approximately one million Syrian refugees in 2016.

The State's infrastructure has had to respond to the requirements of meeting these obligations, as well as those other obligations needed by the citizen, through the adoption of financial and economic policies and measures that have affected the citizen's pocket and daily livelihood, and the level of the basic public services available to the citizen in the areas of health, education and work. These burdens came at a time when the State's national resources and capacities were subject to pressures resulting from the decline in the returns of most national production sectors, not to mention the elite's clinging to its privileges and to the facilities it enjoys, which it has accumulated by virtue of its functional role in supporting the status quo and in securing the conditions of its own political and professional survival.

These factors combined have fundamentally affected, and continue to affect, the extent to which the authorities fulfil the conditions of respect for human rights guaranteed by the Constitution and affirmed by the international charters and treaties by which the Jordanian State has bound itself, and which constitute the essence of international human rights law. The fulfilment of these rights is linked to the political, economic and social reality of the State; and fulfilling them requires enacting and/or amending legislation and regulations, formulating and developing comprehensive public policies, and regulating practices; and, consequently, the adoption and implementation by the authorities of the State and its agencies of a comprehensive rights-based approach dedicated to protecting human dignity and existence, in order to guarantee the rights of the citizen and the resident alike.

On the basis of this concept, the following question arises:

To what extent did the State – in the totality of the legislative initiatives it took, the public policies it implemented, and the steps, activities and practices undertaken by its executive agencies and arms during the past year, 2016 – come closer to, or move away from, the requirements of respecting the recognised catalogue of human rights, particularly the seven themes referred to at the beginning of this Introduction?

II

More detailed answers are provided throughout the report regarding the rights in respect of which progress was made, those that witnessed regression, and those that, in general, remained unchanged; this Introduction will therefore confine itself to mentioning the most prominent activities, initiatives and governmental approaches in these areas during 2016.

On the positive side, the process of openness in the outlook of official institutions, at various levels, towards human rights continued. Such openness took several forms, including the affirmation by officials, at the highest levels, that human rights are legitimate and fundamental demands of citizens and therefore constitute obligations that the State must fulfil. Among the manifestations of this openness was the institutionalisation of several governmental initiatives in this regard that helped bring about dialogue and interaction among the partners (the Government, civil society institutions and the National Centre for Human Rights), within a practical and, to some extent, realistic framework, and in a comprehensive and serious manner, on the various

topics and issues affecting these rights. In line with this approach, which was launched in 2013 following the Royal directives addressed to both the then Prime Minister and the President of the Judicial Council – an approach that expanded and took clearer shape in the two subsequent years, 2014 and 2015 – the Government announced its determination to undertake legislative reforms to more than thirty (30) laws, and a like number, or perhaps more, of regulations and instructions whose absence or shortcomings adversely affect Jordan's fulfilment of its human rights obligations towards citizens and residents alike. This announcement by the Government came within the framework of the Comprehensive National Plan for Human Rights adopted by the Council of Ministers at the beginning of 2015, and covered legislation in the field of the administration of justice and the provision of fair trial guarantees, and the reform and modernisation of the judiciary, including addressing delays in the adjudication of cases and activating judicial enforcement. **Children in general**, including those of unknown parentage, received the attention of the Ministry of Social Development, as the responsible government bodies paid attention to matters of custody, maintenance, care and parentage. The Sharia judiciary cooperated in this regard, particularly in affirming the necessity of incorporating the concept of the best interests of the child into laws, regulations and administrative decisions... The adoption of the Juvenile Law is considered an important step, in addition to the highlighting of the concepts of the alternative family and the right of visitation, and the intensification of efforts to protect the rights of the child, including cases in which the child is in conflict with the law. These amendments also included **enabling women to access** the protection that criminal justice must provide, particularly protection from violence and harassment. **The Narcotic Drugs and Psychotropic Substances Law** No. (23) of 2016 **was issued**, which criminalises the various forms of drug use and trafficking in narcotic substances, in addition to laying the foundation for national strategies to combat this scourge, which has recently spread in Jordanian society. In the same, or a closely related, context, the **Regulation on Shelters for Women at Risk** No. (71) of 2016 was issued. The Public Security Directorate adopted tangible steps towards improving prison conditions and the conditions of detention of detainees.

The proposed legislation also included a review of the laws relating to the labour market and investment, in a manner enabling interested parties and observers to anticipate such legislation, reducing bureaucratic constraints, facilitating and easing trade, supporting small enterprises and attracting (local and foreign) investment. The Government also designed and implemented initiatives – albeit modest relative to the scale of the problem – in the area of reducing poverty and unemployment. Such positive steps included practical proposals for reforming education and protecting the environment, and the curricula of basic education, as the National Centre for Human Rights contributed to the modest efforts adopted by the educational authorities – official and non-official – to integrate human rights into the curricula at this stage of public education.

In the same context, the Government completed the building of the **National Integrity System**, irrespective of its effectiveness in implementing the National Integrity Charter.

The **Human Resources Development Committee**, formed by Royal decision, submitted important recommendations in the field of education, in terms of framing the sectors concerned with education and attempting to regulate the educational and pedagogical process so as to be consistent with improving the quality of education for Jordanians and aligning its outputs with the needs of the labour market, abandoning rote learning, and combating what has become known as

the phenomenon of violent extremism in public life in the Kingdom. The Committee's recommendations also included "purging curricula of extremist ideas that pose a danger to society", establishing an independent national centre for examinations, and unifying the general secondary education streams so that in future they are confined to only two streams: the academic stream and the vocational stream. The said Committee's recommendations further included the formation of a "semi-independent higher authority for the development of school curricula".

This was followed by the Government's decision to commit to implementing the National Strategy for Human Resources Development 2016–2025.

The holding of the general parliamentary elections on 20/9/2016 is considered an important step towards strengthening the right to participation and activating the principle of representation and "governance by consent and approval". As is well known, elections affect numerous rights, and they must be available for the fulfilment of other important and fundamental rights; likewise, they require the availability of a number of other rights in order to be free and fair elections and to achieve their purposes of enabling citizens to change the policies they believe do not meet their aspirations. These rights include: the right to peaceful assembly and to form associations, freedom of expression and independent and professional media, the provision of fair trial guarantees, protection from discrimination, the right of access to information, etc.

General elections usually perform this function by answering several questions, most notably: 1- determining who has the right to stand for election and to vote; 2- stating the purpose of the election or voting; and how this matter of representation is to be organised. The manner in which these questions are answered, which is usually represented by the electoral administration, reveals: (a) the nature of the government and the political system; (b) the nature of the government's relationship with society; and (c) the nature of the value system that society embodies and abides by. The Elections Law No. (6) of 2016 brought positive aspects that have been referred to on several occasions and need not be enumerated here; on the other hand, however, it suffered from negative aspects and shortcomings in many fundamental respects that must be addressed in the forthcoming elections. As for the electoral administration – as reflected in the performance of the Independent Election Commission – it performed well in many areas and suffered failures in limited areas which are, however, of particular sensitivity; the Centre has issued a detailed report on this matter.

The most prominent of these was the inability to curb the role of political money in the elections and to address this matter.

III

In contrast to the foregoing positive initiatives and steps – and others not mentioned in this Introduction – undertaken by the Government, several **objective developments monitored by the Centre cast their shadow over those initiatives and positive aspects** with respect to the state of human rights in the Kingdom in 2016 and in the course of fulfilling its human rights obligations. The most prominent of these developments are:

The slowdown in the Government's momentum, which came under the influence of the Arab Spring and reached an advanced stage during the three years from 2012 to 2014, as the Centre

recorded in this context a notable change in the official outlook and mood towards human rights. The convergence of the dangers of terrorist threats (which succeeded in striking three sensitive targets in Jordan in 2016, in the months of June and January respectively) with the rising rate of crime domestically, particularly crime associated with the scourge of drugs and societal violence, in addition to the fading of the influence of the Arab Spring and the popular movement – all of this led to a change in the official mood towards human rights issues. Although the Government did not entirely turn its back on its obligations in this regard, the clear positivity that characterised the governmental approach in this respect in the years 2013 to 2015 gradually faded this year, 2016, and what may be described as a half-turn occurred with respect to the requirements of respecting a number of fundamental human rights, foremost among which were **freedom of expression and freedom of peaceful assembly**. The most prominent development in this area was the State's shift from the policy of forbearance it had pursued during the period of the popular movement towards citizens' peaceful protest activities and criticism not exceeding the limits permitted under constitutional and international standards, to a tendency to narrow the public space available for citizens' activities, to the extent that it appeared as though there were a tendency to restrict the right to object and to protest.

The authorities, represented by the administrative governors – and on the basis of pretexts and justifications that were, most of the time, formalistic – prevented collective, demand-based activities of a peaceful nature; this tendency was accompanied by the prevention of civil society activities, although such prevention was confined to limited cases. It is well known that the right to peaceful assembly and to meet is **an absolute right on which, in principle, no restrictions are imposed**, and accordingly it may not be prohibited in advance.

In addition to lowering the ceiling of freedom and narrowing the space for public action, or what is known as the public space, available to human rights activists, this change appeared in the outlook of officials concerned with **security issues towards freedom of expression via social media** – without, of course, denying that such media have on occasion witnessed practices of forms of expression exceeding the limits protected under the Constitution and/or international standards, such as infringing on the freedoms and rights of persons, as well as practices amounting to the dissemination of unacceptable hate speech; and cases were recorded in which persons used the Internet to support groups banned because of their terrorist activities in the Kingdom and abroad. However, the governmental countermeasures went too far, and it appeared as though such measures were designed to stifle **any possibility of the emergence of an effective, peaceful, popular, demand-based movement** anew. Accordingly, a peaceful sit-in by the Dhiban movement was dispersed through the use of excessive force, in a manner whose intent went beyond merely demolishing a tent whose ground area did not reach (4) m²; rather, it was perhaps intended to send a clear message to popular movements in other areas of the Kingdom not to consider undertaking similar protest action. Something similar occurred with respect to other peaceful gatherings in Amman, although these were dispersed with less force. Most of these protests opposed the gas agreement signed between the American company Noble Energy and the National Electric Power Company, guaranteed by the Jordanian Government. In the context of the Government's tendency to restrict freedom of expression and freedom of peaceful assembly, a page dedicated to the national boycott campaign on a social media site was closed. The message therefore appeared clear: no tolerance for demand-based protests, or for any popular activities and resistance to normalisation in particular!

Likewise, the Elections Law No. (6) of 2016 was not free from shortcomings, in addition to the violations at various levels that marred the electoral process itself, particularly with respect to the electoral system, the use of political money, and the repercussions of the well-known open proportional list. However, the tampering that affected a number of ballot boxes in the **Central Badia constituency** was the most prominent, together with the manner in which this tampering was dealt with and the failure to hold accountable those responsible for it, whether those who committed the act or those who failed to protect those boxes; this is in addition to other shortcomings whose results and effects were perceived by observers without the violating acts themselves being visible. The cooperation of the relevant authorities with the Centre was not available to the required extent to uncover important circumstances surrounding this flagrant assault on the sanctity of the elections, and consequently on the will of voters, as described by officials of the Independent Election Commission – the authority primarily responsible for the integrity and proper conduct of the electoral process – on the eve of those assaults. Knowing the truth of what happened in this regard is a right of the citizen, and public opinion must be respected and informed of the truth, so that there is no shadow of doubt over the integrity and transparency of the electoral process as a whole. The fundamental question remains open: did the elections enable citizens, through the ballot box, to bring about the substantive or qualitative change they seek on issues that did not enjoy their acceptance? The answer to this question lies within the competence of the voter himself, as it is the voter who can evaluate the outputs of the electoral process and judge whether or not this process has embodied his aspirations, ambitions and hopes; and the performance of the Eighteenth House of Representatives will also be the decisive factor in this regard.

This is in addition to the continued impact of the shortcomings in well-known legislation documented by the report, foremost among which are the Crime Prevention Law of 1954, Article (208) of the Penal Code of 1960, the Prevention of Terrorism Law of 2006 and its amendments, and the State Security Court Law of 2006. We await the Government's initiative to begin efforts to proceed with amending the legislation it has committed to amend under the said Comprehensive National Plan for Human Rights. Furthermore, the awareness-raising and education efforts exerted by various bodies, including the National Centre for Human Rights, were unable to limit the impact of social customs and cultural heritage on the rights of persons belonging to the groups most vulnerable to violation, particularly in the area of guaranteeing equality, non-discrimination and the empowerment of women. Efforts to make some of the required amendments to laws and regulations in this regard had to wait until 2017, when the recommendations of the Royal Committee mandated to develop the judiciary were issued, among them **the exclusion of the mitigating excuse where the crime is committed against a female on the pretext of preserving honour**, as well as the repeal of **Article (308) concerning the suspension of the prosecution of a rapist in the event of his marriage to the victim; all of which were approved** by the Council of Ministers in a draft law amending the Penal Code No. (16) of 1960, although undertaking such an amendment requires extraordinary efforts by the Government and civil society to provide the enabling environment for the adoption of such an amendment of particular sensitivity, as well as to find an equivalent alternative in terms of guaranteeing the right to life of girls and women victims and providing the necessary protection to those of them who may be exposed to the threat of being killed or harmed at the hands of their families for reasons of honour.

Nor can the social, environmental and economic effects of the programme for **employing Syrian refugees and the rising rate of child labour** in Jordan be ignored, owing to the aggravation of unemployment and poverty on the one hand, and the rising proportion of working children among Syrian children. Cases of the return of Syrian refugees also increased (albeit in limited numbers relative to the scale of Syrian asylum), particularly in light of the terrorist operations that struck the country in the centre, the south and the north and threatened security and stability, and as a result of the increased activity of local Salafist groups.

IV

These data indicate that the Government's policy towards human rights proceeds **along two parallel lines**. This policy has witnessed a shift from an earlier stage in which the Centre's recommendations were ignored and disregarded; however, the aforementioned Royal directive of 2013 changed this approach, and the matter turned into initiative and attention on the part of the Government towards those recommendations, although such attention remained confined essentially to addressing the violations resulting from the practices of certain agencies and institutions, or to addressing the consequences of defects in a specific number of public policies, with continued slowness in the area of **amending legislation and developing strategic policies**, particularly with regard to economic and social rights (education, workers' trade union rights, health, the environment, etc.). In fact, the Centre has observed during the past two years that **the Government's position has fluctuated between attempting to reach** some serious solutions to a number of prominent fundamental issues in the areas of freedom of expression, public participation (elections) and the empowerment of civil society, as well as addressing issues of education, health, poverty, unemployment and workers' rights to freedom of trade union organisation, **and a lack of initiative** in this regard, with the attempt fading to the point of sometimes disappearing altogether – that is, if progress does not evaporate entirely and attention recede under the pressure of “security” considerations and/or weak capacities and scarce resources, in addition to the absence of follow-up by the rights-holders themselves!

An observer may view the causes and justifications of such a situation **from its three angles: modest progress in limited rights, regression in other, likewise limited, rights, and then stagnation or continuation of the status quo in the majority of rights**, and will find before him apparent factors and causes that constitute challenges and obstacles to the course of human rights in Jordan, such as: first, the tense regional environment, particularly in the Kingdom's neighbourhood and at its borders on most sides; second, the dominance or effects of the difficult economic situation; and third, the prioritisation of security considerations irrespective of the efficacy of the concept of security adopted by the security institutions and on whose application they insist; as well as the effect of limited popular awareness, the weakness of civil society and the low level of human rights culture among the public in general.

V

However, the Centre has followed the course of human rights in the country for years, particularly since the period of the Arab Spring (2011–2013), which the Government dealt with by moving towards deeper and more comprehensive reforms touching the political, social, economic and constitutional structures of the State, particularly those constituting the actual obstacles to radical

and genuine reform in national life. Those initiatives, had they developed to their fullest extent and reached their conclusions, would have created a more suitable environment for human rights in Jordan. It has become clear to the Centre that the aborting and containment of the popular movement, the weakening of the accompanying mass protests demanding reform and change, and the fragmentation of the opposition – coupled with the regression of the popular situation in general and its retreat from the vitality of the criticism and accountability it used to exercise through peaceful protests, demonstrations and marches in 2012 and 2013, and its retreat into a state of passivity and indifference among the public (and perhaps frustration and despair) – reassured officials and restored the sense of confidence **among the authorities and the forces of the ‘status quo’**, particularly the regressive forces and those with special agendas, which has come to threaten achievements, as these groups have resumed attempts to undo whatever they can of the limited achievements realised in the area of public freedoms in previous years. Civil and political freedoms and economic, social and trade union rights were the ones affected by this development in the first place; in addition to efforts to combat corruption, popular accountability, and even the establishment of genuine popular representation. The desire to reduce the role and influence of Islamist currents and of the forces of the popular movement was one of the considerations behind the governmental initiatives that negatively affected human rights? That is, there was a political message or motive behind this adverse development in the reality of human rights in the Kingdom!

On the other hand, the Government, particularly the security institutions, succeeded to a reasonable degree in combating terrorism and confronting acts of societal violence, breaches of public order and infringements of the law, which escalated for a period; however, those successes achieved by the security agencies, which took place amid a serious and unprecedented erosion of the values of Jordanian society, were also accompanied by violations of human rights.

VI

This regression or slowdown in the course of reform resulted in a state of **pessimism and passivity among citizens**, accompanied by widespread doubts about the ability of the ruling elite to manage the crisis and to adapt to rapid regional, international and local developments. In this regard, neither the state of fragmentation suffered by the political opposition, the weakness of political parties, nor the modest performance of civil society organisations – coupled with the multi-faceted societal polarisation formed along doctrinal, ideological, intellectual, regional, sub-regional and social lines – helped in finding an alternative or in positively influencing the official course, which preferred to return to the ‘business as usual’ situation that preceded the period of the Arab Spring and the accompanying popular movement. This course has come to be directed, and its priorities determined, by a group of liberals in the Jordanian manner who hold the helm of affairs in the State, and for whom circumstances and external developments and influences have provided the opportunity to control and steer the course of reform and change as their orientations and interests require. The expression “Jordanian liberals” here does not imply criticism of global liberal thought, particularly with respect to upholding civil and political freedoms and cultural and political pluralism, or even economic freedom based on competitiveness and the market economy. The majority of citizens remain far from understanding the essence of this group’s philosophy and from engaging with it. However, the drive of these young ‘liberalists’ received indirect, and

perhaps unplanned, support from the successes of the security agencies and the service institutions which, through their efforts and the financial and human support and capacities made available to them, were able to ensure the continuity of public life, albeit at a minimum level. The insistence of this group appears clear in its continued adherence to working to complete the economic measures in accordance with the requirements of the International Monetary Fund, and to combating the so-called growing phenomenon of extremism through proposals bearing the name of ‘curriculum reform’ (that is, changing the content of school textbooks), and linking this essentially to the religious character of this ‘book’, in the face of opposition – and even resistance – from conservative national, religious and other currents that see in such an approach an erasure of the national memory and of the citizen’s national and religious identity? This project is complemented by proposals such as the ‘civil character of the State’, which might be an idea acceptable for discussion and a sound option had it not taken the form of imposition by the Government and been associated with the dominance of what may be described as the ‘liberalist’ team, under the name of modernising education and combating takfiri thought, extremism and terrorism. Facing this Jordanian economy and the liberal team stand disparate forces that are not necessarily in agreement on a specific national agenda, most prominently the religious current, the traditional forces and some faint or pale nationalist banners. Departing from these two orientations is the Salafist current in both its faces: **the peaceful and the violent extremist**. This fragmentation on the one hand, and societal polarisation on the other, have clearly affected the reality of human rights in the Kingdom in both its branches: civil and political rights, and economic and social rights. The former were left alone at the mercy of the traditional current and of the professionals or specialists from the security cadre, who did not hesitate to give absolute priority to security considerations; whereas economic and social rights receded under the dominance of the liberal current, which is usually understanding of the conditions of the International Monetary Fund and the World Bank and concerned – that is, the liberal current – with growth at the expense of social justice and the principle of the fair distribution of wealth.

The year 2016 witnessed a significant deterioration in economic conditions and public finances, and consequently an increase in the burden of living costs on citizens, with modest achievement with respect to the national democratic reform project, which both parties – the Government and society – failed to activate and push forward. The Government and the liberal team steering it had presented a package of financial and economic reforms which, on the whole, met the orientations and interests of **major merchants** and capital owners, in exchange for a package of ‘democratic’ legislation considered to some extent decorative in terms of its political and legislative content. Meanwhile, the influence of the traditional current and the regressive forces emerged in both the laws and the policies complementing and regulating the democratic process and social change, such as the laws on political parties, elections, municipalities and decentralisation, and the laws on personal status and family protection, which the opposition constantly describes as largely formalistic; whereas the results of the influence of the ‘liberal’ team are evident in the Government’s abandonment of its reformist development project and of its role in achieving social justice, particularly after the clear push by these [liberals] to decisively remove the State from the role of the ‘rentier State’, which historically consisted of providing living services and security to the citizen in exchange for the latter’s voluntary refraining from effectively exercising his political rights and fundamental freedoms. While the ‘liberal’ team was immersed, in its own way, in efforts to rescue the economy and public finances, the leadership was preoccupied with managing

foreign policy and Jordan's international and regional relations, particularly with leading the process of adapting to and dealing with the effects of the regional and international situation, which weighs heavily on the domestic situation; the security and judicial agencies also continued to contend with the security and rights-related repercussions of the difficult situation endured by citizens and its repercussions at the level of society, which lost the rentier role and did not perceive a clear effect of the 'democratic!' reform programme, first, or of the State's development policies, second. All of this took place amid an almost complete absence of the Government – which holds constitutional authority – from dealing with the requirements of development and reform, which generated a state of alienation and lack of trust in the relationship between society and the State as a result of the divergence of the two sides' priorities. The state of fragmentation and division among societal forces also played a role – with the new 'secularists and liberals' on one side, facing the scattered traditional, nationalist and Islamist majority on the other, with no real common denominators between these parties nor any bridge connecting them, not even a mere effective national dialogue affirming the priority of the supreme national interest and reflecting the existence of a comprehensive and integrated national economic, social and financial strategy for dealing with the national agenda; and where such a strategy did exist, it remained at the level of political discourse and periodic plans, which usually remain mere documents locked away in drawers owing to the absence of the necessary funding or the lack of will to implement them, or both.

Liberal financial and economic policies have had a major negative impact on the societal situation, particularly on **the middle class, which has almost disappeared from Jordanian society**, in addition to the continuing weakness that has characterised the situation of labour forces and other productive societal groups. Because this class has a fundamental role in ensuring communication – and consequently in ensuring societal cohesion – and in activating the role of societal forces, particularly political parties and civil society organisations, which derive their existence, role and energies from this class, the role of these societal groups has noticeably faded; and many of them are convinced that the 'liberalist' State is not serious about allowing an effective party life and an active civil society, protecting an authentic national and cultural identity, and confronting regional crises and external interference in the affairs of the region with a minimum of independence and through activating the role of society.

On the other hand, governmental arguments cannot be ignored which state that **these two groups – political parties and civil society organisations – suffer from structural weakness**, particularly in terms of governance and transparency and the absence of realistic programmes having credibility and the ability to act and exert influence within society, on the part of both political parties and many civil bodies; not to mention the foreign orientation of a limited number of these civil bodies, linked to foreign funding!

This panoramic picture of political society suggests one thing: that the State has been reduced to a formula that may be described as the secular liberal team and the traditional (police) security concept, while the concepts of individual rights, the role of society, and considerations or values of freedom, justice, merit, competence and integrity have receded. Consequently, the 'liberalist State', if the expression may be permitted, appeared unprepared to accomplish a genuine reform project that supports the civil, political, economic, social and cultural rights of the citizen, achieves social justice and brings about the required cohesion between the State and society in Jordan; just

as society is unable to undertake the task of accomplishing an alternative option through its own forces and through its intellectual and traditional heritage. All that is put forward on the part of society is a series of individual reactions to the problems of the general situation, which some have exercised and continue to exercise now, but not through organised societal action such as organised demonstrations and peaceful protest in public places, as usual and in accordance with the Constitution and human rights standards; rather, it – that is, society – preferred to return to practising something closer to the popular movement – but on an individual basis – via social media, in a manner that at times exceeds what is reasonable and acceptable even by the measures and standards of human rights guaranteed by the Constitution and the international instruments to which Jordan has committed itself. Moreover, the Government did not remedy this general situation when it resorted to legislative measures and executive practices and procedures to hold accountable those who committed or perpetrated such violations; rather, it resorted to measures whose result was, in most cases, the narrowing of the space for public action available to freedom of expression and to civil and political rights and freedoms, in a manner suggesting a return to earlier restrictive policies that existed in the period preceding the Arab Spring and the disciplined popular movement that accompanied that period. The result is that the citizen lived through 2016 under what may be described as the dictatorship of the ‘liberal’ team, wrapped in considerations of protecting security and safety, rescuing the economy and protecting the dinar!

The outcome of all these official policies and of societal fragmentation is what the country has been witnessing for a short while: a clear deficiency in national performance, **the absence of an accomplished reform project, the dominance of security considerations over the national agenda**, and the directing of the outputs of the economy, gains, privileges and incentives, including whatever foreign assistance the State received, in general and in the absence of transparency, away from considerations of justice, equality and non-discrimination in some cases. There are complaints from the public that privileges, promotions and appointments of a special character are often enjoyed by the cronies and relatives of a limited number of officials. Jordan has begun to witness a return to the approach of granting rights and privileges to those who offer loyalty and support for official policies and positions, in contrast to the besieging of criticism and of legitimate protest, which may sometimes arise from exasperation at the violations of the rules and standards of integrity contained in the National Integrity Charter.

This situation has weakened the conditions for guaranteeing human rights in the Kingdom, particularly with respect to equality, non-discrimination, equal opportunities, and the standards of merit, competence and competitiveness, which are considered the main driver of active societal forces and for generating a vital and effective national dynamic in which consensus is based on diversity, and difference exists within the framework of unity, and in which acting under the ceiling of the inclusive public interest is the prevailing characteristic of national action – State and society alike! Such values and standards are the guarantee of the independence of the judiciary, the rule of law and respect for human rights.

Accordingly, despite the official attention given to the recommendations of the National Centre for Human Rights and to other recommendations contained in international reports relevant to the Jordanian situation, and despite the efforts of competent bodies and institutions concerned with following up on the human rights situation and tracking its course from the perspective of official government policies, the developments in the national situation in terms of legislation, policies

and practices during 2016 came essentially as **an embodiment of a general reality that is deteriorating par excellence**. The human rights discourse was maintained on the Government's agenda (albeit formally), but through a methodology of 'managing violations' rather than ending violations and addressing their causes, which are essentially structural. The structural factors entrenched in the Jordanian reality are still those that ultimately take effect in directing the course of the State and society and in determining the ceiling of reform and change. The new element is the prominent role of the young 'liberal' group linked to and integrated with the business sector, which has relied on the effective role of the security establishment and on the latter's success in perpetuating a state of societal 'security and peace'. This apparatus has become, to a large extent, the sole lever of political life in the country on the one hand, and the protector of the initiatives of the liberal team on the other – initiatives which have, to a large extent, been devoid of the formulation of an integrated theory or the adoption of an integrated (political, economic and social) reform project that elevates human rights, achieves social justice, and establishes an approach to governance based on consensus and consent, the rule of law and effective public participation, and on guaranteeing institutionalism, the separation of powers, the Government's actual exercise of its constitutional authority and the citizen's exercise of his role in accountability and answerability, with the existence of free and independent national media and an effective, independent and active civil society committed to the agenda of the homeland and the citizen.

For these considerations, the Centre recommends restoring the spirit to the role of the independent legislative authority (Parliament), in both election and legislation, and reviving the reform project with new momentum, as this must be accomplished in a satisfactory manner in order to elevate the state of human rights and to reach the stage of crystallising national legislation in general, in both its civil-political and economic-financial branches, in a manner that achieves the harmonisation of such legislation with the Constitution and with international human rights standards; regulating public policies so as to reflect society's priorities through processes and mechanisms governed by the effective and influential participation of the citizen; addressing, with full transparency, the practices that violate the rights of the citizen, whether in the areas of criminal justice, the rights of persons with disabilities, or the right to freedom of expression and peaceful assembly; enabling the citizen to exercise his role in popular oversight, accountability and answerability with respect to all institutions, after the role of the constitutional oversight institutions has receded; and providing an appropriate environment for restoring the standing of a civil society committed to the standards of rights and duties and to the requirements of governance, transparency, capacity and expertise, in order to bring about the required impact and change. The forthcoming decentralisation and municipal elections may be the last opportunity to restore the spirit to genuine parliamentary life, away from the customary – direct and indirect – interference in voters' choices, in order to pave the way for a reform project that starts from the grassroots and develops up to the higher political structure, and thus becomes a lever for the reality of human rights in the country.

Finally, the Centre hopes that the current year, 2017, will be the beginning of a rising national situation, and that 2016 will not be, in the eyes of the citizen, an absent year amid the trend of the empowered (liberal group), fortified by the slogans of protecting security and safety and rescuing the economy – which has delayed the hoped-for course of reform and led to the dimming of the lustre and brilliance of human rights, that lustre and brilliance which characterised the state of these rights in the three years preceding 2016.

Amman

Shawwal 1438 AH

July 2017 # Part Two: Civil and Political Rights

1. The Right to Life and Physical Integrity

Notwithstanding the guarantee of the right to life and physical integrity under the Jordanian Constitution and the criminal legal system, a number of legal and practical gaps affecting these two rights persist. **We shall address these, beginning with the factors affecting the right to life.**

The Death Penalty

The right to life is an inherent right, and no one may be arbitrarily deprived of his or her life; however, this principle is among the most controversial, particularly with regard to the imposition of the death penalty by public authorities upon individuals. In this respect, **the following should be noted:**

a. International human rights law has not categorically prohibited the death penalty; however, there is a global campaign calling for the abolition of this penalty. What is subject to international consensus is that it be treated as an exceptional penalty applied only to the commission of the crimes most dangerous to society, and only after the guarantees of a fair trial have been strictly afforded.

Table No. (1): Number of judgments imposing the death penalty during the years 2008–2016.

Year	Grand Criminal Court	State Security Court	Total judgments
2008	5	1	6
2009	7	–	7
2010	9	–	9
2011	20	–	20
2012	13	–	13
2013	7	–	7
2014	1	–	1
2015	6	–	6
2016	3	5 ¹	8

The table was prepared by the Centre on the basis of data issued by the State Security Court and the Grand Criminal Court.

b. Although Jordan continues not to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, which calls upon States Parties to abolish the death penalty, the legal system in Jordan is attempting to move closer to this global trend. In Jordan,

¹ Letter received by the Centre from the Military Judiciary Directorate No. (M.A/12/2/State Security/5800) dated 4/5/2017.

this penalty is not applied to persons under the age of (18) years, to pregnant women or to persons suffering from insanity; furthermore, the possibility of a special pardon is available and is provided for in the Constitution and the Penal Code,² and this penalty is carried out only after a series of legal procedures.³ In this respect, the Centre hopes that the reduction of crimes punishable by death will continue, being confined to the criminal offences most dangerous to society, and that this penalty be reconsidered for some of the crimes provided for in the Penal Code No. (16) of 1960, the Military Penal Code No. (58) of 2006 and its amendments, and the Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016. Moreover, the Jordanian Government had suspended the execution of death sentences during the period from 2006 to 2014; however, the Government has recently resumed the carrying out of this penalty. In this respect, the Centre points to the absence of clear criteria for selecting the persons against whom death sentences are executed, as numerous death sentences were carried out against a number of persons during the years 2014 and 2015, while they were not carried out against others.

Given the possibility of commuting the death penalty, or exempting from it, by special pardon, it should be noted that two persons against whom death sentences had been issued benefited from a special pardon in 2016,⁴ compared to (10) persons in 2015 and (3) persons in 2014. The number of inmates of Correction and Rehabilitation Centres sentenced to death reached (126) convicts in 2016, among them (14) female inmates. Furthermore, no death sentences were executed in 2016.

The Right to Physical Integrity and Freedom from Torture

Notwithstanding that the principle of the prohibition of torture has become one of the established constitutional principles following the adoption of the 2011 constitutional amendments,⁵ and that nearly ten years have passed since the publication in the Official Gazette of the 1984 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, thereby rendering it part of the Jordanian legal system, and without prejudice to the progress achieved in this field, the following legal and practical problems should be noted:

a. The legal problem relating to the scope of criminalisation: Although the drafting of the bill amending the Jordanian Penal Code was completed and it was published on 5 May 2016,⁶ the amendments did not extend to the text of Article (208) of the Code, despite the Centre's repeated

² Articles (50, 51) of the Jordanian Penal Code No. (16) of 1960.

³ The Criminal Procedure Code requires the president of the court, in offences punishable by death, to ask the accused whether he has chosen a lawyer to defend him; if he has not, the court shall appoint a lawyer for him, whose fees shall be paid by the State Treasury. Under the law, a death sentence shall be subject to appeal before the Court of Cassation even if the convicted person has not requested this (Article 275/c). Should the Court of Cassation find any defect in the application of the law, or that the evidence is insufficient to convict the accused, it shall quash the judgment imposing the death penalty and remand the case to the court that rendered the judgment for reconsideration of the judgment.

⁴ Pursuant to the letter of the Public Security Directorate received by the National Centre for Human Rights No. (768/1/12) dated 27/4/2017.

⁵ Article (8/2) of the Jordanian Constitution: "Every person who is arrested, imprisoned or whose liberty is restricted shall be treated in a manner that preserves human dignity; he may not be tortured in any manner whatsoever, nor physically or mentally harmed, nor may he be detained in places other than those permitted by law. Any statement made by any person under any torture, harm or threat shall not be relied upon."

⁶ It should be noted that the Government withdrew the draft law amending the Penal Code from the House of Representatives in late 2016.

recommendations in its previous reports on the necessity of amending the text of Article (208) of the Jordanian Penal Code in a manner that ensures its harmonisation with the international Convention. The Jordanian Penal Code No. (16) of 1960, under Article (208) thereof, criminalised torture, but only in a partial manner by confining it to the extraction of an admission or confession; this has resulted in a legislative environment that falls short of the effective prosecution of perpetrators of torture crimes, contrary to the comprehensiveness of the definition contained in the United Nations Convention against Torture. Article (208) is further flawed in that it classifies the crime of torture among misdemeanours and does not criminalise attempt thereof; only where such crime results in death or permanent disability does the act move into the category of felonies. Such characterisation also constitutes a clear contravention of the requirement under the international Convention that torture be accorded the character of a felony, being the most serious of crimes.

b. The legal problem relating to the scope of criminal prosecution in torture complaints:

Strengthening the principle of effective judicial prosecution of the crime of torture requires legal amendments that guarantee the judicial prosecution of the accused and the conduct of independent and effective investigations into such complaints. Accordingly, all investigations conducted by law enforcement agencies are flawed by a lack of the independence required by international standards. Moreover, the continued assignment of subject-matter jurisdiction over the investigation and prosecution of torture cases to special courts contributes to the absence of effective judicial prosecution of perpetrators of torture crimes. This results in the continuing phenomenon of the rarity of the prosecution of perpetrators of torture under Article (208) of the Penal Code,⁷ the treatment by law enforcement agencies of the acts committed as being essentially mere disciplinary violations that do not warrant the application of this Article,⁸ and the attribution of another criminal characterisation to the facts constituting the crime of torture, such as harm in its various forms, which effectively confirms the existence of an environment conducive to impunity with respect to this crime. In this regard, the Centre calls for the prompt enactment of legal amendments granting the regular courts, to the exclusion of all others, subject-matter jurisdiction to hear torture cases, in order to ensure the prosecution and conviction of the perpetrators of these crimes.

In the same vein, the problem of documenting torture cases is among the most prominent practical problems contributing to the shortcomings in judicial prosecution. This is attributable to the inadequacy of the legal and procedural environment as regards the failure to afford fair trial guarantees during the periods of initial detention (access to a lawyer, examination by a physician, notification of the family, etc.). Added to this is the length of detention imposed under decisions of administrative governors.

c. Compensation of victims of torture: Legislation continued to fall short by failing to provide expressly for the compensation of victims of torture. Moreover, the existing legal situation impedes victims of torture from obtaining compensation and rehabilitation, since the Jordanian

⁷ It should be noted in this regard that there are three cases being heard by the Police Court in which no judgments have yet been rendered.

⁸ Judicial prosecution of, for example, those working in the Public Security Directorate is undertaken by the Police Public Prosecution pursuant to Article (37) of the Public Security Law.

Civil Code does not contain a special and express provision for the compensation of victims of torture, which necessitates recourse to the general provisions governing compensation contained in the Jordanian Civil Code, which are confined to general rules set out in Articles (256–267). These provisions are inconsistent with the compensation mechanism laid down in Article (14) of the Convention concerning the assessment of compensation resulting from torture and its calculation in terms of consequential loss and lost profit, the physical and psychological rehabilitation of the victim, the guarantee of non-repetition of the act, apology and satisfaction. In this regard, the Centre affirms the necessity of expressly providing for the compensation of victims of torture in a manner consistent with the 1980 International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The most prominent developments in the field of combating torture during 2016 were as follows:

- a. The regular Public Prosecution continued to investigate allegations of torture, having received in 2016 (23) complaints relating to torture and ill-treatment, compared to (7) cases in 2015 and (29) cases during 2014.
- b. The First National Forum against Torture, “Partners against Torture”, was held on 16/7/2016, at which a number of topics and problems relating to torture were discussed with the aim of creating an environment that repels torture and protects the rights of persons deprived of liberty, and of urging the Jordanian Government to accede to the Optional Protocol to the Convention against Torture.
- c. The Public Prosecution’s move towards instituting public-right proceedings in respect of the facts set out in decisions of the Court of Cassation which indicate the nullity of investigation proceedings as a result of torture.

With regard to cases of torture and ill-treatment, the total number of such cases registered against personnel of the Public Security Directorate reached (269) cases in 2016, of which (29) cases were referred for trial before the unit commander and in (18) cases it was decided by the police public prosecutor not to try the accused, while (14) cases were referred to the Police Court, and (59) complaints remain under consideration. By comparison, the total number of cases of torture and ill-treatment registered against personnel of the Public Security Directorate in 2015 reached (239) cases, of which (45) cases were referred for trial before the unit commander and in (147) cases it was decided by the police public prosecutor not to try the accused, while (20) cases were referred to the Police Court, and (27) complaints remain under consideration. As for cases of ill-treatment committed against inmates of Correction and Rehabilitation Centres in 2016, these reached (44) cases, in which (8) persons were convicted, while the trial of (14) persons was barred by the police public prosecutor. During 2015, the number of such cases reached (38) cases, in which (12) persons were convicted, while the trial of (26) persons was barred. By comparison, in 2014 the number of cases reached (61) cases, in which (31) persons were convicted, while the trial of (30) other persons was barred.

On another level, the National Centre for Human Rights receives citizens’ complaints relating to allegations of their having been subjected to torture and ill-treatment at the hands of law enforcement officials and the various security departments, in the course of the periodic visits

conducted by its representatives to Correction and Rehabilitation Centres and places of temporary detention, as well as through complaints submitted to it by various means (fax, e-mail, personal interview, etc.). In 2016, the Centre received (63) complaints including allegations of exposure to torture and ill-treatment at the hands of law enforcement officials and the various security departments, compared to (92) complaints in 2015, (87) complaints in 2014, (77) complaints in 2013 and (67) complaints in 2012. The Centre observed a decrease in the number of complaints this year compared to 2015; the failure to hold perpetrators transparently accountable before a civilian court and the absence of victim or witness protection programmes may have played a role in this.

As regards allegations of beating, torture and other forms of ill-treatment in Correction and Rehabilitation Centres, the Centre received only (12) complaints during 2016, compared to (8) complaints during 2015, (11) complaints during 2014, (19) complaints during 2013 and (19) complaints during 2012. See Table No. (2).

Table No. (2): Manner of settlement of complaints relating to torture and ill-treatment received by the Centre during the years 2013–2016.

Category	Settlement of complaints	2016	2015	2014	2013
Number of complaints against the various security centres and departments	Number of complaints filed at the request of the complainant	3	22	11	13
	Number of complaints closed for lack of proof of the violation	20	25	14	15
	Number of complaints referred to the Police Court	1	2	—	1
	Number of complaints still under follow-up	40	43	62	48
Total		63	92	87	77
Number of complaints relating to beating and torture in Correction and Rehabilitation Centres	Number of complaints filed at the request of the complainant	3	—	5	4
	Number of complaints closed for lack of proof of the violation	40	5		5
	Number of complaints referred to the Police Court	—	—	—	—
	Number of complaints under follow-up	5	3	6	10
Total		12⁹	8	11	19

The table was prepared by the Centre on the basis of the complaints received by it.

During 2016, the Centre observed an increase in the number of complaints and allegations of torture and ill-treatment against the Criminal Investigation Department and the Anti-

⁹ There are collective complaints that were dealt with as a single complaint because the complainants had the same complaint and requests, particularly at Muwaqqar (2) Correction and Rehabilitation Centre.

Narcotics and Counterfeiting Department. The most prominent of the allegations received by the Centre include the following:

First: The family of a person named (L.Q.) alleged that he had been subjected to torture by a group of personnel working in the Criminal Investigation Section of the Ma'an Police Directorate on 5/9/2016, consisting of his being shot in the left foot during his arrest, followed—according to their allegations—by negligence and failure in his treatment, which led to his death. However, the medical report issued by the Forensic Medicine Centre at Al-Bashir Hospital indicated that the cause of death was acute failure of the heart muscle. The National Centre for Human Rights formed a fact-finding team on the circumstances surrounding the death of the above-mentioned person; after meeting the parties concerned and hearing the security account and neutral witnesses, it became apparent to the team that there was no suspicion of criminal involvement in the death of this inmate.

Second: The families of the persons named (Y.H.) and (D.M.) alleged that they had been subjected to beating by a group of personnel working in the Criminal Investigation Section at the Al-Muhajireen Security Centre on 29/4/2016. The team of the National Centre for Human Rights, upon meeting the above-mentioned persons on 2/5/2016, confirmed the presence of clear marks of beating on their bodies. Consequently, the existence of suspected criminal conduct and the veracity of their families' allegations became apparent. Investigation proceedings before the judicial authorities remain ongoing to date.

Third: The family of a person named (S.A.) alleged that their brother's death was the result of negligence and failure in his treatment while he was held in the Aqaba Governorate Police Directorate and subsequently in Muwaqqar (1) Correction and Rehabilitation Centre. However, the medical report issued by the Forensic Medicine Centre indicated that the cause of death was intracranial haemorrhage resulting from a head injury. The National Centre for Human Rights formed a fact-finding team on the circumstances surrounding the death of the above-mentioned person; after meeting the parties concerned and hearing the security account and neutral witnesses, it became apparent to the team that there was no suspicion of criminal involvement in the death of this inmate.

Problems limiting the ability of the National Centre for Human Rights to exercise its legal powers in following up allegations of torture and ill-treatment:

First: The Centre is not provided with the investigation records relating to the allegations of torture and ill-treatment contained in the complaints received by the Centre.¹⁰

¹⁰ The Centre addressed several letters to the Transparency and Human Rights Office at the Public Security Directorate regarding the need to provide the Centre with the investigation records relating to certain complaints; however, the Centre has received no replies in that regard, notwithstanding the conclusion of the investigations into some of the complaints and the issuance of judicial rulings relating to some other complaints. Examples include the Centre's letter No. (H.A/136/S.Sh) dated 23/08/2016 and its letter No. (H.A/4/S.Sh) dated 5/1/2016. It should be noted that the Centre addressed similar letters in 2015, for example its letter No. (H.A/214/S.Sh) dated 15/09/2015, its letter No. (H.A/226/2015) dated 1/10/2015, its letter No. (H.A/217/S.Sh), and its letter No. (H.A/223/S.Sh) dated 30/9/2015.

Second: The responses of the Public Security Directorate regarding complaints relating to allegations of torture and ill-treatment are confined to the final outcome of investigations, without indicating the sequence of measures taken by the police public prosecution and the Police Court.

Narcotic Drug Cases

In 2016, the Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016 was issued, thereby repealing the Narcotic Drugs and Psychotropic Substances Law No. (11) of 1988, with the aim of comprehensively criminalising all forms of the use of and trafficking in narcotic drugs, and of laying the foundations for national strategies to combat this scourge, which has spread widely and abruptly in Jordanian society. **Upon examination of the provisions of this Law, we set out the following observations:**

First: The Law is characterised by the comprehensiveness of its criminalisation of the forms of dealing in narcotic drugs and psychotropic substances: use, trafficking, and possession without intent to traffic. The legislator also did well in adding the concept of “chemical precursors”¹¹ to the categories of substances whose handling is prohibited under this Law; the scope of criminalisation is thereby positively broadened to cover all chemical substances that enter into the manufacture of narcotic drugs or psychotropic substances.

Second: The legislator recognised the importance of the preventive aspect in combating the scourge of narcotic drugs, and accordingly, under Article (31) of the Law, required the formation of a national body, the “National Committee for Combating Narcotic Drugs and Psychotropic Substances”, entrusted with: drawing up the general policy for combating the spread of narcotic drugs, preparations, psychotropic substances and chemical precursors, and setting the plans necessary for its implementation; proposing any amendments to this Law, preparing the draft regulations necessary for the implementation of its provisions and submitting them to the Minister; and participating in the preparation of the instructions, schedules and annexes that other relevant bodies are required to issue pursuant to the provisions of this Law. However, the formation of this Committee may be criticised for confining its membership to government institutions only, which means disregarding the positive role that civil society institutions could play in this field.

Third: The Law has expanded the legal power granted to the Public Prosecution and to the State Security Court, after the case has been referred to it, to impose a precautionary attachment on the property of persons accused of any of the felonies provided for in the Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016 and of their ascendants, descendants and spouses, and to prohibit them from travelling, until the completion of the investigation proceedings and the adjudication of the case, the court being empowered to order the confiscation of such property. **In this respect, the following should be noted:**

¹¹ The Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016, Article (2), which reads: (Chemical precursors: any chemical substance from which narcotic drugs or psychotropic substances may be produced, or which enters into the manufacture of, or assists in the production of, narcotic drugs or psychotropic substances.)

a. In a positive direction, the Law has confined the power to issue precautionary attachment orders and travel ban orders to the Public Prosecution and the State Security Court in respect of felonies, to the exclusion of misdemeanours.¹²

b. The legislator did not specify a legal duration for precautionary attachment orders and travel ban orders; the Law contains no time limits for the validity of such orders, but rather links them to the conclusion of the investigation proceedings or the adjudication of the case. Nor did the legislator oblige the Public Prosecution and the court to state the reasons for such orders.

c. The legislator expanded, under Article (23/c), the grant of the power to issue travel ban orders so as to extend to the ascendants, descendants and spouse of the offender, which may entail the possibility of harming persons other than the perpetrators of drug-related crimes, particularly in the absence of the legal duration referred to in point (b).

Fourth: Under Article (28) of the Law, the legislator departed from the established principles of criminalisation by prescribing an identical penalty for the accessory, the instigator, the accomplice and the principal perpetrator, and by punishing a completed attempt to commit the felonies provided for in this Law with the penalty for the completed offence. The legislator also contravened, under the same Article, the established principles governing the concept of criminal recidivism by relying on the outcome of foreign judicial judgments to establish recidivism.

Fifth: The legislator overlooked the fact that the State Security Court is a special court of limited legal jurisdiction under Article (102/2) of the Jordanian Constitution, its legal jurisdiction being confined to hearing the following five crimes exclusively: high treason, espionage, terrorism, drug offences and currency counterfeiting. Accordingly, granting the Public Prosecutor of the State Security Court, under Article (29) of this Law, the powers of an enforcement judge in collecting confiscated funds and fines, with the privileges prescribed for the collection of public (State) funds, raises a suspicion of unconstitutionality.

Sixth: Under Article (33/b) thereof, the Law contravened “the principle of the best interests of the child”, which is one of the principles on which the 1990 Convention on the Rights of the Child is founded, to which the Jordanian State has committed itself and which was published in the Official Gazette in 2006, by granting the State Security Court jurisdiction to hear the crimes committed by juveniles that are provided for in this Law.

Seventh: The legislator expressly contravened the principle of the separation of powers, disregarding at the outset the constitutional foundations of legislation and the established foundations of criminalisation, by granting the Council of Ministers the legal power to amend the schedules annexed to this Law, on the basis of which acts are criminalised according to the substances in circulation. Accordingly, a law may not be amended, nor may the scope of

¹² The Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016, Article (21/c), which provides: (The Public Prosecution, or the court after the case has been referred to it, may impose a precautionary attachment on the property of the defendant in any felony provided for in this Law, and on the property of his ascendants, descendants and spouse, and may ban them from travel until the completion of the investigation procedures and the adjudication of the case; the court may order the confiscation of such property.)

criminalisation in any way be expanded or narrowed, by means of a regulatory decision issued by the Council of Ministers.

As regards the practices adopted by the Public Security Directorate to combat the spread of the phenomenon of drug use and trafficking, 2016 witnessed notable activity by the Anti-Narcotics and Counterfeiting Department in confronting this scourge; nevertheless, it continues to increase tangibly in numerous geographical areas within the Kingdom. In 2016, there was a striking increase in the number of drug cases; information indicates that the number of cases seized during this year reached (13618), of which (1924) were cases of trafficking in narcotic drugs and (11694) were cases of possession and use, while the number of persons arrested in trafficking cases reached (3653) persons and the number of persons arrested in possession and use cases reached (15796) persons, and (1360) persons were referred for treatment at the Addiction Treatment Centre affiliated to the Anti-Narcotics and Counterfeiting Department. By comparison, in 2015 the number of cases seized reached (11062), of which (982) were cases of trafficking in narcotic drugs and (10080) were cases of possession and use, while the number of persons arrested in trafficking cases reached (1651) persons and the number of persons arrested in possession and use cases reached (14040) persons, and (1216) persons were referred for treatment at the Addiction Treatment Centre.

The Public Security Directorate announced that the Anti-Narcotics and Counterfeiting Department had made efforts in delivering a number of awareness lectures for students in a number of schools and universities, totalling (4520) lectures, and in implementing a number of programmes, such as the “No to Drugs” programme comprising (52) weekly episodes, as well as a number of seminars and workshops totalling (85) workshops, and a number of television and radio interviews totalling (97) interviews.

Deaths and Suicides in the Kingdom

(a) Suicides

Statistics of the Public Security Directorate indicate an increase in suicides in 2016, which totalled (120) cases distributed by age group as follows: under (18) years, (16) cases; from (18) up to (27) years, (40) cases; from (28) up to (37) years, (29) cases; from (38) up to (47) years, (22) cases; and (48) years and over, (13) cases, compared to (113) suicides in 2015, (100) cases in 2014 and (108) cases in 2013. The causes of suicide are generally attributable, on the whole, to various psychological, social or financial circumstances, sometimes to emotional circumstances, and in many instances to a combination of the aforementioned circumstances. The Centre observed the increase in suicides during 2016, which necessitates studying the causes and factors contributing to the occurrence of such incidents and developing the strategies necessary to address them.

(b) Deaths Resulting from Traffic Accidents

The National Centre for Human Rights observed during 2016 an increase in the number of traffic accidents compared to 2014 and 2015, the number of traffic accidents in 2016 having reached (10793) accidents, resulting in the death of (695) persons and the injury of (17300) others.

In this context, the Centre reiterates the importance of traffic awareness among citizens and of studying the main factors contributing to the occurrence of traffic accidents, including a study of the environment, roads and pedestrian bridges, with a view to achieving a safe traffic environment.

Excessive Use of Force and Excesses in Raids and Arrests

As part of the measures taken by the Government to restore the authority of the State, which the authorities began in 2013, the Public Security Directorate carried out during 2016 several security campaigns and raids numbering (457), which led to the arrest of (96340) wanted persons in connection with various cases, most of them criminal and drug cases; furthermore, (11569) vehicles and (154) weapons were seized. In the wake of this, the Centre received in 2016 (21) reports concerning the excessive use of force by law enforcement agencies and their forcible entry into homes, compared to (24) reports in 2015 and (18) reports in 2014, which resulted in the terrorising of women, children and residents in a number of areas of the Kingdom when wanted persons were arrested in special security cases, drug cases and certain theft cases, and in the course of security campaigns which extended to all the governorates of the Kingdom. On the other hand, it should be noted that a number of security personnel and members of law enforcement agencies lost their lives or were injured as a result of being fired upon by criminal gangs and fugitives from justice while attempting to arrest them.

The most prominent of those raids in 2016 were as follows:

- a. The raid carried out in Irbid Governorate on 30/2/2016 to arrest a group of persons suspected of belonging to terrorist organisations. During that raid, firearms were used by the wanted persons while resisting the attacking security force, resulting in the martyrdom of an officer (R.Z.) holding the rank of captain, the injury of five other personnel and two citizens, and the killing of four wanted persons. Thereafter, the accused were referred for trial before the State Security Court on several charges pursuant to the Prevention of Terrorism Law No. (55) of 2006.¹³ The accused were sentenced to death, and the Court of Cassation upheld this judgment.
- b. From late April 2016, Dhiban District in Madaba Governorate witnessed a sit-in staged by a group of unemployed persons seeking employment opportunities. This sit-in continued without any practices by law enforcement agencies being observed that constituted a restriction on the exercise of the citizens' right to peaceful assembly, until the evening of Wednesday, 15/6/2016, when a security force raided the sit-in site for the purpose of dispersing it and removing the sit-in site at the hour of breaking the fast (iftar) on one of the days of the fasting month, which resulted in the arrest of a number of the protesters. This was followed on 22/6/2016 by the Gendarmerie forces dispersing the gathering by force, which developed into a clash with local residents and the protesters and an exchange of gunfire, also at the hour of iftar and with considerable force, resulting in the injury of four personnel of the General Directorate of the Gendarmerie Forces as well as the injury of two citizens. Following these events, the National Centre formed a fact-

¹³ The principal charges brought against the accused were: carrying out terrorist acts resulting in the death of a person, jointly; aiding and abetting the carrying out of terrorist acts using weapons resulting in the death of a person, jointly; manufacturing explosive materials with intent to use them to carry out terrorist acts, jointly; aiding and abetting the carrying out of terrorist acts using weapons resulting in the death of a person, jointly; possession of weapons and ammunition with intent to use them to carry out terrorist acts, jointly; and conspiracy with intent to carry out terrorist acts.

finding team which visited the area and met the parties during the period from 20/6/2016 to 26/6/2016. The team was unable to hear the official account of the Ministry of Interior and the General Directorate of the Gendarmerie Forces, despite having visited the headquarters of Madaba Governorate, met His Excellency the Governor and written to His Excellency the Director General of the Gendarmerie Forces regarding the necessity of enabling the Centre's team to hear their account of the events that the city witnessed. The Centre considers that the purpose of the sit-in was legitimate, as it consisted of demanding that the Jordanian Government provide employment opportunities for these citizens, pursuant to the text of Article (23/1) of the Jordanian Constitution and Article (7) of the International Covenant on Economic, Social and Cultural Rights, which must be read together with Article (2) of the same Covenant; the legitimacy of the demand lies in the extent to which the Jordanian Government fulfils its obligations to adopt sound economic policies enabling individuals to exercise their right to work. As for assessing the proportionality and necessity of the force used, the Centre was unable to determine this owing to the lack of cooperation of the Ministry of Interior and the General Directorate of the Gendarmerie Forces.

2016 witnessed a number of attacks and violations that infringed upon the right to life, **the most important of which were:**

a. The Attack on a General Intelligence Directorate Office in the Baqa'a Area

Five personnel of the General Intelligence Directorate were martyred following an armed attack by an individual on 7/6/2016.

b. The Terrorist Act in the Area Adjacent to the Jordanian–Syrian Border (Rukban)

Six personnel of the Jordanian Armed Forces, the Public Security Directorate and the General Directorate of Civil Defence were martyred, and (14) others were wounded, following a terrorist act consisting of the detonation of a car bomb in the Rukban area near the Jordanian–Syrian border on 21/6/2016.

c. The Killing of Journalist Nahed Hattar

On 12/8/2016, Jordanian journalist Nahed Hattar re-posted a caricature depicting the Divine Being on his personal page on the social networking site (Facebook). This step provoked angry reactions on all electronic sites. This was followed by the Governor of the Capital issuing, on 12/8/2016, a summons warrant against him upon the direction of His Excellency the Prime Minister. After he voluntarily appeared before the Governor of the Capital, the Governor decided to detain him pursuant to the Crime Prevention Law of 1954 until he was brought before the Public Prosecutor on 14/8/2016, who in turn charged him with the two offences of inciting sectarian and racial strife under the provisions of Article (150) of the Jordanian Penal Code, read in conjunction with Article (15) of the Cybercrime Law, and the offence of publishing printed or handwritten matter, a picture or a drawing liable to insult religious feeling and belief under the provisions of Article (278) of the Penal Code, read in conjunction with Article (15) of the same Law; he was accordingly detained for a period of one week in Marka Correction and Rehabilitation Centre, and a

publication ban was imposed on this case.¹⁴ He was subsequently released by the competent court after his detention had been extended, on 8/9/2016. On 25/9/2016, the journalist was killed in front of the Palace of Justice building in Amman as a result of being struck by three gunshots. The Public Prosecutor of the Grand Criminal Court charged the killer with three offences: premeditated murder; the felony of committing a terrorist act resulting in the death of a person; and carrying and possessing a firearm without a licence. The Public Prosecutor decided to refer the case file to the State Security Court, which has jurisdiction to hear the case, and on 20/12/2016 a final judgment was issued sentencing the killer to death.

d. The Killing of the Lawyers (M.Z.) and (M.R.) by Burning

The incident of the killing of the lawyers (M.Z.) and (M.R.) as a result of setting fire to their private office owing to financial disputes on 26/6/2016 provoked public opinion, and the case was referred at the time to the competent judicial authorities. The Public Prosecutor of the Grand Criminal Court brought the two charges of arson resulting in the death of a person, pursuant to the provisions of Article (368) of the Jordanian Penal Code read in conjunction with Article (372) of the same Code, and the killing of more than one person, pursuant to the provisions of Article (327) of the aforementioned Code; the trial proceedings remain ongoing to date.

e. The Continued Phenomenon of Firing Gunshots at Social Occasions and in Quarrels

During 2016, the Centre observed the continuation of deaths resulting from the firing of gunshots at social occasions and in quarrels, which requires the taking of the security measures necessary to combat this phenomenon.

f. Drowning Incidents

Reports issued by the General Directorate of Civil Defence indicate that the number of drowning incidents reached (65) incidents, resulting in the death of (48) persons and the injury of (31) persons.¹⁵ In this regard, the Centre expresses its concern at the continuation of the phenomenon of drowning in agricultural ponds and in the Ghor Canal, which is attributable mainly to the failure to take the measures necessary to provide public safety means at these ponds, the victims of which are most often children. In this regard, the Centre urges the relevant authorities to take urgent and effective measures to monitor them and to ensure public safety means in order to safeguard the right to life of all individuals.

g. Deaths Resulting from Electric Shock

Statistics of the General Directorate of Civil Defence indicate an increase in injuries and deaths resulting from electric shock in 2016, injuries having reached (221) cases and deaths (24) cases.¹⁶

¹⁴ The team of the National Centre for Human Rights conducted two visits to the journalist (N.H.) at his place of detention to verify the extent to which the legal rights and safeguards established under national laws and international instruments were afforded to him.

¹⁵ According to the statistics of the General Directorate of Civil Defence, pursuant to its letter No. (D/34/2777) dated 26/3/2017.

¹⁶ According to the statistics of the General Directorate of Civil Defence, pursuant to its letter No. (D/34/2777) dated 26/3/2017.

The causes of death resulting from electric shock are, on the whole, attributable to the failure and negligence of citizens in taking public safety measures. In this regard, it should be noted that the cause of injury in some cases may be the joint fault of citizens and the electricity supply company.¹⁷

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

The Death Penalty

To consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, which provides for the abolition of the death penalty from national legislation and its replacement by the penalty of life imprisonment. Pending this, **the following steps must be taken:**

1. To consider reverting to the suspension of the execution of the death penalty.
2. To reduce the crimes punishable by death so that they are confined to the criminal offences most dangerous to society; to reconsider this penalty for certain crimes provided for in the Penal Code No. (16) of 1960, the Military Penal Code No. (58) of 2006 and its amendments, and the Narcotic Drugs and Psychotropic Substances Law No. (23) of 2016; and to subject the penalty to all means of appeal, both on appeal and in cassation.
3. To provide expressly for the obligation to notify the family and the convicted person of the date of execution of the sentence, so that he or she may take the legal measures relating to benefiting from a special pardon.

Narcotic Drugs

1. To adopt a national preventive and therapeutic strategy to combat narcotic drugs, which includes setting out the dangers of using narcotic drugs, particularly in school and university curricula, curbing the curiosity of the younger generation to try such substances, and taking legal measures against the perpetrators of drug-related crimes.
2. To allocate more resources to support sustainable economic development and to combat poverty and unemployment as one of the causes of violence, and to support small family projects and vocational businesses that help individuals find employment opportunities that guarantee them a good income and a healthy life away from this scourge.
3. To amend the Narcotic Drugs and Psychotropic Substances Law, taking into account the Centre's observations set out in the body of this report. ##### Torture:

The National Centre reaffirms all the recommendations set out in its previous reports on combating torture and other forms of ill-treatment, in particular the need to enact a special law against torture. Pending the implementation thereof, the Centre proposes that the Government take immediate measures to give effect to the following recommendations:

¹⁷ The Centre arrived at this conclusion through the account of the General Directorate of Civil Defence during its team's field visit to [it] on 8/12/2016.

1. Introducing the legal amendments that ensure that torture is considered a felony, and guaranteeing the independence of the investigating and prosecuting authorities by granting the regular courts subject-matter jurisdiction to hear torture cases, so as to ensure that the perpetrators of such crimes are prosecuted and convicted, and that victims of torture are compensated with the comprehensiveness provided for in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. Establishing centres for the rehabilitation of victims of torture.

Suicide Incidents

1. Adopting a national strategy aimed at the equitable distribution of the gains of development.
2. Taking measures and policies capable of activating the National Strategy for Poverty Reduction 2013–2020 and the National Employment Strategy.
3. Activating the role of mosques and churches in strengthening religious restraint among all segments of society, paying attention to mental health, and launching special awareness-raising programmes to that end.

Drowning Incidents

1. Taking effective measures by the relevant authorities to monitor agricultural ponds and the Ghor Canal, which continually witness drowning cases whose victims are mostly children, and to ensure public safety measures.

Excessive Use of Force and Excessiveness in Raids and Arrests:

1. Although the Government approved the Draft Law Amending the Criminal Procedure Code for 2016, the proposed amendments did not contribute to strengthening the legal safeguards for the inviolability of individuals' private life vis-à-vis the legal powers granted to law enforcement authorities during house search procedures. Accordingly, the Centre stresses the need to amend the provisions on house searches contained in the Criminal Procedure Code No. (9) of 1961 in a manner that guarantees the inviolability of private life.
2. The necessity for all security agencies to apply the law and observe the formal and substantive conditions set out therein when resorting to security raids and forcible entry into homes, in particular not to use force except in cases of absolute necessity, to the minimum extent, and within the scope of national laws.
3. The necessity for the security authorities to issue press reports or statements setting out the justifications for the use of force in accordance with the principles of necessity and proportionality.

2. The Right to Liberty and Security of Person

Administrative Detention:

During 2016, the Centre observed that the security administrations continued to resort to the Crime Prevention Law of 1954 by recommending to administrative governors that they take

preventive measures against certain persons with prior criminal records or repeat offenders, on grounds of security considerations and the preservation of community security.¹⁸ Under the “security record”,¹⁹ a person is held accountable on the basis of records entered against him years earlier, even if he was a juvenile at the time.²⁰ This practice constitutes a violation of the principle of the right to a fair trial, as well as a flagrant violation of the provisions of the Juvenile Law. On the other hand, the Centre continues to record administrative detention decisions that override judicial decisions issued by the competent courts acquitting persons or declaring them not criminally liable, whereby such persons are returned to Correction and Rehabilitation Centres on the basis of administrative detention orders.²¹ Decisions of administrative governors continue to be issued after the conclusion of judicial proceedings under the “return” system and, in some cases, in the absence of any incident, or upon the mere occurrence of an incident not punishable by law, against persons with “security records”. Moreover, such decisions violate and disregard the principle that a person may not be prosecuted more than once for the same act.²²

During 2016, the Centre observed that women held in administrative detention under the designation of “honour cases” continued to suffer deprivation of their liberty under the pretext of protecting their right to life, some of them having been detained for many years. There are national efforts to work towards their release or their placement in a special shelter.²³ The year 2016 also witnessed the issuance of the Regulation on Shelters for Women at Risk No. (171) of 2016, which aims to provide protection and temporary shelter to women at risk until their problem is resolved or the danger has ceased, with the Public Security Directorate being responsible, under the Regulation, for providing internal and external security for the shelter. The Centre considers that, notwithstanding the positive nature of this approach, which would spare women at risk from being held in a Correction and Rehabilitation Centre and from undergoing that experience, including mixing with inmates with serious criminal records, the presence of security personnel inside and outside the shelter diverts it from the purpose for which it was established. The norm is that security should be outside the shelter and for guarding purposes only, since the presence of

¹⁸ This includes the measures taken by the security departments, namely summoning any “persons with prior records” for questioning in every case committed in the area in which they reside, and the placing of their criminal record before the judge or the public prosecutor by the security departments so that he may learn of the prior convictions of the person appearing before him, particularly in cases such as fraud, breach of trust and theft, for the purposes of applying aggravating circumstances.

¹⁹ Security record: a cumulative record, kept by the security departments, of persons who have engaged in conduct contrary to the law.

²⁰ Although the Juveniles Law No. (32) of 2014 provides in Article (4/g/1) thereof that: “The conviction of a juvenile of an offence shall not be considered a prior record.”

²¹ The Committee against Torture, when considering Jordan’s third periodic report, expressed in its concluding observations Nos. (21 and 22) its concern about the State’s continued resort to administrative detention under the Crime Prevention Law, which permits detention without charge and raises issues concerning the separation of powers between the judicial and executive authorities.

²² The Jordanian Penal Code No. (16) of 1960; Article 58 of the Criminal Procedure Code provides that: (A single act shall not be prosecuted more than once.)

²³ The Committee against Torture, when discussing Jordan’s third periodic report, expressed its concern about the use of administrative detention, in particular against women and girls who are victims of violence, on the pretext of protecting them, and called upon the State to take immediate measures to amend the Crime Prevention Law with a view to ensuring compliance with international human rights standards; accordingly, the Committee calls upon Jordan to repeal the Crime Prevention Law.

security personnel inside the shelter renders it a form of place of deprivation of liberty. Furthermore, depriving women with prior records and repeat offenders of admission to the shelter under Article (10) is considered unwarranted discrimination, as there are many women with criminal records and repeat offenders who are at risk; this could be remedied by establishing a classification system for women held within the shelter. In addition, the Regulation does not clarify the extent to which a woman at risk may be allowed to be accompanied by her children inside the shelter in order to safeguard the best interests of the child, nor does it refer to the provision of aftercare for women at risk after they leave the shelter.

The year 2016 witnessed an increase in the number of administrative detainees, reaching (30,138) persons, compared with (19,860) persons in 2015, (20,216) persons in 2014, (12,766) persons in 2013, (12,410) persons in 2012 and (11,345) persons in 2011.

In 2016, the Centre received a number of complaints and reports relating to administrative detention, amounting to (102) complaints, as well as (33) complaints concerning the condition of reporting under house arrest (forced residence). Most of those detainees were placed in administrative detention after serving their sentences.²⁴ Based on the complaints received by the Centre during the years 2003–2016, it is evident that there are continuing clear abuses by administrative governors in the exercise of the powers granted to them under the provisions of the Crime Prevention Law of 1954.

Judicial Detention:

According to the statistics of the Public Security Directorate, the Centre notes an increase in the number of persons held in judicial detention²⁵ during 2016 to (36,197) persons, compared with (28,437) persons in 2015, (30,835) persons in 2014, (23,593) persons in 2013 and (25,211) persons in 2012. The number of persons in judicial detention exceeded the number of convicted persons for the years 2011–2016; the number of convicted persons in 2016 stood at (21,117) persons, compared with (15,765) persons in 2015, (16,077) persons in 2014 and (13,233) persons in 2013. The Centre remains concerned about the length of detention pending the trial of detainees before the State Security Court on charges relating to terrorist acts or other criminal cases falling within the jurisdiction of the State Security Court.²⁶ The number of persons detained on behalf of the State Security Court stood at (10,626) persons in 2016, (13,822) persons in 2015, (1,753) persons in 2014 and (8,149) persons in 2013.

In this regard, the Centre reaffirms its previous call for a study of the reasons for the failure to expedite the adjudication of cases brought before the judiciary in light of international standards

²⁴ It should be noted that there are individual complaints and other collective complaints received by the Centre through its visits to Correction and Rehabilitation Centres.

²⁵ The direct and principal reason for the rise in the number of persons in judicial detention is attributable to the public prosecutors' expansive use of detention, as the detention order is issued at the outset of the investigation stages, or to other reasons, including the extreme slowness of trial proceedings and of the summoning of witnesses or the attendance of the accused, or the deliberate prolongation of trials by certain lawyers.

²⁶ In 2016, the National Centre observed continued delays in scheduling hearings for persons detained in connection with those cases for long periods, contrary to their right to be tried within a reasonable time or to be released, since pre-trial detention should be an exceptional measure and of the shortest possible duration; a number of them were detained for long periods pending trial, exceeding seven months.

and national laws, as it has become common for detention to continue for long periods, sometimes exceeding the duration of the penalty, or for detention and its renewal to be used as a means of pressure on persons in order to pursue reconciliation. Cases have been observed of persons detained for long periods, following which the court issued decisions acquitting them or declaring them not criminally liable. Detention may not constitute a punishment, as this would be a clear breach of the guarantees of the right to a fair trial; moreover, the right of the individual to be tried without undue delay is one of the rights guaranteed by international standards.²⁷ In order to give effect to the exercise of this right, procedures must be in place to ensure that trials proceed without undue delay.

Preliminary Detention and Temporary Custody:

Temporary Detention Centres of the Public Security Directorate:

During 2016, and in cooperation and coordination with the Transparency and Human Rights Office, the National Centre for Human Rights carried out (60) unannounced visits to places of temporary detention in the Kingdom, covering all governorates, with the aim of examining the conditions of detainees therein, including the type and level of services provided to them, by reviewing their records and detention orders, and of assessing these places in light of the relevant international and national standards within the resources available to them.

These visits contributed to tangible developments in the detention environment in those places, which were observed through direct inspection and by hearing detainees' testimony in private. Maintenance works were carried out in a number of temporary detention centres as part of the rehabilitation of the detention environment, including attention to ventilation, lighting and space, the provision of the necessary bedding (mattresses and blankets), attention to records and maintaining their accurate organisation, and the introduction of new records relating to meals and medical care.

Notwithstanding the tangible development and the attention paid to places of detention, there remain many observations previously documented by the Centre in its previous annual reports. On 10/4/2017, the Centre issued a detailed report on the conditions of temporary detention centres.²⁸

Places of Temporary Detention at the General Intelligence Directorate:

The National Centre for Human Rights once again stresses the need to allow its specialised team to conduct unannounced visits to the Directorate's detention centre.²⁹ The Centre was not able to carry out any visit during 2016; however, through receiving complaints from inmates' families or

²⁷ Article (14) of the International Covenant on Civil and Political Rights.

²⁸ See in this regard: the website of the National Centre for Human Rights, www.nchr.org.jo

²⁹ The Committee against Torture also supported this request in its concluding observations and recommendations to Jordan, in Recommendations Nos. (31 and 32) on Jordan's third periodic report; however, the Government's replies for the years 2014 and 2016 did not include any positive change in this regard, stating: "The General Intelligence Directorate is a security institution, and access to it by persons not working therein requires certain security and preventive measures in view of the nature and sensitivity of its work; accordingly, access to it requires prior coordination in that regard."

through meeting inmates in Correction and Rehabilitation Centres in 2016,³⁰ the Centre received (7) complaints, which related to the following issues:

- The withholding of identity documents when attempting to travel or when visiting the Directorate to renew a document (passport, driving licence). The Centre observed that the frequency of complaints on this matter continued to decline this year, and the Centre stresses the unlawfulness of such measures.
- Preventing detainees from communicating with the outside world pursuant to decisions issued by the Public Prosecutor of the State Security Court, which keeps them isolated from their families and the outside world, for the sake of preserving the confidentiality of the investigation.
- The lengthy duration of litigation before the State Security Court.
- Conditions of isolation in solitary cells, without allowing detainees to mix during exercise (sun-exposure) periods or meals, for periods that may extend beyond one month.

On the other hand, the Centre observed a continued decline in the frequency of complaints this year concerning travel bans and the refusal to grant security clearance for the purpose of obtaining employment. The Centre renews its call on the Directorate to comply with the requirement to notify the detainee's family of his whereabouts.

Correction and Rehabilitation Centres:

The number of inmates in Correction and Rehabilitation Centres in 2016 ranged between (10,000–13,300) inmates, while the capacity of Correction and Rehabilitation Centres stands at (12,172)³¹ and the actual number of inmates present in the Centres stood at (13,921) inmates. Overcrowding in Correction and Rehabilitation Centres is noted, which adversely affects the rights of inmates in all fields.

During 2016, the Centre observed certain improvements in the Correction Centres, as well as a number of problems that adversely affect the protection of inmates' rights and the right to liberty and security of person, and which reflect negatively on the seriousness required in addressing these problems and in improving the conditions of Correction and Rehabilitation Centres in conformity with the relevant international standards. The Centre referred to these in its previous reports and in its report on the conditions of Correction and Rehabilitation Centres issued on 5/2/2017 by the national monitoring team "Karama", which operates under the Centre's mandate.³²

The Centre also recorded (451) strikes in Correction and Rehabilitation Centres in 2016, compared with (416) strikes in 2015, (309) strikes in 2014, (319) strikes during 2013, (342) strikes in 2012

³⁰ The Centre did not carry out any visit to the detention centre of the General Intelligence Directorate in 2016, as the visit was postponed by the Directorate on numerous occasions.

³¹ There are (16) Correction and Rehabilitation Centres distributed across all governorates of the Kingdom, following the recent opening of Birain Correction and Rehabilitation Centre on 24/7/2016.

³² See the specialised report published on the website of the National Centre for Human Rights, www.nchr.org.jo.

and (276) strikes during 2011. An increase in the frequency of such strikes over the previous year is noted.

With regard to deaths in Correction and Rehabilitation Centres and suicide cases, the Centre recorded (44) deaths during 2016,³³ of which (40) were natural deaths owing to a medical history and (2) were unnatural deaths due to suicide, one of these cases at Marka Correction and Rehabilitation Centre and the other at Tafileh Correction and Rehabilitation Centre. The number of suicide attempts foiled during 2016 stood at (145) attempts. The National Centre for Human Rights notes that some decisions of the security committees formed to investigate these cases lack transparency, and that the forensic medicine reports issued thereon are drafted in a vague and imprecise manner, and that in most cases the National Centre for Human Rights is unable to obtain them directly from their source. In this regard, the Centre stresses the need for the Ministry of Health, the physicians working in Correction and Rehabilitation Centres and the administrations in charge of those Centres to give due care and attention to the health conditions of inmates.

The most prominent complaints received by the Centre during 2016 were as follows:

Complaints Relating to Muwaqqar (2) Correction and Rehabilitation Centre:

This year the Centre observed an increase in allegations by inmates of Muwaqqar (2) Correction and Rehabilitation Centre of ill-treatment and discrimination, consisting of the following:

1. The condition of isolation they suffer in the said Centre owing to the architectural design of its rooms, which consist of solitary cells that do not allow inmates to mix; nor are inmates allowed to mix during exercise (sun-exposure) periods or meals.
2. Restrictions on visits by inmates' families, as they are allowed only one visit per week, unlike inmates in other Centres.
3. Not allowing these inmates to make telephone calls with their families except to landline numbers and not to mobile phones, unlike inmates in other Correction and Rehabilitation Centres.
4. Searching inmates in a manner that does not respect their privacy, and restraining them with iron chains while transferring them to courts and hospitals.
5. The lengthy duration of judicial detention pending trial before the State Security Court on charges of committing terrorist acts or other criminal cases falling within the jurisdiction of the State Security Court; the number of persons detained on behalf of the State Security Court in 2016 stood at (10,626) detainees, compared with (13,822) detainees in 2015.

The Centre calls for the removal of the restrictions imposed on inmates of Muwaqqar (2) Correction and Rehabilitation Centre, for them to be treated on an equal footing with other inmates, and for follow-up of medical cases that respond to psychological and behavioural treatment.

³³ The Centre recorded the occurrence of (30) deaths in Correction and Rehabilitation Centres in 2015, of which (26) were due to natural causes or chronic illnesses, (1) resulted from being beaten by another inmate, and (3) were suicides, compared with (24) cases in 2014, (25) natural deaths in 2013, and (12) deaths in 2012, of which (11) were natural deaths and one was a suicide, and (18) deaths in 2011.

Complaints Relating to the Transfer and Restraint of Inmates.

During transfer, inmates continue to suffer from having their hands restrained behind their backs (pursuant to instructions issued by the Director of Public Security), with the cruelty and humiliation this entails, in addition to the pain it causes to those suffering from respiratory diseases or spinal problems, as they are prevented from using their inhalers or adjusting their back position because of the restraints, not to mention the harm caused to the elbows. The restraints also impede a person's movement beyond the extent required to prevent escape and ensure the safety of the guards. This suffering is compounded by the time taken to transfer inmates from Correction and Rehabilitation Centres to the courts, which may extend for hours owing to the multiplicity of destinations to which the vehicles assigned for their transfer travel, since inmates are delivered to various courts and hospitals throughout the Kingdom, all of which is due to the acute shortage in the number of vehicles assigned to transfer such persons to the various destinations. The National Centre for Human Rights has observed complaints by inmates during transfers to hospitals, particularly as the transport vehicles are not equipped for this purpose and lack adequate ventilation, in addition to high temperatures in summer and cold in winter.

Recommendations:

Administrative Detention:

- Repealing the Crime Prevention Law and/or abolishing the power of the administrative governor to order detention and confining this power to the judiciary. Until this is done, the Centre recommends amending certain provisions of the said Law, as previously referred to in its previous reports.³⁴

Judicial Detention:

- Expediting the adoption of legislation on alternative penalties to custodial sentences, and addressing the problem of the lengthy duration of litigation before and during hearings, by developing legislation and judicial practices capable of expediting trial proceedings.
- Enacting legislation that expressly recognises the right of a person to compensation for arbitrary and unjustified detention.
- Establishing a criminal record at the Ministry of Justice based on final judicial judgments, instead of relying on the prior records held by the security authorities.

³⁴ a. Compliance by administrative governors with the text of Article Four of the Crime Prevention Law as regards the procedures to be followed when resorting to administrative detention, specifically with respect to issuing the arrest warrant and hearing the statements of the persons concerned, and thereafter issuing administrative detention orders.

b. Extending judicial oversight over administrative detention decisions and over the law-enforcement powers of administrative governors, and respecting and abiding by judicial decisions and final judgments of acquittal or non-liability.

c. Adopting the principle of proportionality between the enforcement measure and the criminal dangerousness when imposing house arrest (compulsory residence), and transferring the power to impose house arrest to the judicial authority.

Places of Temporary Detention:

- Amending the Criminal Procedure Code by introducing substantive amendments that ensure the provision of fair trial guarantees to detainees during the stages of preliminary and initial investigation.
- Designating special places for holding juvenile and female detainees.
- Maintaining regular records in places of detention (names, detention orders, visits ... transfers).
- Continuing the maintenance of places of detention and ensuring that the observations relating to humidity, ventilation and lighting are addressed.
- Providing three meals a day to all persons held in detention.

General Intelligence Directorate:

- Allowing the National Centre for Human Rights to conduct unannounced visits to the detention centres of the General Intelligence Directorate, in the same manner as the visits carried out by the Centre to the places of detention of the Public Security Directorate.
- Activating 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 authorities charged therewith carry out visits periodically and effectively.
- The necessity of relocating the office of the Public Prosecutor of the State Security Court away from the premises of the General Intelligence Directorate.

Correction and Rehabilitation Centres:

- Transferring supervision of Correction and Rehabilitation Centres from the Ministry of Interior to the Ministry of Justice.
- Replacing the building of Balqa Correction and Rehabilitation Centre with another building owing to problems of humidity, ventilation and lighting.
- Protecting all the rights of inmates, particularly in the health, social and psychological fields, by the other authorities concerned with Correction and Rehabilitation Centres.
- Abolishing the penalty of solitary confinement provided for in Article (38) of the Correction and Rehabilitation Centres Law No. (9) of 2004.
- Implementing aftercare programmes by the competent authorities in cooperation with civil society.
- Implementing aftercare programmes by the competent authorities and working to deepen the concept of rehabilitation in its psychological, social and vocational aspects, so that it becomes a comprehensive and continuous process.

3. The Right to a Fair Trial

The year 2016 witnessed the formation of a Royal Committee on 18/10/2016 to develop the judiciary and enhance the rule of law. The Royal Letter provided that the Committee be entrusted with developing a comprehensive strategy to address challenges, to continue the process of modernisation and development and to upgrade the performance of the judicial authority, including providing appropriate resources for judges, building their capacities, developing standards of merit and competence in their appointment, transfer and promotion, and improving their conditions; providing a modern institutional environment for the judiciary and its support bodies; qualitatively developing working tools and methods; modernising procedures and legislation in order to upgrade the litigation process and the enforcement of judgments, encompassing all the bodies concerned with this process; activating and empowering systems of judicial oversight, inspection and training; and drawing on international best practices.

The Committee concluded its work and submitted its report to His Majesty the King on 26/2/2017. The report arrived at a set of recommendations to ensure effective justice for citizens and to strengthen the independence of the judiciary and of judges.³⁵ It is worth noting that most of the recommendations contained in the Royal Committee's report had been mentioned among the recommendations of the National Centre for Human Rights in its previous annual reports on the state of human rights in the Hashemite Kingdom of Jordan.

The year 2016 witnessed proposed amendments to a number of laws relating to the right of individuals to a fair trial, most prominently:

First: The approval by the Council of Ministers on 17/4/2016 of the Draft Law Amending the Jordanian Penal Code No. (16) of 1960 for 2016; however, the Draft Amending Law was

³⁵ The principal recommendations contained in the report of the Royal Committee for Developing the Judiciary and Enhancing the Rule of Law (noting that the recommendations and the measures for their implementation will be set out in detail in the Centre's annual report for 2017):

1. Simplifying and expediting litigation procedures.
2. Employing electronic linkage between the courts and auxiliary bodies to expedite the transmission of papers and requests.
3. Unifying and monitoring medical reports and penalising those who tamper with them.
4. Improving conditions of detention in police detention centres.
5. Providing lawyers through free legal aid to those in need of it.
6. Improving the reality of detention by setting clear conditions and a maximum time limit for it, and separating detainees from convicted persons in places of detention.
7. Providing alternatives to detention, such as the electronic bracelet.
8. Alternatives to custodial sentences, such as work for the public benefit (community service).
9. Increasing the penalty for offences committed against persons with special needs.
10. Holding consecutive and closely spaced hearings, including outside official working hours, at the Criminal Court.
11. Penalising those who use vexatious means to prolong the proceedings of a case.
12. Using modern technology to expedite procedures, such as the registration of cases, the hearing of witnesses and the conduct of trials remotely.
13. Modernising service-of-process procedures through the use of private companies, and penalising those who tamper with it.
14. Regulating the profession of experts and raising the standard of their performance.

withdrawn by the Government after it had been sent to the House of Representatives, for further study and further amendments.

Second: The approval by the Council of Ministers of the Draft Law Amending the Criminal Procedure Code No. (9) of 1961 for 2016, which aims to provide protection for witnesses, shorten the duration of litigation, achieve quality of performance, reduce instances of unlawful detention, and guarantee the right of individuals to defence and legal representation. The proposed amendments also aimed to achieve swift justice through: achieving greater flexibility in dealing with the provisions on service of process by authorising the executive authority to regulate them by means of a regulation; addressing the phenomenon of fictitious addresses; expediting the adjudication of cases and ensuring the absence of procrastination and delay; addressing shortcomings and weaknesses relating to expert evidence and to motions submitted during trial; two-tier litigation; amending the provisions governing appeals and cassation by making a large number of judgments of the Court of First Instance subject to appeal; and addressing vexatious lawsuits.

Third: The approval by the Council of Ministers of the Draft Law Amending the Crime Prevention Law No. (7) of 1954 for 2016. The most prominent of these amendments are the following: codifying tribal *jalwa* (forced displacement), and adopting the concept of compulsory compensation upon the violation of a tribal custom, known as “*taqtee’ al-wajh*” (severing of the face).

On the other hand, a number of laws continued to be applied that are tainted with suspected unconstitutionality and that contravene the general principles of the right to a fair trial, in addition to their non-conformity with the international conventions ratified by Jordan and published in the Official Gazette.³⁶

The year 2016 also witnessed the issuance by the executive authority of a number of decisions aimed at strengthening the right of individuals to a fair trial, the most important of which were:

1. Establishing a Court of First Instance in the District of Ramtha.
2. Launching the “Case Inquiry” service on smartphones for inquiring about cases filed in all courts of the Kingdom, whether the person is a plaintiff or a defendant, enabling access to the case number, the competent court, the type and value of the case, the name of the judicial panel hearing it, and the date and time of the next hearing or hearings.
3. Launching a service for transferring enforcement and rent payments directly to bank accounts.
4. Establishing an office at the Non-Conviction Certificate Section of the Amman Court of First Instance to complete the electronic payment process, after the application is submitted through the “eFAWATEERcom” service, for persons who do not hold a bank account.

³⁶ See the Centre’s report for 2015 and the Centre’s previous reports, which set out such legislation and stressed the need to make these amendments.

5. Automating the files of the enforcement departments within the courts of the Kingdom, with the aim of archiving case files on computers in preparation for achieving e-justice.

In the field of the Sharia judiciary, the following may be noted:

1. The law introduced a second tier of litigation before the Sharia courts, whereby the Sharia Courts of Appeal shall be courts of fact and the Supreme Sharia Court shall be a court of law; the Supreme Sharia Court commenced its work on 17/7/2016.
2. Establishing the Sharia Lawyers Association on 29/8/2016, whose bylaws had received the Royal Decree of approval in mid-2015, and which is considered a professional umbrella for Sharia lawyers.

Complaints Received by the National Centre for Human Rights Relating to the Right to a Fair Trial:

The number of complaints received by the National Centre for Human Rights in 2016 relating to the right to a fair trial stood at (31) complaints, which centred on the lengthy duration of judicial detention, the rejection of requests for release, and grievances regarding certain judicial procedures. Of these, (2) were closed with a satisfactory outcome, (10) were closed as being outside the Centre's mandate, one complaint was closed owing to the complainant's non-cooperation, and (18) are under follow-up and investigation.

As for requests for assistance, in 2016 the Centre received (23) requests for assistance, which centred on the provision of legal aid and requests for special pardon. Of these, (3) were closed with a satisfactory outcome, one request for assistance was closed upon establishing the absence of a violation, one request for assistance was closed with an unsatisfactory outcome, (2) were closed as being outside the Centre's mandate, (3) requests for assistance were closed owing to the non-cooperation of the applicant, and (13) are under follow-up and investigation.

Recommendations:

To ensure the advancement of the judicial system and enable it to perform the tasks entrusted to it, the Centre recommends the following:

1. Reviewing legislation containing provisions that conflict with the provisions of the Constitution and the general principles of the right to a fair trial, in order to bring it into conformity with the international conventions ratified by Jordan and published in the Official Gazette. Such legislation includes: the State Security Court Law, the Prevention of Terrorism Law, the Customs Law, the Crime Prevention Law, the Law on the Collection of Public Funds, and the Economic Crimes Law.
2. Reducing the costs of litigation in keeping with the established principle that one of the most important duties of the State is to uphold rights and administer justice.
3. Modernising the infrastructure of certain regular and Sharia courts in terms of space, equipment and infrastructure in general.

4. The Right to Nationality, Residence, Movement and Asylum

During 2016, the Centre monitored the implementation of the campaign “My Mother is Jordanian and Her Nationality is My Right” on 29/3/2016, by way of a sit-in in front of the Prime Ministry in protest at the challenges faced by the children of Jordanian women married to foreign husbands in obtaining the service privileges approved by the Government in November 2014, relating to work permits, property ownership and driving licences. The Instructions implementing the relevant Council of Ministers decision require that the mother be of Jordanian nationality, hold a national number, and have been permanently resident in the Kingdom for a period of not less than five years preceding the date on which her non-Jordanian children benefit from the said facilities. The protesters considered that returning to the sit-in was the only solution, given that these Instructions had not been implemented two years after the Government approved the so-called “privileges” for the children of Jordanian women married to non-Jordanians, despite their having obtained identification cards. The representative of the Prime Ministry had affirmed that the Government was very serious about granting all the facilities and that they should await the identity cards that the Civil Status Department had begun to distribute. It is worth noting that (67,562) special identification cards had been issued to the children of Jordanian women as at 31/12/2016.³⁷

In a related matter, the Minister of Interior stated that he would submit two recommendations to the Council of Ministers: the first concerning the right of ownership for Gazans, and the second concerning a study of granting the Ministry of Interior the power to extend the passports of Gazans for a period of five years instead of two years;³⁸ however, this has not been done.

On another level, no progress has been made on the complaint submitted by some residents of the town of Ruwaished and other villages in the Eastern and Western Badia Districts concerning their lack of any documents determining their legal status and enabling them to move and travel. This exacerbates the problem of these persons and adds to their suffering owing to their not enjoying Jordanian nationality.

1. The Right to Residence and Movement:

The right to residence and movement is regulated by the Residence and Foreigners’ Affairs Law No. (24) of 1973, as amended. It should be noted that the House of Representatives passed the Draft Law Amending the Residence and Foreigners’ Affairs Law in January 2016; it was referred to the Senate, which called for amendments to be introduced thereto, and was returned once again to the House of Representatives, then returned thereafter to the Senate, where it is still pending and has not yet been passed.

- **The most prominent amendments introduced by the Draft Law include the following:**

³⁷ According to the information received by the Centre from Mr. Malek Khasawneh, Civil Status and Passports Department, on 5/3/2017.

³⁸ A news item published in Al-Rai newspaper on 13/4/2016, during the attendance of the Minister and a number of heads of the camp services improvement committees at a meeting of the Parliamentary Palestine Committee.

- Approving the granting to the Minister of Interior of the power to permit the entry of a foreigner into the Kingdom from any place he approves and in the manner he determines; this provision was the subject of extensive discussion within the House of Representatives.
- Imposing a fee of fifty dinars per year for a residence permit, and charging fifteen dinars for the issuance of a residence card in the event of its loss.
- Exempting the children of Jordanian women married to foreigners from obtaining a residence permit.

On a different level, the Council of Ministers decided to exempt holders of permanent residence who carry temporary passports, as well as Gazans, from work permit fees for the previous period, and to commence collecting work permit fees from these persons as of 1/1/2016.

Among the positive developments in this context was the commencement, at the beginning of July 2016, of the issuance of smart identity cards, at the fees prescribed for the current cards, to replace the current civil status card. This card includes: the citizen's personal information, his photograph, ten-finger prints (hand print), iris scan, electronic signature (digital signature), and its function as an identification card for the citizen in various transactions. The card carries an electronic chip with a capacity of (144) "kilobytes", with international specifications and features that make it ready for the addition of other services and features in the future, gradually after the completion of the first phase, such as health insurance, National Aid, taxation, social security and other services and applications. (322,416) cards had been issued as at 31/12/2016.³⁹

As for the complaints received by the Centre, the number of complaints received by the Centre relating to the right to residence and movement during 2016 stood at (16) complaints. Of these, (3) were resolved with a satisfactory outcome while (2) were resolved with an unsatisfactory outcome, (5) complaints were closed for lack of jurisdiction, in addition to (3) complaints closed owing to the complainant's non-cooperation, and (3) complaints remain under follow-up with the relevant authorities.

2. The Right to Asylum

First: Palestinian Refugees: The Department of Palestinian Affairs is responsible for the file of the Palestinian refugee camps in the Kingdom, numbering (13) camps, to which it provides daily and logistical services, in addition to the file of the United Nations Relief and Works Agency for Palestine Refugees Palestinian refugees and following up on the activities and services of the Agency, with the aim of securing financial support from donor countries in order to preserve the continuity of this organisation as a political witness to the refugee question, given that Jordan hosts the largest number of refugees, at a rate reaching 42% of the total number of refugees over the past (68) years, and also of preserving the political rights of Palestinian refugees, as represented in the return to their lands and homes in accordance with the resolutions of international legitimacy.

³⁹ According to the information received by the Centre from Mr. Malek Khasawneh, Civil Status and Passports Department, on 5/3/2017.

In this context, no noteworthy development took place on the Palestinian refugee file. However, following the announcement of an intention to reduce the services provided by the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), Jordan rejected any reduction in the level of services, notwithstanding UNRWA's contention that its decisions to reduce services came after donor countries had reduced their support for, and commitments towards, the Agency, it having emerged that the deficit in its budget at the beginning of 2016 amounted to eighty million US dollars. It is worth noting that the staff union of UNRWA in all its areas of operation announced "escalatory measures" in protest against the decisions of the Agency's administration, and the staff had previously carried out strikes as a result.

In this framework, the Jordanian Government is commended for continuing its contribution by providing free education services at the secondary and university levels to the children of refugees, given that the role of UNRWA is limited to providing educational services up to the end of the basic stage, which ends at the tenth grade.

Second: Iraqi Refugees

Approximately (131) thousand Iraqi refugees have been residing in Jordan for more than ten years, according to the General Population Census of 2015.

In this framework, no noteworthy development occurred on the Iraqi refugee file, and their numbers and issues remained as they were in 2015. However, some of them complained of a decline in the attention paid by the Office of the United Nations High Commissioner for Refugees (UNHCR) to their cause and to providing them with the necessary support, and of its focus on Syrian refugees, who currently dominate the scene.

Third: Syrian Refugees

Jordan hosts a large number of Syrian refugees. The tables below show the numbers of Syrian refugees in Jordan and their categories as at 31/12/2016.

Table No. (3): Syrian Refugees on Jordanian Territory⁴⁰

Indicator	Number
Number of Syrians on Jordanian territory as at 31/12/2016	1,381,929
Number of Syrians who entered Jordan unlawfully as at 31/12/2016	557,677
Number of Syrians who returned voluntarily to their country as at 31/12/2016	190,819
Number of Syrians registered as asylum seekers with UNHCR as at 31/12/2016	655,350
Number of Syrians who obtained the magnetic card as at 31/12/2016	634,489
Number of Syrian students received by schools located inside the camps as at 31/12/2016	33,758
Number of Syrian students in Jordanian schools outside the camps	124,651

Number of Syrian Refugees in the Camps as at 31/12/2016

Camp	Number
Al-Zaatari Camp	79,580

⁴⁰ According to the Public Security Directorate / Syrian Refugee Camps Affairs Department.

Camp	Number
Mrajeeb Al-Fhood Camp (Emirati Jordanian Camp)	7,232
Al-Hadiqa Camp	324
Al-Azraq Camp	54,059

The circumstances and conditions of these refugees and of the Jordanian host community remained unchanged during 2016 in terms of security challenges, in addition to the impact of the large influxes of these refugees on most Jordanian service sectors, noting the following:

- On 4/2/2016, the London Conference was held with the participation of (70) states, which agreed to raise approximately (9) billion US dollars to support refugee issues and the reconstruction of Syria. The conference was co-hosted by London together with Germany, Norway, Kuwait and the United Nations.
- The problem of persons stranded on the Syrian–Jordanian border emerged, particularly after Jordan declared its border with Syria a closed military zone following the terrorist incident that targeted the Jordanian Border Guard forces in the “Al-Rukban” area and claimed the lives of a number of soldiers. The number of stranded persons reached approximately (75) thousand⁴¹ persons, whose entry Jordan prohibited for security reasons, while maintaining its policy of providing and admitting assistance to them, without its position on the question of admitting refugees being affected. In this regard, the United Nations High Commissioner for Refugees stated: “We understand the role of the Jordanian Government in preserving the security of its borders in the face of these large numbers of Syrian refugees, and this matter has been discussed with the official authorities with a view to increasing the number of admissions without this affecting the security situation of Jordan.”⁴²
- On 26/3/2016, the Secretary-General of the United Nations, Ban Ki-moon, visited Al-Zaatari Camp with the aim of assessing the situation and observing at first hand the conditions of Syrian refugees in the camp, and drew attention to the humanitarian needs in the camp and in the host communities. The Secretary-General affirmed the major role played by Jordan towards Syrian refugees and its provision of various services to them, referring to Jordan’s humanitarian stance towards Syrian refugees.
- In 2016, the problem of Syrian child labour emerged, as their numbers increased and their presence became evident in many workplaces, a matter which poses a danger to their lives and their other human rights.⁴³
- Certain changes were introduced to the procedures for registering refugees with the Jordanian authorities, including: the procedures for proving the place of residence, and the cost of issuing a certificate of freedom from disease.
- The Government affirmed that the service document for the Syrian community would enable them to obtain free work permits before 4/7/2016, urging all those covered by the

⁴¹ According to the Office of the United Nations High Commissioner for Refugees (UNHCR).

⁴² During a press conference held at Zaatari Camp on 17/1/2016.

⁴³ Numerous reports were issued by various bodies, such as Save the Children and UNICEF, the study of the Euro-Mediterranean Human Rights Monitor on child labour in 2016, and certain Jordanian civil society organisations.

call to visit the nearest security centre in order to initiate the process of registering and verifying their data.

- The number of Syrian refugees holding the magnetic security card reached, as at 31/12/2016, (634,489) refugees. It is worth noting that obtaining the magnetic card is accompanied by incentives, including: a reduction of the fees for the medical examination for freedom from disease from (30) Jordanian dinars to (5) dinars, with the Ministry of Health bearing (25) dinars of the cost of the examination, while UNHCR bears the remaining (5) dinars, so that the examination becomes free of charge for the refugee.
- The Ministry of Labour renewed the extension of the exemption of employers from the fees for issuing work permits for their employees holding Syrian nationality, following the expiry of the previous extension of the exemption.
- In August 2016, the Council of Ministers approved a memorandum of understanding between the Ministry of Planning and International Cooperation and the Office of the Representative of the United Nations High Commissioner for Refugees, under which UNHCR supports the Government's efforts to bear the burdens of hosting Syrian refugees by equipping hospitals affiliated with the Ministry of Health with medical equipment and devices worth one million and (900) thousand Jordanian dinars.
- The Council of Ministers approved the agreement intended to be signed between the Ministry of Education and the Swiss Agency for Development and Cooperation, which provides for the rehabilitation and maintenance of (30) public schools at a value of one million and (562) thousand Jordanian dinars over a period of approximately two years. The funds derived from the agreement will contribute to supporting the efforts of the Ministry of Education to improve the learning environment in approximately (30) public schools and to increase their absorptive capacity.
- The Ministry of Education continued to admit Syrian students to Jordanian schools; at the beginning of the 2015–2016 academic year, approximately (124,651) Syrian male and female students were enrolled in their classes, in the evening shift, and in the schools located in, and outside, the camps designated for Syrian refugees. Human Rights Watch stated that the Government's step, represented by the Ministry of Education, which includes allowing Syrian children to enrol in public schools even if their documents are incomplete, would help thousands of them to continue their education.
- On 11/10/2016, Amnesty International announced that only (10) states, whose combined incomes amount to less than 2.5% of global gross domestic product, alone bear the burden of half of the world's refugees, denouncing the "selfishness of rich states". The organisation stated in a report on the refugee crisis that "rich states are demonstrating a complete absence of political will and of a sense of responsibility by leaving (10) states, which represent less than 2.5 per cent of gross domestic product, to host 56% of the world's refugees."⁴⁴

⁴⁴ The Organisation's report published on 4/10/2016, entitled "Tackling the Global Refugee Crisis: From Shirking to Sharing Responsibility", pages five and six, via the website www.amnesty.org

In order to ascertain the situation of refugees, the team formed by the Centre since 2012 monitored the situation of Syrian refugees in the camps designated for them, as well as in all Jordanian cities, and found that Syrian refugees in the Northern Badia region of Mafrq Governorate consume approximately 40% of the region's water, with a loss rate estimated at approximately 65%⁴⁵. In addition, there are the negative environmental impacts suffered by the inhabitants of these areas as a result of the large numbers of Syrian refugees.

- The Centre's team visited Al-Zaatari Camp more than once and observed the reality of the lives of its residents. It found that the official bodies supervising the camp had resolved most of the problems that Syrian refugees had faced, which had been referred to in previous reports, such as regulating and establishing a clear mechanism for sponsorships, vehicle permits and voluntary return to Syria; regulating the gates and equipping them with a baggage inspection device; increasing the number of distribution centres in coordination with the relevant international organisations; limiting the sale of tents by having them handed over upon sponsorship or return and deposited with the international organisation concerned; limiting smuggling into and out of the camp by constructing an earth embankment; and establishing a Family Protection Office, an Anti-Narcotics Office and a Juvenile Police Office, after these problems had been a source of concern for most Syrian refugees in the camp.
- However, the team observed the following shortcomings:
 1. The absence of the role of the Ministry of Health and the other health oversight bodies (the Jordan Food and Drug Administration) in exercising oversight over shops and the foodstuffs sold therein, there being hundreds of shops operating inside the camp.
 2. The continued lack of electricity supply throughout the day and its restriction to specific hours, which compounds the suffering of the camp's residents.
 3. The continued complaints of Syrian refugees residing outside the camps about the irregular payment of emergency assistance by UNHCR, which has affected their ability to meet the minimum requirements of a decent living.
 4. The continued complaints about the exploitation of refugees' circumstances by those responsible for the camp's streets, and about discrimination in the provision of services and assistance, with priority given to their relatives at the expense of the other residents of the area or street.

Recommendations

In order to improve the situation in these areas, the National Centre reiterates its recommendations contained in its annual reports for previous years and stresses the necessity of the following:

1. Activating the role of the special committee formed to examine the naturalisation applications submitted by a number of persons residing in the Northern Badia, in a manner that ensures that a solution to the problem of these persons is found promptly.

⁴⁵ According to the Director of Northern Badia Water.

2. Working to activate the decisions relating to the children of Jordanian women married to foreigners and to resolve the problems they face in obtaining the facilities approved by the Jordanian Government.
3. The necessity of harmonising national legislation and the asylum mechanism with international standards, and considering ratification of the 1951 Geneva Convention relating to the Status of Refugees and its supplementary 1967 Protocol; or establishing a national asylum mechanism in the Kingdom that is consistent with international human rights standards and reflects Jordan's concerns in this field, so as to complete Jordan's good record in its treatment of refugees in a manner that ensures that the international community assumes its responsibilities towards refugees in Jordan and alleviates the burden placed upon Jordan.
4. Considering the possibility of granting persons holding permanent residence who are holders of temporary passports, and natives of the Gaza Strip, preferential treatment with respect to work permit fees and the professions in which they may work.
5. The necessity for the Ministry of Health and the other health oversight bodies, such as the Jordan Food and Drug Administration, to intensify their oversight over shops and the foodstuffs sold in the Syrian refugee camps.

5. The Right to Vote and to Stand for Election

The year 2016 witnessed the enactment of the Law on the Election of the House of Representatives No. (6) of 2016, as amended, which was published on 15/3/2016 on page (1442) of Official Gazette issue No. (5386), notwithstanding the widespread criticism levelled at the Law, particularly by political parties and opposition forces.

The Election Law No. (6) of 2016 introduced a new electoral system comprising detailed rules governing the electoral process in all its stages. This Law moved the candidacy mechanism from individual voting and candidacy to the open proportional list mechanism, and from the single vote to voting for a list and for up to (3) candidates from the same list; it expanded the electoral district to cover the whole governorate in small and medium-sized governorates instead of the district (liwa) and sub-district (qada); it broadened participation among citizens by adopting a new age for those entitled to vote; and it strengthened integrity guarantees in more than one area, such as striking out the names of serving and deceased military personnel. However, as later became apparent, this Law did not lead to enhancing the participation of parties or the formation of alliances and blocs, whether in candidacy or in the work of the new House of Representatives. On the contrary, it created a state of competition, and at times even conflict, among the members of a single list. The phenomenon of buying candidates, like the buying of votes, emerged; thus, instead of constituting a qualitative leap in the electoral reform process and in strengthening the role of parties, the list became a source of criticism of the Law and of public condemnation of the process of forming lists, which candidates faced difficulties in forming. Nevertheless, this must not lead us to overlook the responsibility of political parties and civil society for building an effective consensus to address seriously the advancement of the political reform process. Responsibility for the absence of such a consensus is borne by all parties, including the fragmentation and division of political forces, alongside government policies that help, directly or indirectly, to deepen such fragmentation.

Furthermore, the unconvincing and weak performance of previous Houses of Representatives, particularly the Sixteenth and Seventeenth Houses, whether in the field of legislation and oversight, their retreat before the “encroachment” of the executive authority, and the attention paid to the personal interests and issues of deputies, resulted in a deepening state of distrust between citizens and the legislative authority, and consequently in public reluctance to participate enthusiastically in general elections and a low rate of turnout at the ballot boxes and of exercise of this right guaranteed by the Constitution.

The Centre had expressed a number of observations on this Law prior to its enactment, a copy of which it sent to the Seventeenth House of Representatives, the Senate and the Government, the most prominent of which were the following:⁴⁶

a. The referral by Article (8/a) of the Election Law of the division of electoral districts to a special regulation issued for this purpose raises a suspicion of unconstitutionality, since Article (67) of the Jordanian Constitution provides that the House of Representatives shall consist of members elected by general and direct election in accordance with the Election Law. Accordingly, given that the regulation of electoral districts is of such importance, as is the case with the question of their division, the division ought to be included in the Election Law itself, and the legislative authority ought not to delegate this competence to the executive authority. It should be emphasised that the Jordanian legislator adopted this view in the 2012 Election Law, when it provided in the Law that the Kingdom shall be divided into a number of local electoral districts allocated (108) seats in accordance with the schedule annexed to the Law.

b. Guaranteeing integrity and full impartiality in the administration of the electoral process requires that the voter registers and all matters relating thereto fall within the competence, management and powers of the Independent Election Commission (IEC), and not within the jurisdiction of the Civil Status and Passports Department, as was the practice in these elections.

c. The small number of seats allocated to women under the quota, which is limited to (15) seats, meaning that the proportion of seats does not exceed 11.5% of the total of (130) seats in the House; this is a low proportion that does not meet international human rights standards or Jordan’s obligations in this regard, and is lower than its counterparts in Arab states. It must also be pointed out that the large governorates in terms of population, and the necessity of women being represented in them to a greater extent, were not taken into account (increasing women’s representation in governorates with high population density).

d. The draft Election Law was characterised by a lack of precision and clarity in its legislative drafting, which necessitated recourse more than once to the Special Bureau for the Interpretation of Laws to clarify matters relating to the age of the voter and the quota seats allocated to women, Circassians and Chechens, and Christians.

e. The draft Election Law adopted the open proportional list system. During the application of the Law, it was proven in practice that this system created competition among the members of a single list that reached the point of dispute and discord. Moreover, those lists did not achieve their

⁴⁶ For more on the legal framework governing the electoral process in Jordan, see the Centre’s report on monitoring the parliamentary elections issued on 19/4/2017.

intended purpose and were not based on the adoption of joint electoral programmes by their members, so the competition was individual; this was clearly evident in electoral campaigning, which was based on individual candidates rather than on the list as a single unit. On another level, the Law considered that a list remains in existence upon the withdrawal of all its members save one, and the Law itself did not require lists to take gender diversity into account in order to enhance women's participation in the elections.

As regards practices, the Royal Decree was issued on 6/4/2016 appointing the Board of Commissioners of the Independent Election Commission, pursuant to Article (6) of the Independent Election Commission Law No. (11) of 2012. This was followed by the issuance of the Royal Decree dissolving the Seventeenth House of Representatives on 29/5/2016, pursuant to Article (34/3) of the Constitution. The Board of the Independent Election Commission set 20/9/2016 as the date for holding the parliamentary elections in its Decision No. 1/13/2016, published in the Official Gazette on page (3504). It would have been more appropriate for this date to be a designation of polling day in accordance with Article (4/a/1), given that parliamentary elections comprise numerous stages, including (polling day), the designation of which is mandatory under the Law. However, this is not considered a serious shortcoming, according to the opinion of the Commission as expressed by its spokesperson in response to an observation issued by the Centre on this matter at the time.

It should be noted in this regard that the National Centre for Human Rights monitored all stages of the electoral process and issued its report on the matter on 19/4/2017.⁴⁷

Recommendations

1. Enhancing confidence in the electoral process in accordance with best international standards and practices.
2. Amending the current electoral system in a manner that contributes to strengthening blocs and limits the domination of a single bloc by one of the candidates.
3. Enhancing the transparency of the electoral process in a manner that ensures access for all observers, candidates, parties and their agents to all places concerned with the stages of the electoral process.
4. Amending Article (71) of the Jordanian Constitution so as to guarantee the right to two levels of litigation in challenges to the validity of the membership of members of the House of Representatives.
5. Amending Article (73) of the Jordanian Constitution so as to ensure that elections are held within a sufficient period to allow a timetable to be set for all stages of the electoral process, including the right to two levels of litigation in challenges to the validity of the membership of members of the House of Representatives.

⁴⁷ See in this regard: the website of the National Centre for Human Rights, www.nchr.org.jo

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

The year 2016 did not witness any noteworthy amendments to the legislation relating to the right to freedom of expression or to the legislation relating to journalistic and media work. Accordingly, the Centre reaffirms what was stated in its previous reports in this context regarding the necessity of amending the legislation relating to the right to freedom of expression and freedom of the press and media as a single package within a unified legislative policy consistent with the Jordanian Constitution and the international human rights standards in this regard.

In light of the Centre's mandate to monitor the human rights situation, the Centre observed during 2016 an increase in the number of persons detained and tried for expressing positions and points of view on matters related to the general policy of the State and concerning sensitive and important issues of concern to society as a whole, before the State Security Court under the Prevention of Terrorism Law No. (55) of 2006, as amended. The Centre accordingly issued a statement on 7/7/2016 in which it called upon the authorities to guarantee the freedom of citizens to exercise their right to peaceful expression of their opinion in its various forms and modes, including writing, publication, commentary and peaceful assembly, and drew attention to the marked expansion in holding persons accountable for various forms of expression of opinion and peaceful protest, which had reached a level that had begun to affect the right of citizens to criticise and oppose public policies.⁴⁸ The Centre also issued a statement on 25/2/2016 in which it expressed its concern over the repeated prevention by law enforcement agencies of citizens from exercising the right to peaceful assembly, and the obstruction of a number of peaceful activities.⁴⁹

First: Practices Relating to the Right to Freedom of Expression during 2016:⁵⁰

a. Persons Detained and Harmed on Account of Expressing Their Opinions (Prisoners of Opinion):

1. The Centre monitored during 2016 the continued detention of individuals on account of expressing their opinions, the vast majority of those detained having expressed their opinions primarily through their accounts on the social networking site (Facebook). The detention, ordered by judicial authorities, administrative authorities or, in some instances, even by security agencies, included activists in the popular movement (Hirak), artists, writers and others. In this context, the Centre monitored (16) cases, the majority of which were under the Cybercrimes Law No. (27) of 2015, while the frequency of detention and trial for the offence of undermining the system of government or inciting opposition to it under Article (149/1) of the Jordanian Penal Code No. (16) of 1960, and for the offence of disturbing relations with a foreign state under Article (118/2) of the same Law, decreased, contrary to the situation in 2015.

⁴⁸ Statement of the National Centre for Human Rights dated 7/7/2016, published at the following link: www.nchr.org.jo/Arabic/tabid/95/mid/448/newsid448/613/Default.aspx

⁴⁹ Statement of the National Centre for Human Rights dated 7/7/2016, published at the following link: www.nchr.org.jo/Arabic/tabid/95/mid/448/newsid448/613/Default.aspx

⁵⁰ The Centre will issue a specialised report on freedom of expression for 2016 containing detailed information on the cases received, as well as detailed figures.

2. The Centre monitored the detention of (104) persons on account of their participation in sit-ins or labour demonstrations, or in demanding certain economic rights, or for the purposes of denouncing and expressing their rejection of certain policies and decisions related to public affairs. In most cases, detention was carried out pursuant to administrative decisions issued by administrative governors, and the detention lasted for short periods.
3. The Centre monitored (11) cases of violation of the freedom of expression of students and faculty members by some public universities, and at times private universities.
4. The Centre monitored the prevention of (11) events from being held pursuant to administrative decisions issued by administrative governors, in contravention of the Public Assemblies Law No. (7) of 2004, as amended, which provides that the submission of a notification for holding an event is sufficient. Moreover, the Law did not grant administrative governors the power to prevent the holding of events pre-emptively, that is, before they commence; rather, their powers under Article (7) of the Public Assemblies Law are limited to dispersing an assembly if it becomes evident that its proceedings may expose lives or public or private property to danger or prejudice public safety.
5. **The number of cases relating to the offence of sending, resending or publishing data or information through the information network, a website or any information system that involves defamation, slander or contempt of any person, pursuant to the provisions of Article (11) of the Cybercrimes Law No. (27) of 2016, reached (456) cases, whereas the total number of such cases in 2015 was (48).** The Centre observes in this regard a marked increase in the number of cases relating to Article (11) of the Cybercrimes Law in 2016 compared with 2015, which confirms that this Article has constituted a new restriction on freedom of expression and the expression of opinions in cyberspace.⁵¹

b. Journalists:

The year 2015 witnessed the detention of eleven journalists, five of whom were detained by the Public Prosecutor of the State Security Court on the basis of the Prevention of Terrorism Law, on charges consisting either of using media outlets to promote the ideas of a terrorist group under Article (3/e) of the Prevention of Terrorism Law, or of committing acts that would expose Jordanians to the danger of hostile and retaliatory acts in contravention of the provisions of Article Three of the Prevention of Terrorism Law, or of disturbing relations with a foreign state in contravention of the provisions of Article (3/b) of the Prevention of Terrorism Law, or on the charge of undermining the political system of government or inciting opposition to it in contravention of the provisions of Article (149/1) of the Penal Code. The remainder were detained either on the basis of the Penal Code, specifically on the charge of defaming an official body and a public official, or in other instances on the charge of publishing material involving defamation, slander and contempt on websites in contravention of the provisions of Article (11) of the Cybercrimes Law.

Whereas the frequency of the detention of journalists decreased in 2016, particularly on the basis of the Prevention of Terrorism Law and the Penal Code, which constitutes a positive step, the

⁵¹ According to the statistics of the Judicial Council and the Ministry of Justice.

Centre at the same time affirms that it is impermissible to detain or try journalists in cases relating to press and publications except under the Press and Publications Law, which prohibits the detention of journalists and, under Article (42/b/2) of the same Law, vests jurisdiction exclusively in the Press and Publications Chamber of the Amman Court of First Instance to hear offences against the internal and external security of the State provided for in the Penal Code in force where they are committed by means of licensed publications or audio-visual media. However, notwithstanding the decrease in the frequency of the detention and trial of journalists and media professionals in 2016, the Centre monitored a number of cases in which detention took place, particularly on the basis of Article (11) of the Cybercrimes Law.

As regards the number of press and publications cases registered in 2016, they totalled (60) cases, whereas the number in 2015 was (67) cases, according to the statistics of the Judicial Council.

The following are the most prominent cases of detention and violations against journalists monitored by the Centre in 2016:

- The detention of a journalist on 15/2/2016 under Article (11) of the Cybercrimes Law No. (27) of 2015 for publishing a press article on the website of the newspaper for which he works entitled “Judges and Court Employees Rise Up”. He was released on 16/2/2016 on bail posted by the President of the Jordan Press Association.⁵²
- The detention of a journalist on 18/5/2016 under Article (11) of the Cybercrimes Law No. (27) of 2015 on account of his publication of an article entitled “The Building of Death... A Security Burden in Amman”. He was released on the same day on bail posted by the President of the Jordan Press Association.⁵³
- The assault on a correspondent working for a satellite channel⁵⁴, while he was covering the dispersal of a sit-in in front of the House of Representatives on 25/2/2016. The assault against him took several forms, including:
 - Detention for a short period in a vehicle belonging to the law enforcement agencies, and physical assault.
 - Verbal assault.
 - Confiscation of his mobile telephone, which documented footage of the sit-in.
- The detention and ill-treatment suffered by a press correspondent, while he and his colleague were preparing reports on people’s celebrations during the Eid Al-Fitr holiday for a media company, on 4/7/2016, at the hands of law enforcement agencies, on the basis

⁵² The incident was verified, the said journalist was contacted, and a specialised legal opinion was prepared on whether what he had stated falls within the scope of the right to freedom of expression; the relevant authorities were addressed and the report and legal opinion were sent to them.

⁵³ The incident was verified, the said journalist was contacted, and a specialised legal opinion was prepared on whether what he had stated falls within the scope of the right to freedom of expression; the relevant authorities were addressed and the report and legal opinion were sent to them.

⁵⁴ The Centre carried out the necessary verification of this incident, contacted the press correspondent, and prepared a detailed report on the dispersal of the sit-in in front of the House of Representatives, including the assault on the said press correspondent.

of an allegation that he was working for an unlicensed channel, according to what he was informed at the moment of his detention.⁵⁵

- A journalist⁵⁶ was subjected to ill-treatment and to detention for three days pursuant to a decision of the administrative governor of Madaba Governorate, while he was covering the events of the Dhiban movement (Hirak) during the month of Ramadan 2016; the law enforcement agencies tore up his press card, broke his camera and beat him.
- The detention of a journalist by the Amman Public Prosecutor at Al-Juweideh Correction and Rehabilitation Centre, after several charges were brought against him relating to failure to exercise accuracy and objectivity and violation of Article (11) of the Cybercrimes Law, on the basis of a complaint filed against him by a businessman.
- The prevention of the media from entering a public university to cover the sit-in staged by a group of the university's students on 28 February 2016, which lasted for approximately (25) days.
- The withdrawal of a number of journalists from the House of Representatives on 21/11/2016 while covering the debates of the vote of confidence session in the Government, due to the restrictions imposed upon them and their being prevented from sitting in one of the galleries, in addition to their being asked "not to pry on officials under the dome of Parliament and to respect their privacy". This came against the background of journalists photographing certain correspondence exchanged between deputies, or correspondence exchanged between certain deputies and certain ministers, during the sessions.
- On 20/12/2016, the galleries of the House of Representatives were cleared of media professionals, journalists and citizens in order to discuss the terrorist incident that took place in Karak Governorate on 18/12/2016, which constitutes a breach of the right of journalists to attend public meetings and to obtain and access information, consequently leading to a breach of the public's right to know.
- The Centre monitored a request made to an electronic news website to change the title of a media item published at the end of 2016.
- The assault on a correspondent of a news website by an employee during his participation in the press conference held to announce the results of the population census on 30/1/2015; the employee attempted to prevent him from attending by verbally and physically assaulting him.

⁵⁵ The Centre carried out the necessary verification of the incident, contacted the press correspondent concerned, and the relevant authorities were addressed. The Centre received a reply from the Ministry of Interior concerning the incident, in which it affirmed that the said person and his colleague had not been mistreated and had been dealt with in accordance with the law. (Ministry of Interior letter No. (30/670/40466) dated 20/2/2017, which reached the Centre through Prime Ministry letter No. (8016/18/11/1) dated 26/2/2017.)

⁵⁶ The said person is not registered with the Jordan Press Association, but is a member of the Bahrain Journalists Association, and had obtained a permit to cover the Dhiban movement. The Centre contacted him and ascertained the violations to which he had been subjected.

- Press reports were monitored indicating that a female journalist, who had been working for a news website, sought asylum in Turkey after receiving threats relating to her disclosure of secrets concerning a sensitive case.⁵⁷
- The Emirati authorities continued in 2016 to detain the journalist Tayseer Al-Najjar, who was arrested by the Emirati intelligence on 13 December without any charge being brought against him or his being referred for trial by the Emirati authorities, on account of a post of his on “Facebook” published during the Israeli war on Gaza in 2014, in which he criticised the position of the United Arab Emirates on the aggression and its cooperation with Egypt in destroying the tunnels between Egypt and Gaza. On 15/3/2017, a judgment was issued sentencing him to three years’ imprisonment and a fine of (500) thousand dirhams, confiscating the seized devices and closing his Facebook accounts, on the charge of publishing statements liable to harm the reputation and standing of the State. The Ministry of Foreign Affairs affirmed that it would appeal the judgment issued against the journalist Tayseer Al-Najjar.

In this framework, the Centre followed up on the case of the journalist Tayseer Al-Najjar and opened a special file on the case from its outset. It addressed the Minister of Foreign Affairs for the purposes of the Ministry of Foreign Affairs following up on his case, ascertaining the circumstances of his detention and guaranteeing his right to a fair trial.⁵⁸

c. Press and Media Coverage of the 2016 Parliamentary Elections:

The Centre monitored the most prominent matters relating to the press and media coverage of the elections to the Eighteenth House of Representatives. The Centre observed violations to which journalists were subjected during the coverage, particularly on polling day, 20/9/2016, while press and media coverage witnessed professional violations on the part of certain newspapers and audio-visual media outlets.

In this regard, the Media Commission stressed the necessity for media outlets to comply with the rules on electoral campaigning in accordance with the Election Law, through the issuance of a circular providing for the necessity of full compliance and commitment not to broadcast any campaign material relating to the electoral process except in accordance with the provisions of the Election Law No. (6) of 2016. The Commission called upon the media, the press, licensed satellite and radio broadcasting stations, websites and press publications to comply with the provisions of the Law, which set the times for broadcasting any campaign material for candidates and the manner of advertising relating to candidacy and elections.⁵⁹ Another circular was also issued by the Media Commission, based on a letter from the Independent Election Commission, requesting radio broadcasting stations to broadcast eight radio spots on the Election Law free of charge and at peak times. **In addition**, a further circular was issued to the audio-visual and print media also to comply with the Audio-Visual Media Law and not to publish any material that might affect national unity, and to preserve the safety and standing of the State. The same

⁵⁷ <http://sawaleif.com/%D8%A3%D9%85%D9%84-%D8%BA%D8%A8%D8%A7%D9%8A%D9%86-138922/>

⁵⁸ It should be noted that the Centre’s mandate under its Law is confined to individuals present in Jordanian territory only; any cases of human rights violations outside the Kingdom are addressed solely through the Ministry of Foreign Affairs.

⁵⁹ The circular was issued on 17/7/2016.

letter also referred to the letter of the Independent Election Commission requesting compliance with the provisions of the Election Law and the rules of electoral campaigns.

In a further positive development, the Jordan Media Institute launched, on 15/8/2016, a Code of Professional and Ethical Conduct for Media Coverage of Elections, to serve as a guide for journalists and media professionals in sound professional coverage of parliamentary elections.

On another level, the Centre monitored professional transgressions that accompanied the media coverage of the elections, the most prominent of which were the following:

1. Violations in the media coverage of the elections and in electoral campaigning appeared early, particularly through websites, which published material that blurred the line between advertising and media content, without indicating clearly and explicitly that the published material was an advertisement, which constitutes misleading the public.
2. The print newspapers covered the stages of the electoral process; however, this coverage was not characterised by geographical fairness among all regions of the Kingdom, with certain governorates, particularly the capital, Amman, receiving the greatest share of press and media coverage.
3. Opinion polls were conducted by certain websites and satellite channels which predicted the victory of one of the candidates, without relying on scientific methods for opinion polling, noting that all of them were paid.

As regards the violations to which journalists were subjected during their coverage of polling day events, the most prominent were the following:

- The prevention of journalists by the heads of polling centres from entering polling centres and performing their role in press coverage on polling day for the elections to the Eighteenth House of Representatives, which fell on 20/9/2016. The Chairman of the Independent Election Commission acknowledged that the majority of the heads of the electoral committees had committed violations against journalists, consisting of preventing them from providing media coverage of the electoral process; consequently, the Commission issued circulars to the heads of the electoral process include granting journalists the right to media coverage inside polling centres, with the exception of coverage and filming in the screened-off area designated for voters.

d. Audiovisual Media and News Websites

The Media Commission is responsible for regulating the audiovisual media sector in Jordan. The Commission's law was amended in 2015, and the Centre referred to these amendments in its report on the state of human rights for 2015, noting that the law contained positive provisions, particularly those abolishing the penalty of imprisonment for violators and confining penalties to fines. The Centre also identified the provisions whose amendment would contribute to the further advancement of this sector.⁶⁰

⁶⁰ On the Centre's observations on the Audiovisual Media Law No. (26) of 2015, see the National Centre for Human Rights report for 2015, section on freedom of expression.

The Commission has begun amending its regulations to keep pace with contemporary developments in the field of media. It has also begun applying new procedures in respect of radio broadcasting stations, whereby a radio station in the governorates is now treated as a new licence rather than as an extension of an existing licence. This saves radio stations considerable sums of money and encourages the establishment of radio stations in the governorates that contribute to the development of local communities. In a separate context, a new directorate named the “Follow-up Directorate” was established to monitor radio and satellite stations and all media outlets and to prepare periodic reports on content with a view to publishing them and making them available to the public, thereby contributing to the development of media content on the basis of such reports after the media outlets have reviewed them. The Media Commission also appointed a liaison officer with the Information Council and established a special register for requests under the right of access to information; two requests were received during 2016 and the Commission responded to both,⁶¹ in implementation and enforcement of the requirements of the Law on Guaranteeing the Right of Access to Information.

The Media Complaints Committee

Among the positive developments introduced by the Audiovisual Media Law No. (26) of 2015, specifically Article (4/y) thereof, is the formation of a committee of specialists to consider complaints submitted by the public or by any other party concerning media content or material broadcast or recorded for the purposes of display or public circulation, or complaints by one licensee against another licensee.

The establishment of this committee is a positive step aimed at raising the standard of audiovisual content. The committee commenced its work in 2015, and the number of complaints it considered during 2016 amounted to (11) complaints, two of which fell outside the committee’s mandate and came within the scope of labour complaints.

On another level, it should be noted that the year 2016 witnessed the following:

- The number of electronic publications licensed reached (24), bringing the total number of licensed electronic publications as at the end of 2016 to (183). A total of (35) electronic publications were blocked for failing to obtain the requisite licence from the Commission, pursuant to the provisions of Article (49/a/1) of the Press and Publications Law No. (8) of 1998, as amended.
- The number of satellite stations licensed reached (10), bringing the total number of licensed satellite stations as at the end of 2016 to (49).
- The number of radio stations licensed reached (4), bringing the total number of licensed [radio] stations as at the end of 2016 to (42).
- The number of licensed radio rebroadcasting stations as at the end of 2016 reached three.
- Ten warnings were issued to ten electronic publications out of a total of (183), for failing to appoint an editor-in-chief owing to the post being vacant, pursuant to the provisions of Article (19/b) of the Press and Publications Law No. (8) of 1998, as amended.

⁶¹ Letter of the Media Commission received by the Centre No. (T/2611) dated 16/5/2017.

- A total of (240) cinematographic films were viewed, and the Commission did not object to the screening of any of them with the exception of (6) foreign films,⁶² pursuant to the provisions of Article (20/1) of the Audiovisual Media Law No. (26) of 2016 and Article (4/a) of the Regulation on Works and the Approval and Censorship of Audiovisual Works No. (63) of 2004.
- The number of book titles that entered the Kingdom and were circulated reached (141,000) one hundred and forty-one thousand titles, of which (694) were followed up by the Commission; the entry and circulation of (646) titles was approved and the entry of (48) titles was prohibited for contravening the provisions of Jordanian legislation relating to pornography and offence to the revealed religions.
- Seven violations were referred to the judiciary, comprising five violations by satellite stations, one violation by a production company and one violation by an electronic publication. It should be noted that the Commission did not institute any case against radio stations, nor did it refer any printed book to the judiciary during 2016.⁶³

On another level, the Centre monitored the following during 2016:

- On 4/8/2016, the Media Commission suspended the broadcast of a programme on one of the radio channels owing to its unprofessional content, consisting of an inappropriate comment on a fatwa issued by His Eminence the Grand Mufti of the Kingdom. The programme was subsequently put back on air by virtue of a decision issued by the Media Commission after fourteen days, on condition that the violation not be repeated.
- On 30/7/2016, the Media Commission suspended the broadcast of a morning programme on an English-language radio station for causing offence to official bodies and failing to respect the customs of civil society.
- In this regard, the Centre clarifies that the Media Commission relies, in suspending programmes, on the text of Article (8/s), which empowers the Commission to suspend the broadcast of any material or programme in exceptional cases that harm national security or social peace or that broadcast pornographic material. The Centre affirms in this regard the need to amend the Audiovisual Media Law so that the power to suspend the broadcast of any programme rests, in the first instance, with the judicial authority, whose judgments constitute the embodiment of truth.
- The Media Commission issued three warnings against certain electronic news websites and, on 4/10/2016, referred one of those websites to the judiciary for circulating false news and rumours relating to appointments to be made in certain security agencies.
- On 9/8/2016, the Media Commission suspended one of the electronic news websites on the grounds that, as an electronic newspaper, it must be subject to the same conditions as apply to printed newspapers, including that all its owners be Jordanian. The website

⁶² According to the Commission, the reasons for the ban relate either to the presence of sexual scenes and obscene language, or to religious reasons and the presence of material offensive to religions. Media Commission letter No. (T/2611) dated 16/5/2017.

⁶³ The above figures are according to the statistics of the Media Commission received by the Centre pursuant to letter No. (T/2611) dated 16/5/2017.

rectified this matter, and the Media Commission consequently restored the electronic news website on 18/8/2016. The Centre notes that the above-mentioned incident raises the problem of registering websites in order to avoid their being blocked, which constitutes a contravention of international human rights standards and a violation of the right to freedom of expression and the circulation of information. The principle is that the restrictions imposed must not obstruct the exercise of the essence of the right, as affirmed by Article (128) of the Jordanian Constitution. Moreover, international best practice in this field is limited to notification and, where a publication contravenes the law, violations are referred to the judiciary, which has the final say, so that the executive authority is not both adversary and judge at the same time.

e. Publication Ban (Gag) Orders

The Centre monitored the cases in which publication ban orders were issued during 2016; these circulars were issued by both judicial and non-judicial bodies. The Centre observes an expansion in the issuance of judicial orders banning publication during 2016, whereas the number of such orders amounted to five in 2015 and four in 2014.

Set out below are the publication ban orders issued by the regular Public Prosecution, which the Media Commission was requested to communicate to the media:

- A publication ban in the case of the Ministry of Social Development against the spokesperson for orphans, dated 12/5/2016.
- A publication ban on the security operation in Irbid Governorate (the Irbid cell), dated 3/6/2016.
- A publication ban on the events at the Baqa'a intelligence office, dated 6/7/2016.
- A publication ban in the case of the assault on a worker of an Arab nationality, dated 8/8/2016.
- A ban on publishing any information or any news relating to the proceedings of the trial of the writer and journalist Nahed Hattar.
- A publication ban in the case of the preacher Amjad Qourshah, dated 28/8/2016.
- A publication ban in the case of the murder of the writer and journalist Nahed Hattar, dated 29/9/2016.

On another level, the Centre monitored publication ban orders issued by other bodies, as follows:

- On 30/11/2016, the Military Judiciary Directorate issued an order banning the publication of any news or information relating to the Jordan Armed Forces – Arab Army – by any means whatsoever, whether through websites, social media or other media and publication outlets, in the public interest – as stated in the order. The order excluded statements issued by the media spokesperson of the Jordan Armed Forces (Arab Army). The order was based on Article (13) of the Law on Guaranteeing the Right of Access to Information No. (47) of 2007 and the provisions of the Press and Publications Law No. (8) of 1998.

- On 29/8/2016, the Media Commission issued a circular to press institutions not to publish anything relating to the King or the Royal Family other than what is issued by the Media Department at the Royal Hashemite Court, under penalty of liability.
- On 9/8/2016, the Disciplinary Committee of the Jordan Football Association issued an order banning publication in the case of the audio recording attributed to the president of Al-Wehdat Club, pending the conclusion of the investigation procedures and the issuance of a decision.

Within the framework of the Centre's follow-up of all matters relating to the state of freedom of expression in Jordan, the Centre monitored the following:

- The issuance, on 18/6/2016, of a decision by the Governor of the Capital ordering the blocking of six websites belonging to a group of companies providing access to judicial and financial databases and data on legislation and its amendments, on the basis of the Crime Prevention Law No. (7) of 1954. The aforementioned decision raises two issues of some importance. The first issue is the issuance of an administrative decision by the Governor of the Capital to block websites on the basis of the Crime Prevention Law, which constitutes an encroachment upon the judicial authority, which has jurisdiction to determine the lawfulness of such websites. The second issue is the existence of a legal loophole relating to the protection of personal data and the security of individuals in cyberspace, and the pressing need for provisions criminalising infringements of the right to privacy, particularly through information systems.⁶⁴
- The Centre monitored the issuance of correspondence by the Telecommunications Regulatory Commission to certain institutions, referring to the exploitation by certain parties of the social media platform (Facebook) to attack ideologies and to offend races, lineages, national origins, religious belief and public morals, in addition to its use as a means of violating human rights, impersonation and fraud. The letter also stated that the Commission had communicated with the public policy representative for the Middle East and North Africa region, and that it had been agreed that the Commission would coordinate with the company to report offensive pages for the purpose of blocking them in accordance with the community standards of (Facebook). In this regard, the Centre emphasises that the Commission used loose and broad terms in its letter which are very difficult to define. The Centre further emphasises the need to put an end to any speech involving hatred that takes place through social media sites, provided that this is done through the judicial authority, which holds original jurisdiction and whose judgments constitute the embodiment of truth.

The Right of Access to Information

During 2016, this right did not witness any developments relating to its substance or the mechanism of its application, and the legislative and practical challenges which the Centre has pointed out in its annual reports persist and continue to impede individuals' exercise of this right.

⁶⁴ The Centre published a specialised legal opinion on this subject on its website; see the link: www.nchr.org.jo/Arabic/tabid/95/mid/448/newsid448/614/Default.aspx

In this context, the Centre reaffirms its previous recommendations concerning the Law on Guaranteeing the Right of Access to Information and other legislation that constitutes an obstacle to the free flow of information and entrenches a culture of secrecy.

Among the positive developments witnessed by this right in 2016 was the inclusion of a criterion on the right of access to information among the criteria of the King Abdullah II Award for Excellence in job performance, with the aim of encouraging the relevant bodies to give effect to this right. The criterion provides, inter alia, for the integration of the transparency standards set out in the Law on Guaranteeing the Right of Access to Information into the strategy of the ministry or institution and the design of its processes, and for the provision of the necessary resources, including staff and their training, to ensure the achievement of transparency objectives; as well as for allowing staff and external users to access information and knowledge according to its classification, and for handling requests for access to information submitted to the ministry or institution.

On another level, the UNESCO Office in Amman, within the framework of the Media Support Project and in cooperation with the Information Council, trained information officers in the relevant institutions on the international standards relating to this right and best practices for its application, as part of promoting a culture of the right of access to information.

It is worth noting that the Information Council issued a circular to (84) ministries, departments and government institutions requesting them to provide the Council with the number of requests for access to information submitted to them during 2016; (45) bodies responded to the circular. The number of requests for access to information submitted to these bodies amounted to (12101) requests, of which (12077) were answered and (24) were refused, compared with (2140) requests submitted during 2015, of which (2094) were answered and (47) were refused. The number of complaints received by the Information Council in 2016 amounted to six complaints concerning failure to provide information to those requesting it. In five of them, the Council decided to forward a copy of the complaints to the bodies complained against for their review and for the taking of the necessary legal action, and it rejected the request on the merits in the sixth complaint because the information requested related to data classified as secret under Article (11/c) of the Law. By comparison, the number of complaints received by the Information Council during 2015 concerning the refusal of certain bodies to provide the information requested amounted to four complaints.⁶⁵

Within the framework of violations relating to this right in 2016, the Centre monitored the refusal of the National Electric Power Company, on 3/10/2016, to answer a question put to it by one of the electronic news websites concerning the electrical load on Sunday, 2/10/2016, the day which witnessed a popular campaign calling for lights to be switched off in protest against the gas agreement between the Jordanian National Electric Power Company and the American company Noble Energy (known as the Gas Agreement).⁶⁶

⁶⁵ According to the statistics received by the Centre from the Information Council up to 1/5/2017.

⁶⁶ See the news item at the link: <http://www.khaberni.com/news/175780>

The Centre likewise monitored the refusal to answer (27) requests for access to information submitted to (27) ministries and departments by a journalist concerning tenders awarded to former members of parliament by the Government, for the purpose of preparing an investigative press report on the volume of such tenders. No ministry or department provided this information, most of them claiming that such information was exempted under the text of Article (13/i) of the Law on Guaranteeing the Right of Access to Information, while one ministry answered the request two months after the expiry of the legal time limit for answering requests. The journalist submitted five complaints on the same matter to the Information Council.⁶⁷

On another level, the gas agreement between the Jordanian National Electric Power Company and the American company Noble Energy (known as the Gas Agreement) remains a secret agreement, and the Government has not disclosed its terms or published them for public review, at a time when the agreement affects the public and private rights of Jordanians. This caused a great public outcry in Jordan, and numerous groups staged sit-ins and protests in condemnation of and opposition to the agreement and the secrecy surrounding it. It is worth noting that on 20/3/2017, following several demands by its members, the House of Representatives received the said agreement from the Government; however, the House of Representatives likewise did not disclose its terms to the public. The Centre received a complaint concerning the refusal of the Prime Ministry to register a request submitted by an individual for access to the gas agreement. The Centre also received a complaint concerning the refusal of the Ministry of Energy to provide the gas agreement to the same person, who had submitted a request to that effect to the Ministry, on the pretext that the agreement constituted exempted information under the text of Article (13) of the Law on Guaranteeing the Right of Access to Information. The Centre addressed both the Prime Ministry and the Ministry of Energy, affirming the right of individuals to obtain the said agreement, and attached its legal opinion in support of providing the agreement to whoever requests it. The applicant challenged the decision of the Ministry of Energy before the Information Council, which rejected the request on the merits pursuant to the provisions of Article (13/a) of the Law on Guaranteeing the Right of Access to Information No. (47) of 2007, on 23/3/2017. The Commissioner General of the National Centre for Human Rights, who is a member of the Information Council, entered a reservation against this decision, affirming the right of the said person to receive all information relating to the agreement.

Hate Speech

The year 2016 witnessed a number of cases involving what is known as hate speech, the most prominent of which were:

1. The case of the writer and journalist Nahed Hattar, who was killed on 25/9/2016 following his sharing of a post on his personal page on the social media site (Facebook) that was considered – that is, the post – to be offensive to the Divine Essence, and the controversy and debates accompanying this case, which were marked by the character of hate speech.

⁶⁷ Journalist Musab Al-Shawabkeh, who prepared the investigative report, was contacted and provided the information set out.

2. The speech that accompanied the terrorist incident witnessed in the city of Istanbul on 31/12/2016, which resulted in the deaths of nearly forty people, including Jordanians, and the offensive comments about the victims that accompanied it.
3. The detention of a preacher on 14/6/2016 in connection with a video posted on (YouTube) that was described as inciting extremism, and the controversy accompanying this incident, which included offensive exchanges between supporters and opponents and reached the level of hate speech.
4. The death of a young musician in a traffic accident in mid-July 2016; in the course of this case the question arose as to whether it was permissible to pray for mercy on the young man on account of his religion (Christianity), and the discussions accompanying this matter reached the level of hate speech.
5. A cartoonist was subjected to death threats and insults following his publication on 22/11/2016, through his personal page on the social media site (Facebook), of a caricature entitled “The Last Post”, inspired by the painting “The Last Supper” by the artist Leonardo da Vinci. The post provoked negative reactions on the same site, as it was considered to constitute an offence to the Christian religion.
6. A female writer was subjected to death threats following her publication on 27/6/2016 of an article in a local newspaper in which she stated that Qur’an memorisation centres all engage in brainwashing and present ideological discourse, a great deal of chauvinistic discourse and hate speech, and that “all” the children of this nation who attend them are sleeper cells. The publication provoked negative reactions on the social media site (Facebook), as she had re-posted the article on her personal page on that site, it being considered to constitute an offence to the Islamic religion.
7. The violence and unlawful speech that accompanied a football match between the Al-Wehdat and Al-Ramtha teams at the beginning of September 2016, as well as the same violence and unlawful speech that accompanied the football match played between the Al-Wehdat and Al-Faisaly teams on 16/12/2016.
8. The inciting speech witnessed in some of the electoral campaigns in the elections to the Eighteenth House of Representatives, and the exchange of accusations between supporters of the electoral lists as a result of their opinions on certain issues.

The Centre monitored some of the repercussions of these cases, the most prominent of which were:

- An educationalist and a journalist received death threats in connection with the issue of school curricula, on account of their opinions, through which they expressed the need for the curricula to be amended. The Centre followed up those threats and sent correspondence to the Government and the judiciary on the need to prosecute those who made the threats.
- A cartoonist received death threats on account of a caricature which he was accused of containing an offence to the Christian religion.

- Approximately (16) persons were detained by the Public Prosecution on charges relating to inciting sectarian strife, contrary to the provisions of Article (150) of the Jordanian Penal Code, in connection with the murder of the journalist Nahed Hattar.
- Approximately (12) persons were detained and referred to the Public Prosecution on the charge of offending the victims of the Istanbul bombing through social media sites.

The Centre wrote to the Public Security Directorate to ascertain the number of complaints received by the Cybercrime Unit relating to hate speech. According to the Public Security Directorate's letter, the total number of cybercrimes handled by the Cybercrime Unit in 2016 amounted to (3655) complaints, ranging across cases of defamation, extortion, fraud, information theft, sexual abuse of children, impersonation and hacking. As regards the number of crimes relating to hate speech registered as formal complaints with the Cybercrime Unit, these amounted to six complaints.⁶⁸

The number of cases before the regular judiciary relating to the offence of inciting sectarian or racial strife or instigating conflict between communities and the various components of the nation, under the provisions of Article (150) of the Penal Code, amounted to (19) cases; convictions were handed down in (16) cases, while an acquittal was handed down in this context, according to the statistics provided to the Centre by the Judicial Council.

In this regard, the Centre emphasises the need to study the growth of the phenomenon of hate speech and its causes; the legislative deficiency with regard to the restrictions imposed on freedom of expression and their lack of clarity, as well as the lack of clarity as to what constitutes hate speech; the deficiency that marks policies in the field of both civil and political rights and economic, social and cultural rights; and the failure to promote the values of citizenship to the required extent, which has led to the growth of this phenomenon in recent times. The Centre also emphasises that the Plan for Combating Extremism, in its current form, constitutes a regression in the field of public freedoms and contains numerous problems that must be overcome so that it becomes a plan that strikes a balance between the protection of national security and the protection of human rights and freedoms. In the same context, the Centre further emphasises the need to identify the parties responsible for the aggravation of hate speech so as to be able to resolve the roots of the problem rather than merely addressing its causes.

Recommendations

The Centre emphasises that amending practices requires, in the first instance, amending the legislative system, which plays the fundamental role in the adoption of practices under a legal cover that lends them legitimacy. The Centre therefore reiterates its previous recommendations and at the same time emphasises the following:

1. Protecting the right of individuals to express their opinions, as well as the right of society to the maintenance of security; security considerations, however important, may not lead to the violation of freedom of expression and its restriction outside the framework of the considerations laid down

⁶⁸ Public Security Directorate letter No. (J/9/27/20632) dated 13 April 2017, received by the National Centre for Human Rights.

in Article (19/3) of the International Covenant on Civil and Political Rights, and to compliance with the restrictions set out in international human rights standards regarding the conditions that must be met for restricting freedom of opinion and expression and the right of peaceful assembly, namely that the restriction be precisely provided for by law and that it serve a legitimate aim consisting in: the protection of national security, public order, public morals, public health, or the rights and freedoms of others.

2. Resorting to detention only within the narrowest limits and for considerations relating to the proper conduct of the investigation and the maintenance of public order, and not treating it as the basic rule with release as the exception, since this constitutes a clear and explicit violation of the international standards relating to the right to a fair trial, and in view of its negative effects on the person of the inmate and his family in psychological, material and social terms.

3. Enabling individuals to exercise their right of peaceful assembly; refraining from prohibiting events conducted lawfully and by peaceful means; and refraining from requiring the prior approval of administrative governors for them, as this constitutes an express contravention of the text of Article (7) of the Public Gatherings Law No. (7) of 2014, as amended, peaceful assembly being one of the manifestations of freedom of expression of opinion.

4. Criminalising hate speech in a clear and explicit manner and in accordance with a precise legal text, in order to avoid the use of this discourse as a means of restricting freedom of expression, particularly in light of the vagueness and imprecise drafting of the text of Article (150) of the Penal Code.

5. The need to establish clear policies in the field of combating hate speech that focus on the values of human rights and citizenship and that strengthen economic and social rights and public freedoms; and to reconsider the National Plan for Combating Extremism, which in its initial form imposed further restrictions on public freedoms, and in particular on freedom of expression.

6. Promoting the exercise of freedom of expression in universities, and refraining from imposing penalties on students or members of the teaching staff for expressing their opinions.

7. The Right of Assembly

In 2016, the Centre monitored the continued prohibition by the Government of the holding of a number of peaceful events and the use of force to disperse some of them. The **National Centre for Human Rights issued a statement in which it affirmed** that the right of assembly and all forms of peaceful protest are guaranteed under the law, the Constitution and the international human rights standards to which Jordan is committed, and that the exercise of this right, its expression or its undertaking does not require prior permission or a licence; rather, it suffices to notify the competent authorities of the time and place of any activity held pursuant to this right, in order to ensure the protection of its organisers and their free exercise of this right. Accordingly, it is not permissible in any way whatsoever to prohibit its exercise or to obstruct any activity associated with it unless such activity departs from its peaceful character. The Centre expressed

its concern over the repeated prevention by law enforcement agencies of citizens from exercising this right and the obstruction of a number of peaceful collective activities.⁶⁹

The most prominent events which the Centre monitored as having been prohibited by law enforcement agencies were:

1. The prevention of the Islamic Action Front Party from holding a rally to launch its electoral lists at the Roman Amphitheatre/Amman. The facts may be summarised as follows: one of the institutions concerned with media production and training (the party entrusted with preparing the logistical and technical arrangements for holding the rally) had concluded an agreement with the Department of Antiquities on 22/8/2016 to hold a rally to launch the electoral lists of the Islamic Action Front Party at the Roman Amphitheatre/Amman. This was followed by the Governor of the Capital issuing instructions to the Commander of the Capital Region Police, by virtue of his letter dated 22/8/2016, on the need to take the necessary security measures for holding the event. By 25/8/2016, the Director General of the Department of Antiquities had sent a written letter to the institution by which he withdrew from the holding of the event, justifying that decision on the grounds that, with a view to preserving the historical value of archaeological sites, they must not be a venue for electoral promotion and campaigning.⁷⁰
2. The prohibition of an event organised by the “Dialogue for Change” initiative, which was to include a panel discussion entitled “A Reading of the Electoral Scene” at Saqiyat Al-Darawish café on Sunday, 28/8/2016. The prohibition was effected by the director of the office of the Governor of the Capital contacting the owner of the café and informing him of the decision to prohibit the holding of the event, notwithstanding that the administrative governor had been notified (72) hours prior to the holding of the event. Accordingly, the National Centre for Human Rights sent official correspondence to the Governor of the Capital requesting clarification of the reasons for prohibiting the event; however, the Centre has not received any response to date.
3. On 29/9/2016, the Centre monitored the prevention of members of the Jordanian Anti-Zionism and Racism Association (JAZRA) from holding a protest stand near the Kalouti Mosque/the Capital to demand the cancellation of the gas agreement concluded between the Jordanian National Electric Power Company and the American company Noble Energy (known as the Israeli Gas Agreement).
4. On 22/10/2016, the Centre monitored the prevention of the Phenix Centre for Economic and Informatics Studies from holding an event to launch the opinion poll it had previously conducted on the extent to which Jordanians enjoy economic and social rights and on citizens’ confidence in the Jordanian economy.⁷¹

⁶⁹ Statement of the National Centre for Human Rights on the right to peaceful assembly, in February 2016, published on the Centre’s website, www.nchr.org.jo.

⁷⁰ The Centre followed up on this case, carried out the necessary verification thereof, and reviewed the documents relating to it.

⁷¹ A complaint received by the National Centre bearing No. (Sh/241/2016).

5. On 17/11/2016, the security agencies prevented the Islamic Action Front Party/Karak branch from holding the Sixteenth Al-Aqsa Festival; the activists' tent was demolished and the area was flooded with water.⁷²

6. Activists in the Jordanian National Campaign to Cancel the Gas Agreement concluded between the Jordanian National Electric Power Company and the American company Noble Energy (known as the Israeli Gas Agreement) were prevented, in Zarqa on 25/11/2016, from organising a march in Zarqa Governorate against the gas agreement with Israel.⁷³

7. The management of Yarmouk Water Company prevented employees staging a sit-in from erecting a tent in the rear courtyard of the company's headquarters; the tent was removed as it was being erected on 19/3/2016. The same employees staged a sit-in on 20/3/2016. The sit-in was held to demand labour rights, and agreement was reached on some of the demands, including the savings fund. The matter was subsequently referred as a labour dispute to the Ministry of Labour and to the Conciliation Committee on 15/3/2016.⁷⁴

8. A group of members of the popular movement (Hirak) were prevented from holding a protest stand in the area adjacent to the Prime Ministry headquarters to demand the cancellation of the gas supply agreement signed between the Jordanian Government, represented by the National Electric Power Company, and the American company [Noble] Energy, on 11/12/2016. Approximately (41) persons participating in the protest stand were arrested, taken to the Central Amman Police Directorate and compelled to sign undertakings not to participate in any unlawful sit-in, after which they were immediately released. The Centre wrote to the relevant authorities informing them of the violations committed during the sit-in.⁷⁵

9. The prohibition of an event organised by the Law Centre for Human Rights "Mizan", which had been scheduled to take place on 28–29/12/2016 and comprised an advanced training course on human rights topics for a number of activists in this field from the Republic of Yemen. The prohibition was effected by the director of the office of the Governor of the Capital contacting the centre and informing it of the decision to prohibit the holding [of the event] on the grounds that the activity contravened the purposes for which the centre was established, notwithstanding that notification had been given (14) days prior to the holding of the event.⁷⁶

Through monitoring the prohibition of events, and by reference to the legal rules regulating the right of peaceful assembly set out in the Public Gatherings Law No. (7) of 2004, as amended, the Centre finds the following:

a. The Jordanian legislator has not imposed any prior obligation in respect of the holding of peaceful assemblies other than notifying the territorially competent administrative governor (48) hours before the holding of the event, for the purpose of ensuring that law enforcement agencies

⁷² Letter of the Islamic Action Front Party / General Secretariat No. (9/M/133/24/5) dated 23/11/2016.

⁷³ Page of the National Campaign to Bring Down the Gas Agreement (Facebook), dated 25/11/2016.

⁷⁴ Al-Dustour newspaper, Issue No. (17490), dated 22/3/2016.

⁷⁵ The National Centre for Human Rights' monitoring report on the sit-in; the Centre addressed H.E. the Minister of Justice and H.E. the Minister of Interior with the content of its monitoring report and the observations recorded.

⁷⁶ The Centre verified this incident by contacting the relevant official bodies and the relevant parties, and by reviewing the related documents.

take the security measures and procedures necessary to maintain security and order and to protect public and private property.

b. The above-mentioned Public Gatherings Law has not conferred on the administrative governor any pre-emptive power to prohibit the holding of events before they take place; rather, his power under the text of Article (7) of the Public Gatherings Law is confined solely to dispersing an assembly if he considers that its proceedings may endanger lives or public or private property or prejudice public safety.

In light of the foregoing, the Centre considers that the pre-emptive prohibition of events by law enforcement bodies constitutes a violation of the right of individuals to peaceful assembly and a breach of Jordan's obligations at the international level.

On another level, the subjects of sit-ins, protest stands, marches and popular events in 2016 varied, and the areas of demands ranged across social, economic, political, national, educational and developmental demands. The Centre monitored a number of sit-ins staged by students or their parents, the most prominent of which were:

1. The Centre monitored the open-ended sit-in staged on 28/2/2016 by students of the University of Jordan, which continued for (25) days on the university campus in protest against the increase in university fees for the parallel programme for postgraduate studies in 2014. The students also staged two marches on 4/4/2016 for the same reasons and demands,⁷⁷ and demanded the cancellation of the decision to increase university fees for the parallel programme for postgraduate studies of 2014. The university administration switched off the lights at night and confiscated blankets because the students were spending the night inside the university, and prevented the media from reaching the protesters. On 6/4/2016, the Board of Trustees of the University of Jordan decided to reduce university fees for the parallel programme at the bachelor's and postgraduate levels.⁷⁸
2. On 11/10/2016, students of the University of Jordan held a protest stand rejecting the gas agreement concluded between the Jordanian National Electric Power Company and the American company Noble Energy (known as the Israeli Gas Agreement) and demanded its cancellation.⁷⁹
3. On 3/5/2016, students of Al al-Bayt University held a protest stand against the inadequacy of the transport system to and from the university, and unknown persons dispersed the sit-in on the university campus by force. Hundreds of students boycotted the buses on the University–Mafraq line on 3/5/2016 and demanded an increase in the number of buses allocated to the line, the organisation of transport and the application of government transport subsidies to university students.⁸⁰
4. The National Centre for Human Rights monitored the student movement at the Hashemite University during 2016, which arose to demand that students be exempted from the university

⁷⁷ Al-Dustour newspaper, Issue 17504, dated 5/4/2016.

⁷⁸ The Centre's monitoring report on the sit-in of University of Jordan students, dated 29/5/2016.

⁷⁹ Ammon News, 11/10/2016.

⁸⁰ Al-Ghad newspaper (Jordan), 4/5/2016.

fees incurred as a result of registration in the summer semester, on the grounds that they had not completed attendance of lectures and sitting examinations, and also to demand an extension of the period for payment of university fees for the first semester. As a result of the university administration's failure to respond initially, the students staged two protest stands, the first on 4/8/2016 and the second on 27/9/2016. Both events involved staying and spending the night on the university campus. The students were exempted from the fees by virtue of a decision issued by the Council of Deans on 28/9/2016. The university administration dismissed one of the students for committing certain violations – according to the university administration – including calling on students to stage a sit-in and participating in it, which took place on 27/10/2016. The students staged sit-ins on 27/10/2016 and 2/11/2016 to demand the reversal of the decision to dismiss that student.⁸¹

5. On 2/4/2016, parents of General Secondary Education students studying in Sudan staged a sit-in in front of the Karak Governorate building and closed the main road passing through the centre of the Al-Marj suburb towards the city of Karak, in protest against the decision of the Ministry of Education not to recognise General Secondary Education certificates issued by the Republic of Sudan.⁸² The parents also staged a sit-in for the same reasons on 10/4/2016.⁸³

6. Some employees of the Ministry of Health who are parents of General Secondary Education students protested against the Ministry's decision excluding their children holding non-Jordanian General Secondary Education certificates from applying for the medical seats allocated to the children of Ministry employees, and demanded that the decision be reversed.⁸⁴ **The Centre also monitored a number of sit-ins carried out by teachers, including the following:**

1. The National Centre for Human Rights monitored a sit-in held by teachers and parents in front of the Ministry of Education building,⁸⁵ during which a number of them burned school textbooks in protest against the amendments to the curricula.

2. The Centre monitored a sit-in held by teachers of the Campaign for the Defence of School Curricula in front of the Grand Hussein Mosque/Downtown on 28/9/2011. The sit-in came in response to the amendment of the curricula carried out by the Ministry of Education.⁸⁶

3. Dozens of male and female supplementary (additional-work) teachers held a sit-in at the Qasabat Al-Mafraq Directorate of Education on 23/8/2016 in front of the Directorate building, in protest against the new Instructions of the Ministry of Education which exclude them from the competitive examination for appointment and give priority in appointment to retired teachers at the expense of supplementary teachers.⁸⁷

⁸¹ Summary of the Centre's monitoring of the Hashemite University students' movement, dated 27/11/2016.

⁸² Al-Ghad newspaper, 4/4/2016.

⁸³ Al-Dustour newspaper, 11/4/2016.

⁸⁴ Al-Dustour newspaper, 23/8/2016.

⁸⁵ Report of the National Centre for Human Rights on the protest vigil rejecting the amendment of the curricula near the Ministry of Education, dated 28/9/2016.

⁸⁶ Report of the National Centre for Human Rights on the protest vigil rejecting the amendment of the curricula in the Downtown area, dated 25/9/2016.

⁸⁷ Al-Dustour newspaper, 24/8/2016.

4. Students, teachers and parents in five governorates, namely Irbid, Zarqa, Ajloun, Jerash and Salt, staged protests against the decision of the Ministry of Education regarding the start of the school day at 8:30 a.m. Students of the Kufranjah Secondary and Basic Schools for Boys in Ajloun also organised a sit-in and a student march on 11/10/2016 for the same reasons.

5. Hundreds of teachers in Jerash Governorate and parents of students held a protest on 10/10/2016 for the same reasons set out above, and because of the increase in teachers' class loads, which exceeded (26 classes) without payment of overtime allowance. The Instructions were subsequently amended, setting the load at (24 classes), with an overtime allowance paid for any classes in excess thereof.⁸⁸

Likewise, dozens of students held a protest in front of the Salt Directorate of Education building on 10/10/2016 for the same reasons and demands as above. They threw stones at the Directorate of Education building, blocked the main road and lit fires in the middle of the street, causing severe traffic congestion.⁸⁹

The Centre also monitored a number of sit-ins held for various reasons, including the following:

1. On 29/3/2016, the campaign “My Mother is Jordanian and Her Nationality is My Right” held a sit-in in front of the Prime Ministry in protest against the problems faced by the women's children in obtaining the service privileges approved by the Government in November 2014 relating to work permits, property ownership, education, health, work and investment, and obtaining a third-category driving licence. The women demanded that nationality be granted to their children.⁹⁰

2. A number of lawyers held a sit-in on 28/2/2016 in front of the Professional Associations Complex, demanding the cessation of the work of legal aid centres and the implementation of the Bar Association's decisions relating to those centres, that the Government refrain from granting new permits to such centres under various designations, that action be taken to abolish the existing ones, and that the provision of legal aid be restricted to the Jordan Bar Association.⁹¹ They also held a protest on 13/4/2016 for the same reasons.⁹²

3. Unemployed persons in the Dhiban area set up an open-ended sit-in tent to demand jobs. On 29/4/2016 they organised a march that set out from the Grand Mosque of Dhiban to the tent site, in protest against the lack of fairness in appointments to jobs. The Centre also monitored another sit-in by the people of the Dhiban area on 12/5/2016, during which they likewise demanded the provision of job opportunities for their unemployed sons.⁹³ A further sit-in was also held for the same reasons on 14/6/2015. On 15/6/2016 the security authorities dispersed the sit-in of the Dhiban Movement (Hirak) by force. This was followed by the people of the Dhiban area

⁸⁸ The Centre identified these reasons by communicating with the Director of Education of Mafraq on 12/3/2017.

⁸⁹ Al-Ghad newspaper, 12/10/2016.

⁹⁰ Al-Dustour newspaper, 30/3/2016.

⁹¹ Al-Ghad newspaper, 29/2/2016.

⁹² Al-Ghad newspaper, 14/4/2016.

⁹³ The first report of the National Centre for Human Rights on the sit-in of the Dhiban movement, dated 12/5/2016.

rebuilding the sit-in tent on 16/6/2016.⁹⁴ The Dhiban events resulted in the detention of (23) persons and injuries to three Gendarmerie personnel and two citizens. It should be noted that the detainees were released on 22/6/2016,⁹⁵ and that a complaint was referred to the judiciary on 14/7/2016 against two of the participants in the sit-in, who were released on 24/7/2016.

4. The people of Petra held a protest on 26/5/2016, blocking roads with burning tyres and stones and setting fire to certain property and building materials owned by relatives of deferred-sale traders, demanding their financial rights.⁹⁶

5. A number of residents of Ajloun organised a protest in front of the Ajloun Municipality building on 30/8/2016 because of the accumulation of waste resulting from the breakdown of four compactor trucks and the closure of the main transfer station, which affected the environment and the health of citizens. They demanded an improvement in the level of services and in the state of cleanliness in the Governorate.⁹⁷

6. The Centre monitored a protest held by the family and friends of the writer Nahed Hattar, in which approximately (350) persons gathered in front of the Prime Ministry building to denounce what they described as the Government's failure to protect the journalist, who was killed in front of the Palace of Justice. They demanded that the harshest penalties be imposed on the perpetrator. The participants' protest ended peacefully.⁹⁸

7. A number of private-sector centres for persons with disabilities held a sit-in in front of the House of Representatives on 27/4/2016 in protest against the provisions of the Draft Law on the Rights of Persons with Disabilities of 2016, in particular Article (27), which provides for the closure of private-sector special education centres. According to their statements, they demanded that this step be rejected because of its negative effects on this sector.⁹⁹

The Centre also monitored a number of sit-ins carried out by civil society organisations and by activists in the popular movement during 2016, including the following:

1. The Centre monitored a protest held by the National Campaign to Bring Down the Gas Agreement on 14/10/2016 in Downtown/in front of the Hussein Mosque. The protest dispersed voluntarily and peacefully.

2. The Centre monitored the protest organised by the Youth Movement on 21/10/2016, likewise demanding the cancellation of the Gas Agreement. The protest dispersed voluntarily and peacefully.¹⁰⁰

⁹⁴ The second report of the National Centre for Human Rights on the sit-in of the Dhiban movement, dated 17/6/2016.

⁹⁵ Al-Ghad newspaper, 26/2016.

⁹⁶ Al-Dustour newspaper, 29/5/2016.

⁹⁷ Petra News Agency, 30/8/2016.

⁹⁸ The Centre's report on the vigil held by the family and friends of the writer Nahed Hattar, dated 26/9/2016.

⁹⁹ Al-Dustour newspaper, 28/4/2016.

¹⁰⁰ Report of the National Centre for Human Rights, dated 21/10/2016.

3. The Centre monitored a sit-in held by political activists on 28/11/2016 in front of the building of the National Centre for Human Rights over the detention of a political activist,¹⁰¹ and the administrative governor's intention to impose compulsory residence on him in Zarqa Governorate. They demanded his release and that no such decision be issued against him.¹⁰²

The Centre also monitored a number of labour sit-ins during 2016, including the following:

1. The workers of Al-Abyad Fertilizers and Chemicals Company, numbering (385) workers, organised a strike that began on 8/3/2016 and continued until 10/3/2016 over the dismissal of (13) workers. The workers demanded that the company management reverse its decisions and meet the workers' demands.¹⁰³ This dispute was subsequently settled by means of a labour agreement at the initiative of several relevant parties.¹⁰⁴

2. Dozens of members of the Communist Party and the Popular Action Movement (HASHD) held a sit-in on 2/5/2016 in front of the Prime Ministry in protest against low workers' wages. They demanded that the wages of workers in both the public and private sectors be raised in view of the high cost of living in the country.¹⁰⁵

3. Dozens of workers and employees of the Irbid Electricity Company held a sit-in on 5/5/2016 in protest against the failure of the Board of Directors to consider their living and occupational demands, and they demanded labour rights.¹⁰⁶

4. Employees at the Jordan Steel factory in Al-Hashemiyya District, Zarqa Governorate, went on strike in protest against the dismissal of an employee on 18/8/2016 and, according to the employees, because of the curtailment of their labour rights.¹⁰⁷ The protest ended peacefully.¹⁰⁸

5. Employees of the Royal Falcon company held a sit-in on 8/10/2016 to demand their financial rights and the resumption of the company's operations, which had ceased a month and a half earlier because the licence of Royal Falcon Airlines was suspended on 16/8/2016 for reasons relating to international and national safety and aviation safety.¹⁰⁹

6. A group of workers held a sit-in on 17/10/2016 at the Petra Tourist Complex, demanding an increase in their wages and a reduction in working hours.¹¹⁰ It emerged that the workers, numbering approximately (20–25) workers, had been trained for two weeks prior to their employment in the mixture of sand and lime, and were then employed in the Tourist Villages project to reduce unemployment at a daily wage of 15 dinars.¹¹¹

¹⁰¹ The aggrieved party (A.S.), subject of complaint No. (Sh/249/2016).

¹⁰² Report on the sit-in in front of the Centre's building, dated 29/11/2016.

¹⁰³ Al-Rai newspaper, 10/3/2016.

¹⁰⁴ Al-Rai newspaper, 23/3/2016.

¹⁰⁵ Al-Dustour newspaper, 3/5/2016.

¹⁰⁶ Al-Rai newspaper, 6/6/2015.

¹⁰⁷ Al-Dustour newspaper, 22/8/2016.

¹⁰⁸ A telephone call with the aggrieved party (M.H.) to ascertain the details of the measures taken.

¹⁰⁹ Al-Ghad newspaper, dated 6/10/2016.

¹¹⁰ Ammon News, dated 17/10/2016.

¹¹¹ Verification by contacting the Petra Region Authority on 17/10/2016.

On another level, certain associations carried out a number of sit-ins during 2016, including the following:

1. Pharmacists held a protest in front of the Professional Associations Complex on 28/5/2016 under the slogan “Liberate the Jordan Pharmacists Association”, over the postponement of the Association’s elections. They demanded that a date be set for holding their Association’s elections, in view of the fact that the delay obstructs the application of the law, causes serious damage to the work of the Association and suspends democratic life within it.¹¹² The Rescue Committee in the Jordan Pharmacists Association held another protest on 11/6/2016, again demanding that elections for the Council of the Pharmacists Association be held. Members of the Pharmacists Association also held another protest on 20/6/2016, through which they called for the continuation of the open-ended sit-in at the Pharmacists Association on 22/6/2016 until an agreement was reached on the date of the elections.¹¹³ Dozens of pharmacists reiterated the above demands by holding a protest in front of the Prime Ministry on 24/7/2016.¹¹⁴
2. The Freedoms Committee of the Jordan Engineers Association organised a sit-in on 2/8/2016 in front of the Professional Associations Complex in solidarity with Bilal Kayed, a prisoner held by the Israeli occupation who was on hunger strike.¹¹⁵
3. The professional associations and the Committee for the Protection of the Homeland and Resistance to Normalisation held a protest march in front of the Hussein Mosque on 1/10/2016, demanding the cancellation of the gas agreement concluded between the National Electric Power Company of Jordan and the American company Noble Energy (known as the Israeli Gas Agreement). The march took place peacefully,¹¹⁶ and the Centre likewise monitored two protests held by the same body at the beginning of October 2016 demanding the cancellation of the Wadi Araba Agreement.¹¹⁷

Recommendations:

The National Centre for Human Rights reaffirms its recommendations relating to this right in its previous reports and, in particular, reiterates the following observations:¹¹⁸

1. Adherence to the legal safeguards set out in the international standards on the use of force by law enforcement officials, and the adoption of a policy of proactive disclosure of the reasons for its use.
2. The Centre affirms that the pre-emptive prohibition by law enforcement authorities of the holding of events constitutes a violation of the right of individuals to peaceful assembly and a breach of Jordan’s obligations at the international level. The Centre therefore recommends that

¹¹² Al-Ghad newspaper (Jordan), dated 29/5/2016.

¹¹³ Al-Ghad newspaper (Jordan), 21/6/2016.

¹¹⁴ Al-Ghad newspaper (Jordan), dated 25/12/2016.

¹¹⁵ Al-Dustour newspaper, 3/8/2016.

¹¹⁶ The Centre’s report on the march, dated 3/10/2016.

¹¹⁷ Monitoring report of the National Centre for Human Rights, dated 6/10/2016.

¹¹⁸ For more information on these recommendations, see the reports of the National Centre for Human Rights for the years 2012, 2013 and 2014, and for 2015.

practices in dealing with all forms of peaceful assembly be brought into conformity with international human rights standards.

8. The Right to Form and Join Political Parties

Notwithstanding the recent enactment of the Political Parties Law No. (39) of 2015,¹¹⁹ it still contains a number of gaps which the National Centre for Human Rights, in its Annual Report for 2015, stressed must be remedied in order to bring it into conformity with the Jordanian Constitution and the relevant international standards.

As regards legislative developments in 2016, on 27/7/2016 the Council of Ministers approved a draft Regulation amending the Regulation on Contribution to the Support of Political Parties No. (53) of 2016,¹²⁰ under which additional financial support is provided, subject to specified conditions, to parties participating in parliamentary elections. Under the amended Regulation, the financial contribution provided to a party shall be (50) thousand dinars annually, with the possibility of the party benefiting from an additional amount not exceeding a further (50) thousand dinars, provided that the party proves that its declared candidates for the elections have covered no less than 35% of the electoral districts, and that it has candidates who joined it no less than one year before the date of the elections, excepting therefrom parties that have not been licensed for one year. The additional amount shall be allocated as (20) thousand dinars for expenditure on electoral campaigns and publicity in the year in which the elections are held, while five thousand dinars shall be allocated to parties participating in a party coalition comprising no fewer than (12) parties, provided that the coalition is publicly declared; five thousand dinars for each seat won in the House of Representatives by a member of the party as a declared candidate of the party, up to a maximum of five seats, in the year in which the elections are held; and an amount of five thousand for each new branch office of the party after its main headquarters and its four branch offices, for their expenses and management.¹²¹ Upon review of the provisions of this Regulation, the National Centre records the following:

- The regulation of the financial support of parties must be effected through the Political Parties Law itself, by laying down basic and clear criteria therefor. Leaving the regulation of this important matter to a Regulation may constitute a tool for the executive authority's interference in the work of parties.
- The Regulation conditions a party's entitlement to the financial contribution on its having no fewer than five hundred members drawn from at least seven governorates, with members from each governorate constituting no less than 5%, and on one year having elapsed since these conditions were met.¹²² These restrictions are unjustified and open the door to nominal membership of parties for the sole purpose of meeting the conditions of entitlement to financial support. Moreover, these restrictions will ultimately result in

¹¹⁹ Published on page (7835) of Official Gazette Issue No. (5358) dated 16/9/2015.

¹²⁰ Published on page (2620) of Official Gazette Issue No. (5397) dated 16/5/2016.

¹²¹ See Articles (4 and 5) of the Regulation on Contributing to the Support of Political Parties No. (53) of 2016.

¹²² Article (3/d) of the said Regulation.

certain parties, to the exclusion of others, obtaining the basic and additional support, owing to the breadth of their popular base and the spread of their branches.

- In order for a party to be entitled to the financial contribution, the Regulation requires that the proportion of women among the party's members be no less than 10% and that one year have elapsed since this condition was met,¹²³ without laying down specific criteria such as that women's membership be effective and that women occupy a share of leadership positions in the party; this means that women's participation will most likely remain nominal participation lacking effectiveness.
- Article (3/e) of the Regulation defines exhaustively the heads of expenditure of the financial contribution, namely rent for the party's headquarters and branches, operating expenses and staff salaries. This entails a contravention of the Political Parties Law itself, specifically Article (26) thereof, which provides that a party may invest its resources and funds within the Kingdom in seven ways, and that a party shall spend its funds on the purposes stipulated in the party's statute in a manner not contrary to the provisions of the Law. Furthermore, these limitations will prevent financial support from being spent on important items relating to the work of parties, such as the costs of issuing the party's periodical publication and the costs of making the party, its objectives, ideology and programmes known, among others.
- The legislator did well in placing oversight of the allocations and funds of parties under the general jurisdiction of the Audit Bureau, in order to verify the soundness of their expenditure and to enhance transparency.¹²⁴

On another level, the number of licensed political parties reached (60) parties by the end of 2016, whereas by the end of 2015 the number had been (37) parties.¹²⁵ The year 2016 also witnessed the refusal to license (11) parties on the ground that they had not fulfilled the licensing conditions set out in the Law. The NCHR Commissioner General had expressed reservations about the Committee's decisions refusing the establishment of such parties, since the Law itself contravenes the relevant international standards.

The year 2016 also witnessed a number of important events in the course of the work of Jordanian parties, particularly in relation to their contesting the parliamentary elections held that year. The most important of these events were the following:

- The representation of parties in the Eighteenth House of Representatives reached 17%, equivalent to (22) deputies representing (11) parties in the Eighteenth Parliament, namely: the Islamic Action Front (15 deputies of the National Alliance for Reform), the National Current (7 deputies), the Jordanian United Front (one deputy), the Islamic Centrist (Wasat) Party (two deputies), "Zamzam" (5 deputies), the Jordanian National Union (one deputy), the National Action Front (one deputy), the Arab Progressive Baath (one deputy), Justice

¹²³ Article (3/d) of the said Regulation.

¹²⁴ Legal opinion on the Regulation on Contributing to the Support of Political Parties No. (35) of 2016, published on the website of the National Centre for Human Rights: www.nchr.org.jo.

¹²⁵ This information was verified through a telephone call on 9/3/2017 with Mr. Fakhri Shneikat, Secretary of the Political Parties Affairs Committee at the Ministry of Political Development.

and Reform (two deputies), Jordanian Wafa (one deputy), in addition to the Jordanian Aoun Party (one deputy).¹²⁶

- During 2016, the Ministry of Political and Parliamentary Affairs, in coordination with several Jordanian parties and civil society institutions, organised a number of conferences, seminars and meetings on building the capacities of political parties and their role in parliamentary elections. These addressed several topics, including: enhancing parliamentary culture among political parties, the political management of parties for parliamentary work, mechanisms for addressing challenges, and training programmes to assist parties in developing strategic plans for their work.

In another context, the National Centre for Human Rights followed up a complaint concerning the refusal of the application to license the Jordanian Civil Gathering Party (under establishment). The Ministry of Political and Parliamentary Affairs affirmed that, in refusing to license the party for contravening the provisions of the Political Parties Law, it had applied the provisions of that Law, notwithstanding the reservation expressed on the refusal decision by the representative of the National Centre for Human Rights in his capacity as a member of the Committee pursuant to Article (9) of the Political Parties Law. The founders of the party, for their part, claimed that the official authorities had refused to license the party “for sectarian, ethnic and racist reasons relating to the skin colour of the founders”. The National Centre for Human Rights addressed the Minister of Political and Parliamentary Affairs to verify these allegations, and stressed the gravity of the ground for refusal and its contravention of the Law and of the international standards on the absolute freedom of citizens to exercise the right to form parties. The interested parties filed a judicial challenge against the decision not to register before the Jordanian administrative judiciary, and the Administrative Court (the court of first instance) issued a ruling rescinding the decision of the Parties Committee and entitling the party to registration. However, the Administrative Public Prosecution did not accept the ruling and appealed it before the High Administrative Court at the end of February 2017.

- On 17/4/2016, the Islamic Action Front Party announced “an attempt by a security force to close the party’s General Secretariat headquarters in the Abdali area” in Amman. The Government at the time hastened to stress “the legality of the licensed party and the need to resolve the conflation between the party and the Group”.¹²⁷
- In the course of the Centre’s follow-up of a complaint concerning the closure of the headquarters of the Islamic Action Front Party in the city of Aqaba pursuant to an administrative decision issued by the Governor, a monitoring visit was carried out to the area, the administrative governor was interviewed, and a report was prepared thereon recommending that the interested parties challenge this decision. On 9/3/2016, the party filed Challenge No. (108/2016) before the Administrative Court, which ruled, as a result of the case, to annul the decision of the Governor of Aqaba ordering the closure, on the ground that the Governor’s decision constituted an infringement of the principle of the separation of powers through interference in the jurisdiction of the judiciary over a rights dispute pending before it. The ruling was upheld by the High Administrative Court in Case

¹²⁶ Al-Ghad newspaper, 23/10/2016.

¹²⁷ Al-Ghad newspaper, 18/4/2016.

No. (275/2016); however, as of this date, the Governor of Aqaba continues to refrain from implementing the Court's ruling.¹²⁸

- In 2016, most Jordanian parties supported the demands advocated by the student movement concerning the increase in fees for postgraduate studies and for study under the parallel programme, which places financial burdens on students' families that they are unable to bear, entrenches class divisions in education and deprives the children of the poor of the opportunity to complete their university studies.
- The year 2016 witnessed the detention of activists from certain (Jordanian parties) in connection with their participation in certain events. The parties condemned this, on the basis that Article (19) of the Political Parties Law provides that: "No citizen may be subjected to interference, questioning or accountability, nor may his constitutional or legal rights be prejudiced, by reason of his party affiliation." Among these was a member of the Popular Unity Party (H.A.).¹²⁹

Recommendations:

In order to reaffirm the protection of the right to form and join political parties and the development and invigoration of party life on sound democratic foundations, the Centre once again stresses the need to adopt the recommendations it set out in its previous annual reports, in particular the following:

1. Adoption of a notification system for the establishment of parties, by requiring only that those wishing to establish a party notify the Committee in order to exercise their political activities and promote the party's idea, instead of applying for establishment, and without requiring the Committee's approval.
2. The Constitution should provide that the objectives of a party include guaranteeing the peaceful transfer of power in the course of the work of parties; pending the amendment of the Constitution, this provision may be included in the Political Parties Law.
3. The Political Parties Law should include the substantive and procedural criteria for the bases of providing financial support to parties, rather than merely regulating them by Regulation.

9. The Right to Form and Join Trade Unions

The constitutional basis for the establishment of trade unions is Article (16/2) of the Jordanian Constitution, which is consistent with the content of Article (8) of the International Covenant on Economic, Social and Cultural Rights and Article (22) of the International Covenant on Civil and Political Rights.¹³⁰

¹²⁸ As stated by Lawyer Bassam Freihah, attorney of the Islamic Action Front Party, in an interview with him at the premises of the National Centre for Human Rights on 26/12/2016, and in a telephone call with him on 15/3/2017.

¹²⁹ Al-Ghad newspaper, 7/4/2016.

¹³⁰ Article (23/4) of the Universal Declaration of Human Rights provides that: "Everyone has the right to form and to join trade unions for the protection of his interests." See also Article (8) of the International Covenant on Economic, Social and Cultural Rights, and Article (22) of the International Covenant on Civil and Political Rights.

However, the Jordanian Labour Law No. (8) of 1996 contains provisions that contravene the essence of the right of individuals to form trade unions in accordance with the constitutional right reinforced by the aforementioned international standards. In accordance with the classification issued by the Tripartite Committee for the Classification of Occupations, this Law restricts the right of individuals to establish labour unions, as under this Law it is not permissible to establish new unions for workers in the same occupation, or in similar occupations or occupations linked to one another in a single production process. It also requires prior licensing from the Ministry of Labour before the legal personality of this juristic entity (the unions) is recognised, instead of mere notification as ought to be the case. The Law further grants the executive authority, represented by the Minister of Labour, the power to dissolve labour unions. The National Centre for Human Rights reiterates its previous recommendations on the need to remove all the aforementioned legal restrictions.

As regards professional associations, they are established under special laws; accordingly, the exercise of the right to establish and join professional associations is contingent upon the issuance of the law establishing the association and its passage through the necessary constitutional stages. Consequently, there is an absence of freedom of individual initiative in the establishment of associations.

The Centre stresses the need to enact a law guaranteeing the right of employees in any government ministry, department, authority or institution to establish their own union. The Centre urges Parliament (the National Assembly), when discussing Provisional Law No. (26) of 2010 amending the Labour Law, to amend the provisions contained in that Law which conflict with the aforementioned international standards on the right to form and join trade unions, in view of the positive effect thereof on enabling individuals to exercise this constitutional right and in fulfilment of Jordan's obligations at the international level.

Key Practices in 2016:

The year 2016 witnessed the election of the Council of the Jordanian Teachers' Association following the issuance of a judicial ruling on 14/2/2016 dissolving the Council of the Teachers' Association for contravening the provisions of Article (15/a) of the Teachers' Association Law No. (14) of 2011, by failing to convene the Central Body on its scheduled date. The elections were held on 30/3/2016 to elect the members of the Association's Council. The number of candidates in those elections reached (691) candidates for individual seats and (23) candidates on lists, distributed across all governorates of the Kingdom. The Centre's national team assigned to monitor the conduct of the electoral process recorded a number of observations on the course of that process, and the Centre issued a specialised report thereon.¹³¹

During 2016, demands for the establishment of new unions continued; nevertheless, 2016 did not witness any government initiative to enact a law regulating trade union activity for public employees. Demands also continued for the establishment of a number of professional associations, including:

¹³¹ The website of the National Centre for Human Rights, www.nchr.org.jo

Workers in the psychological professions, employees of the Ministry of Public Works and Housing, Sharia lawyers, university professors, workers in the accounting profession, and workers in the allied medical and health professions.

The official records of the Ministry of Labour also indicate that during 2016 the Registrar of Unions received two applications to register two unions, both of which were refused. The refusal of the first application was justified by the existence of another labour union representing the sector covered by the application. The refusal of the second application was based on lack of competence, since it constituted an application to register the General Federation of Employers' Unions. It should be noted that none of the interested parties in the two applications filed a judicial challenge against the refusal decision.¹³²

Pursuant to its powers to monitor the extent of respect for the principles of human rights and public freedoms in the Kingdom and to seek to put an end to any abuse, on the basis of its Law No. (51) of 2006, the National Centre for Human Rights received a number of complaints in 2016, the most prominent of which are the following:

1. The complaint submitted by a group of members of the Independent Union of Workers in the Air Transport Sector.

On 14/4/2016, the National Centre for Human Rights received a complaint from a group of employees of Royal Jordanian in which they alleged that a number of violations had been committed against its employees by the management of Royal Jordanian, the most important of which were:

First: Infringement of the right to establish and join their own union: the company threatened these workers with dismissal from employment for establishing and joining an independent labour union.

Second: Infringement of the right to social security and the right to health: Royal Jordanian suddenly excluded coverage of the costs of nine chronic diseases and medical treatments for employees and their family members. At a later time, the company reversed the exclusion decision for patients with (cancer and kidney dialysis), while seven diseases and their treatments remained excluded from insurance coverage.

Third: Infringement of their right to work: the workers also alleged that they had been subjected to psychological pressure and threats by the management on a repeated basis, through the imposition of administrative penalties unlawfully (without convening committees of inquiry, without notifying the employee in advance, and without the employee being informed of the violation), and the imposition of penalties many months, or more than a year, after the date of the violations. It should be noted that the management of Royal Jordanian dismissed one of the company's workers because he had criticised, on the social networking site (Facebook), the decision of the management of Royal Jordanian to exclude nine diseases from the health insurance umbrella.

¹³² Letter of the Ministry of Labour received by the National Centre for Human Rights, No. (L/1/1/3834) dated 5/3/2017.

Fourth: Failure to enforce the Law on the Rights of Disabled Persons, which obliges institutions to employ persons from this group amounting to no less than 4% of their workforce. According to the complaint, this is not applied at Royal Jordanian.

In light of the verification procedures taken by the Centre with regard to this complaint, the verification team sought to hear the account of the management of Royal Jordanian, but was unable to do so because the company management did not afford it the opportunity, despite repeated attempts.

2. The complaint submitted by a group of members of the Union of Municipal Employees, Workers and Staff.

On 10/7/2016, the National Centre for Human Rights received a complaint from a group of workers, staff and employees of the Greater Amman Municipality regarding compulsory deductions from their wages in favour of the union. Upon reviewing the agreement concluded between the union and the Greater Amman Municipality, and hearing the account of the union management, the Centre found that the allegations relating to compulsory membership were not correct, since it is possible to cancel membership and recover the amounts deducted.

3. The complaint submitted by the Federation of Independent Jordanian Labour Unions.

First: The National Centre for Human Rights received a complaint submitted by the General Federation of Independent Labour Unions on 15/3/2016 stating that, as they put it, (the security authorities) had cancelled two events. The first was a ceremony to honour a number of women with distinguished contributions to voluntary and social work on International Women's Day, 8/3/2016, which was to be held at a hotel after the Governor of the Capital had been duly notified. The ceremony was cancelled two hours before its scheduled time at the request of the security authorities. The second was the cancellation (or postponement) of a blood donation campaign in cooperation with the Blood Bank and under the patronage of the Mayor of Greater Amman, which was to be held in the Palm Square area belonging to the Greater Amman Municipality. The Centre addressed the Ministry of Interior and the Governor of the Capital to ascertain the reasons for the cancellation and postponement, but did not receive any reply clarifying the reasons for the prohibition.

Second: The National Centre for Human Rights received a complaint submitted by the General Federation of Independent Labour Unions demanding a halt to the financial waste resulting from the residential compounds of the Jordan Phosphate Mines Company, along with numerous other demands. The company refused to engage in dialogue with the Independent Union of Workers in the Phosphate Sector, suspended one person from work and referred him to a disciplinary board because he had addressed the company with this demand and had called, together with other workers, for a strike.

4. The complaint submitted by the General Union of Electricity Workers.

On 26/6/2016, the National Centre for Human Rights received a complaint from the General Union of Electricity Workers stating that there was clear and explicit interference by the Energy and Minerals Regulatory Commission and the Ministry of Energy and Mineral Resources in the union's affairs and against its members, in the form of directing electricity companies not to

conduct any negotiations with the union (the legitimate elected representative of the workers) and not to sign any agreement with it. The General Union of Electricity Workers held several protests on 6/10/2016 in rejection of the clear interference by the Government for the purpose of incorporating electricity workers into government health insurance, notwithstanding the existence of collective agreements between these companies and private insurance companies. Employees of the Irbid Electricity Company also held a protest on 8/9/2016 over the failure to grant them privileges that the General Union of Electricity Workers had demanded several months earlier; according to these employees, the management of the electricity company had promised to implement them and then went back on the commitments it had previously promised.

5. The complaint submitted by a group of members of the Jordan Pharmacists Association.

On 8/7/2016, the National Centre for Human Rights received a complaint submitted by a group of pharmacists stating that the Minister of Health had, in his letter No. (8/16/4634) dated 1/6/2015, confirmed the dissolution of the Council of the Pharmacists Association, which had in fact been dissolved as of 21 May 2016, pursuant to Article (41/e) of the Pharmacists Association Law No. (51) of 1972 and its amendments, following the resignation of six of the Council's members. Since then and up to this date, the general elections for the Association's Council have not been held as required by the aforementioned Article, which obliges the Minister to invite the General Assembly to convene within one month of the date of dissolution of the Council in order to elect a new Council for the remainder of the previous Council's term.

The Centre points out that the measures taken by the Ministry of Health in this regard may constitute actual interference in the internal affairs of the Pharmacists Association, **consisting of the following:**

- a. The decision of the Council of Ministers on 6/6/2016 to form a joint committee of pharmacists working in the Ministry of Health and the private sector to take charge of the day-to-day, administrative and financial affairs of the Association, pursuant to Article (87) of the Pharmacists Association Law. This committee continues to perform that task to date, despite the fact that Article (41/e) of the Pharmacists Association Law obliges the Minister of Health to invite the General Assembly, within one month of the dissolution, to elect a new Council for the remainder of the previous Council's term.¹³³
- b. The decision of the former Minister of Health on 8/6/2016 to cancel the invitation he had addressed to the General Assembly of the Pharmacists Association on 7/6/2016 to convene in order to elect a body to supervise the election of the Association's Council. Likewise, the Minister cancelled the subsequent invitation he had addressed to the General Assembly of the Association on 20/10/2016.
- c. The resort of the former Government to the Special Bureau for the Interpretation of Laws, requesting the interpretation of certain legal provisions contained in the Pharmacists Association Law No. (51) of 1972 and its amendments relating to the election of the Association's Council. The Centre expresses its observations on the content of the request for interpretation and on

¹³³ During the preparation of this report, a date was set for the Pharmacists Association elections in May 2017, and the elections were in fact held.

Decision No. (8) issued pursuant thereto by the Bureau on 20/6/2016, in that it exceeded the legal powers granted to both bodies (the Council of Ministers and the Special Bureau for the Interpretation of Laws) in this respect, since the request was not confined to mere interpretation but extended to a technical matter falling within the purview of the judiciary.

In this regard, the National Centre for Human Rights affirms that suspending the holding of elections for the Council of the Pharmacists Association for a longer period, after approximately (500) days have elapsed since the dissolution of the Association's Council, will aggravate this issue, particularly since potential financial, administrative and professional damage will be inflicted on the Association and its members as a result of the failure to hold elections, not to mention the conflicts of interest and political conflicts that such a delay causes, which weaken the vitality of this Association and which have emerged recently.

Assaults on Medical and Educational Personnel:

In 2016, the number of cases of assault on physicians reached (55) cases of physical assault, all of which are pending before the judiciary, and (100) cases of verbal assault and threats with bladed weapons.¹³⁴ The year 2016 also recorded (80) cases of assault on teachers in which the Ministry of Education undertook the defence of the teachers, and (56) cases of assault in which the Association undertook their defence, and (256) cases of assault were settled amicably, and the number of complaints relating to the smashing of the glass of teachers' vehicles and other material damage incurred amounted to (40) complaints.¹³⁵ It should be noted in this regard that the Government approved the draft law amending the Penal Code on 11/11/2016, but it has not, to date, been submitted to Parliament for enactment. Among the proposed amendments in this respect is the aggravation of the penalty for assault on teachers, doctors, nurses and members of the teaching staff at universities and colleges.¹³⁶

Recommendations

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

1. To amend Chapter Eleven of the Jordanian Labour Law No. (8) of 1996 by repealing all restrictions limiting the right of individuals to take the initiative to form trade unions, which conflict with the Jordanian Constitution and the international instruments ratified by the Hashemite Kingdom of Jordan.

¹³⁴ According to the letter of the Jordan Medical Association, No. (10/37/1262) dated 27/4/2017.

¹³⁵ According to the letter of the Jordanian Teachers Association, No. (M.Q/17/2177) dated 27/4/2017.

¹³⁶ The draft law amending the Penal Code, approved by the Council of Ministers on 11/11/2015, provides as follows: "If the act is committed against a teacher, physician, member of the teaching staff of a university or college, or nurse while performing his duties or on account of what he has done by virtue thereof, [the offender] shall be punished by imprisonment for a term of not less than one year." However, the Government withdrew the draft law after it had been referred to the House of Representatives.

2. To expedite the issuance of a law regulating trade union activity for public servants, in implementation of Constitutional Court Decision No. (6) of 2013.
3. To put an end to all forms of government interference in the functioning of trade unions, both professional and labour unions.

10. The Right to Form and Join Associations

The Jordanian Constitution and the international and Arab human rights instruments guarantee the right of individuals to form and join associations. The Jordanian Constitution refers to the law the matter of regulating the formation of associations and the control of their financial resources,¹³⁷ and it affirms the promotion and protection of this right and safeguards it through Article (128), which provides that no law may be enacted that affects the essence of the rights guaranteed thereunder.¹³⁸

The year 2016 did not witness any amendment to the legislation governing the right to form and join associations, and the Associations Law No. (51) of 2008 governing this right still contains numerous problems and loopholes liable to restrict its exercise, as the Centre has indicated in its previous reports.¹³⁹ Meanwhile, this Associations Law was reviewed by the Government, and a draft law amending the Associations Law was prepared and published on the website of the Ministry of Social Development in order to receive any comments from civil society and the relevant bodies, as stated by the Minister of Information and Official Government Spokesperson at the expanded meeting held on 30/6/2016 at the Royal Cultural Centre, which brought together the National Centre and civil society institutions.¹⁴⁰ **In light of the legal opinion prepared by the National Centre on the draft law of 2016 amending the Associations Law No. (51) of 2008, we set out the following observations:**¹⁴¹

First: In a positive approach, the draft amending law provides for the establishment of a special department for the Associations Registry and grants it financial and administrative independence under Article (5) of the draft, which accordingly plays a role in the proper functioning of the mechanism regulating associations. However, the Centre considers that genuine institutional independence of this department will be difficult to achieve given the composition of the board of directors, which is dominated by the executive authority pursuant to Article (5) of the draft amending law.

¹³⁷ Article (16/3) of the Jordanian Constitution provides that: “The law shall regulate the manner of forming societies and political parties and the supervision of their resources.”

¹³⁸ Article (128/1) of the Jordanian Constitution provides that: “Laws issued under this Constitution to regulate rights and freedoms may not affect the essence of such rights or prejudice their fundamentals.”

¹³⁹ Kindly see the annual reports of the National Centre for Human Rights, section on the right to form and join societies, published on the website of the National Centre at the link: www.nchr.org.jo.

¹⁴⁰ For more, kindly see the draft law published on 18/3/2016 on the website of the Ministry of Social Development at the following link: www.societies.gov.jo/Documents201663/الجمعيات/معدل قانون الجمعيات/b23ae1-2204-478f-803c-80496464eb2b.pdf (Draft Law Amending the Societies Law)

¹⁴¹ See the Centre’s legal opinion published on its website. It should be noted that, owing to the lack of consensus on these proposed amendments by civil society organisations, the Government, represented by the Ministry of Social Development, decided to review those amendments.

Second: The draft amending law doubles the number of founding members of associations to (50) persons. This constitutes a restrictive measure on the freedom to form associations. The draft amending law further requires that an association have its own premises pursuant to Article (7) of the draft amending law, which adds financial burdens on the founders of associations, particularly in remote areas.

Third: The draft amending law retains the power of the Registry's board of directors to dissolve an association upon the recommendation of the competent minister if it is established that the association has engaged in any acts that prejudice considerations of national security, public order, public morals, public health and public safety, or the rights and freedoms of others. The Centre finds that these grounds are framed in broad, undefined terms. It would have been preferable to vest the power to dissolve an association, where it pursues purposes contrary to the foregoing, in the judiciary, which has the final say in such cases and whose judgment constitutes the embodiment of the truth, in compliance with international human rights standards on recourse to an effective remedy.

Fourth: Article (16/3) of the Jordanian Constitution provides that the law shall regulate the manner of forming associations and the control of their resources; however, the draft amending law makes extensive reference to regulations and instructions on substantive matters relating to the nature of the work of associations. Some examples may be cited in this regard, including:

- The draft amending law provides for amending the text of Article (22/d) of the Associations Law in force so that all matters relating to the manner of managing the affairs of the Associations Support Fund, the areas of expenditure therefrom and the bases for supporting associations shall be determined by a regulation issued for this purpose.
- The draft amending law provides for amending the text of Article (17) of the Associations Law so that the bases for accepting foreign funding and all matters relating thereto shall be established by a special regulation. It would have been more appropriate for the law itself to set out the bases governing the receipt of foreign funding and the grounds precluding the acceptance of a funding request.

Finally, it is necessary to emphasise a number of issues relating to the Associations Law in general, which the Centre has consistently stressed in its annual reports must be overcome, as follows:

- Associations should be formed by way of notification, with the administration retaining its right to resort to the judiciary and request the dissolution of an association in the event of a violation, such that no authority whatsoever may dissolve an association except on the basis of a final judicial decision.
- The procedures relating to the registration of associations should be simplified, particularly those concerning the registration of an association, its subsequent referral to the competent ministry and the follow-up thereafter by the relevant ministry and the Registry Department, since complicated procedures impede the right to form associations.

As Regards Practice

During the period of the electoral process for the Eighteenth House of Representatives, the Ministry of Social Development monitored the extent to which certain charitable associations interfered in electoral campaigning. Some such interferences were detected, and a committee was consequently formed to verify these violations; as a result, the violating associations were referred to the Minister of Social Development to take the legally required action against them, whether by imposing disciplinary penalties or by referring them to the judiciary, as the case may be.¹⁴²

In the same context, civil society institutions continued to carry out their work and activities during 2016, with most efforts focused on implementing projects concerned with providing relief services and humanitarian assistance to Syrian refugees,¹⁴³ as well as monitoring human rights violations in the field of women's rights, implementing the Universal Periodic Review (UPR) recommendations and supporting media freedom.

It is noteworthy that during 2016 tension persisted between the Jordan Bar Association and the civil society organisations concerned with providing legal aid services, regarding the legitimacy of the provision of such legal services by civil society institutions. On 5/3/2016, the Council of the Bar Association decided to address letters to the lawyers cooperating with those centres, warning them to cease such dealings definitively within one month, on pain of disciplinary liability. These letters actually began to be sent as of 29/3/2016.¹⁴⁴

Concurrently, the Bar Association resolved to activate its legal power to provide judicial aid to financially incapable citizens pursuant to Articles (5/5) and (100/7) of the Bar Association Law No. (11) of 1972, as amended, through the activation of a unit concerned with providing legal aid within the Bar Association.

As regards the contribution of the National Centre for Human Rights to activating the role of civil society institutions in promoting and protecting human rights, the Centre organised a series of dialogue sessions bringing together the main partners concerned with this objective in Jordan, namely: the Government, the National Centre for Human Rights and civil society organisations. The most prominent features of these sessions covered: the situation of civil society institutions; the relationship between civil society institutions and the government authorities; the relationship between the National Centre for Human Rights and civil society organisations; and the mechanisms for implementing the Comprehensive National Plan for Human Rights. Civil society institutions unanimously agreed that the most prominent challenges they face are: the weakness of civil society and its internal organisation; the absence of an institutional reference for regulating the work of civil society institutions; the insufficiency of funding allocated to civil society

¹⁴² According to what was stated by Mr. Mohammad Hammad, Director of Societies at the Ministry of Social Development, to the National Centre for Human Rights. On the other hand, the electronic newspaper Al-Sabeel published on 10/10/2016 a news item confirming that the Ministry of Social Development had issued approximately thirty warnings to societies that had taken part in electoral campaigning for certain candidates at their premises.

¹⁴³ This was done by contacting a number of representatives of civil society organisations.

¹⁴⁴ Upon verification of the matter, it became apparent that the measures of the Association were confined to addressing letters and to restricting the provision of legal aid to the Association. It must be noted that the Jordan Bar Association based its decisions relating to restricting the provision of legal services to the Bar Association alone on Bar Association Council Decision No. (1240) dated 14/9/2015.

institutions; the absence of effective oversight of the work of civil society institutions; the failure to involve civil society institutions in drawing up development plans and programmes; and the absence of the concept of partnership among the three sectors: private, governmental and civil. These dialogue sessions concluded with the following recommendations: establishing a national body bringing together all civil society institutions, in order to find a means of representing all categories according to specialisation; appointing liaison officers from all ministries to coordinate with civil society institutions in all governorates of the Kingdom to monitor the situation of citizens' rights; the necessity of reviewing the legislation relating to the work of civil society institutions and harmonising it with international standards; training members of associations on mechanisms for promoting and protecting human rights; involving civil society institutions in drafting the relevant laws; and strengthening oversight of the work of civil society institutions in order to reduce the intensity of competition among them.

It should also be noted that on Wednesday, 11/12/2016, the National Centre for Human Rights, in cooperation with the Amman Chamber of Industry, held a symposium on “The Right to Establish Civil Associations and Freedom of Organisation”, attended by the main partners concerned with protecting and promoting human rights in Jordan, namely: the Government, the National Centre for Human Rights and civil society organisations. The programme of the meeting covered the guarantees of the right to establish civil associations and freedom of organisation under international standards, the guarantees of the right to establish civil associations and freedom of organisation under national legislation, and the scope of work of civil associations. The symposium produced a number of recommendations, namely: the necessity of developing the capacities of civil society in terms of the legislation governing the right; supporting the cooperative sector in Jordan; the necessity of obliging institutions to network and consult among themselves on projects; amending laws and regulations in line with the Jordanian Constitution; developing the system governing the work of associations and the monitoring of their records; providing freedom for civil society to organise itself without restrictions; and encouraging the establishment of institutions in all governorates of the Kingdom.

In the same context, in 2016 the National Centre for Human Rights began implementing the European Union Support to Civil Society in Jordan project (2016–2018), in partnership with the Ministry of Planning and International Cooperation and with funding from the European Union. This project aims to promote democracy in Jordan by encouraging citizens' participation in political life. Through the preparation of a working mechanism for civil society, the project also seeks to strengthen the capacities of local civil society organisations and non-governmental organisations to advocate and to raise citizens' awareness of their social, economic, cultural and political rights. The value of the financial grant funding this project amounts to (3,200,000) euros, while the value of the grants awarded to the twelve civil society institutions amounted to (2,000,319.54) euros; the activities of these institutions and their partners, at least four in number, will cover all governorates of the Kingdom. Contracts were also concluded with a number of civil society institutions and specialised bodies through service contracts to implement a number of the project's activities, in an amount of (585,930.00) euros. The thematic areas of the grants were as follows: a. Political, social and cultural rights and human rights, comprising (3) grants; b. Youth participation in public dialogue, comprising (1) grant; c. Women's empowerment, comprising (7) grants; d. Civil society institutions and the media, comprising (1) grant.

Third: Formation of Associations

It is observed that 2016 witnessed an increase in the registration of associations in all regions of the Kingdom compared with 2015, according to the statistics of the Board of Directors of the Associations Registry at the Ministry of Social Development: (604) associations were registered, whereas (546) associations were registered in 2015. It is noteworthy that the majority of registered associations are of the charitable type, which falls within the competence of the Ministry of Social Development, which performs its supervisory role and continuous follow-up of associations. Accordingly, the total number of associations registered and operating in the Kingdom as at 31/12/2016 reached (5238) associations.

In the same context, the number of associations in respect of which a dissolution decision was issued in 2016 reached (370) associations,¹⁴⁵ noting that the decision to dissolve (12) associations was reversed, bringing the final number of dissolved associations to (358). Most of them were dissolved voluntarily on the basis of a decision of the association's general assembly, or owing to the association's inability to pursue its activities more than one year after its establishment, or owing to its lack of effectiveness and efficiency and its commission of serious violations contrary to the legislation governing it, or owing to its failure to commence work or its cessation of work for a period exceeding one year, or owing to its receipt of substantial foreign funding without obtaining the necessary approval.¹⁴⁶

Table (4): Number of associations registered and operating in the Kingdom in 2016

Ministry	Number
Ministry of Social Development	3295
Ministry of Interior	901
Ministry of Political and Parliamentary Affairs	150
Ministry of Culture	634
Ministry of Health	86
Ministry of Industry and Trade	11
Ministry of Agriculture	27
Ministry of Environment	104
Ministry of Awqaf, Islamic Affairs and Holy Places	25
Ministry of Information and Communications Technology	6
Ministry of Tourism and Antiquities	35
Ministry of Justice	5
Ministry of Water	1
Total	5280

Table prepared by the Centre on the basis of data received from the Ministry of Social Development.

¹⁴⁵ According to the statistics of the Ministry of Social Development containing the information relating to the societies registered with the Societies Registry Department from 1/1/2016 until 31/12/2016.

¹⁴⁶ According to the statistics of the Ministry of Social Development containing the information relating to the societies registered with the Societies Registry Department up to the end of 2016.

As regards the geographical distribution of the work of associations across the governorates in 2016, it was as follows: Capital Governorate (2280) associations, Irbid Governorate (630) associations, Zarqa Governorate (436) associations, Tafilah Governorate (150) associations, Aqaba Governorate (81) associations, Ma'an Governorate (181) associations, Ajloun Governorate (214) associations, Jerash Governorate (144) associations, Karak Governorate (265) associations, Madaba Governorate (175) associations, Mafrq Governorate (469) associations and Balqa Governorate (256) associations.

In the same context, the National Centre for Human Rights did not receive during 2016 any complaint relating to the right to form and join associations.

Fourth: Funding of Associations

The debate over the issue of funding of associations continued in 2016 between those working in associations and the Government. The draft law of 2016 amending the Associations Law, by regulating the mechanism of financial support for associations, provoked broad debate regarding the administrative procedures and the reference conditions for submitting requests for foreign funding for associations. It should be noted in this context that the draft amending law provides for more complicated procedures than the original law with regard to the receipt of foreign funding, and indeed refers the regulation of the bases for accepting foreign funding and all matters relating thereto to a special regulation, **as follows:**¹⁴⁷

First: The draft law amending the Associations Law requires associations wishing to obtain a donation or funding to submit an application to the Registry Department, and the Chairperson in turn shall refer the application to the Council of Ministers, which may approve or reject the funding, without any obligation to give reasons for the decision of rejection. By contrast, the previous text provided that if an association wished to obtain a donation or funding from a non-Jordanian person, it must notify the Council of Ministers thereof, provided that the notification states the source of such donation or funding, its amount, the manner of its receipt, the purpose for which it will be spent and any special conditions attached to it; and if no decision of rejection is issued by the Council of Ministers within thirty days from the date of its receipt of the notification, the donation or funding shall be deemed approved by operation of law.

Second: The law, that is, the Associations Law in force, obliges the Council of Ministers to respond to a request to obtain funding within (30) days from the date of submission of the request, and should this period elapse without a decision of rejection or acceptance being issued, the request shall be deemed approved by operation of law. The draft amending law, by contrast, does not set this time limit.

In this framework, a number of representatives of civil society institutions expressed their concern at the continuing and increasing pressures to which civil society institutions are subjected, through the expansion of restrictions imposed on funding requests for civil society organisations; the entrenchment of the new mechanism for requesting funding as part of the law; and the proposed draft law's granting the Government the right to issue additional rules on funding criteria and the

¹⁴⁷ See the legal opinion prepared by the Centre on the draft law and published on the Centre's website; Article (17) of the Societies Law No. (51) of 2008.

conditions for its expenditure, which would ultimately allow the executive authority to restrict civil society institutions financially and to limit their sources of funding, which contravenes Jordan's international obligations.¹⁴⁸

On the other hand, the Associations Support Fund continued to provide financial support to associations. The total value of this support during 2016 amounted to (957,373) dinars, provided to some (281) associations, of which an amount of (500,000) dinars was provided as cash support to (163) charitable institutions and associations, in implementation of the directives of His Majesty King Abdullah II to support institutions and associations working in the field of residential care for orphaned children and associations caring for persons with disabilities and older persons. An amount of (409,500) dinars was also provided to (76) development institutions and charitable associations in the form of grants for projects of registered associations and unions, according to bases and criteria set by the Associations Registry, as well as cash support in the amount of (47,873) dinars for projects of associations and unions, from which (42) associations benefited.¹⁴⁹

Recommendations

In order to guarantee the effective enjoyment of the right to form and join associations, the National Centre renews its emphasis on the recommendations it has previously made in its previous reports, as follows:

1. In light of the Government's intention to reconsider the draft law amending the Associations Law and to amend and develop it in a participatory manner with civil society institutions in conformity with international human rights standards, the Centre hopes that amendments will be made ensuring that the formation of associations is limited to notification, that the power to dissolve associations is vested in the judiciary alone, and that the detailed bases for receiving foreign funding and all matters relating thereto are set out in the law itself without referral to regulations or instructions.
2. To expressly provide for the right of associations to receive assistance and donations from Jordanian and foreign sources, provided that this is disclosed to the independent body supervising associations, that it is shown in their annual budgets, and that it is subject to supervision and subsequent audit.

1. The Right to Development

In 2016, the development process received global attention, embodied in the adoption of the 2030 Agenda for Sustainable Development,¹⁵⁰ which is based on the pursuit of comprehensive goals to promote economic, social and cultural rights and on working to provide decisive opportunities to

¹⁴⁸ The Centre heard the views of many representatives of the civil society organisations concerned in this regard.

¹⁴⁹ According to the statistics of the Ministry of Social Development containing the information relating to the societies registered with the Societies Registry Department up to the end of 2016. # Part Three: Economic, Social and Cultural Rights

¹⁵⁰ The 2030 Agenda entered into force on 1 January 2016, having been adopted in September 2015 with the broad participation of (170) world leaders at the United Nations Sustainable Development Summit in New York. The Agenda set out a wide range of goals and targets, comprising (17) Sustainable Development Goals, (167) targets and (132) indicators. For further information, please visit the following website: www.un.org/sustainabledevelopment.

further advance the realisation of human rights for all people everywhere, without any discrimination whatsoever. In addition, it aims to strike a balance between the three dimensions of sustainable development: the social dimension, the economic dimension and the environmental dimension. At the national level, national development policies reflect Jordan's commitment to the development process, foremost among them the Jordan 2025 document,¹⁵¹ which set out a long-term vision for the coming ten years. Furthermore, the initiatives, visions, speeches and Royal Letters of Designation, together with the contents of national documents such as the “We Are All Jordan” document, the National Charter, the “Jordan First” documents and the Government's Executive Programme (2016–2018), constitute national frames of reference for the realisation of the right to development.

This section addresses four main themes in an attempt to describe the national development situation, namely:

1. Jordan's global ranking according to the human development and gender gap indicators.
2. The national development dimensions.
3. Poverty and unemployment indicators.
4. Field monitoring of the governorates.

First: Jordan's Global Ranking According to the Human Development and Gender Gap Indicators

In this context, the National Centre observed that Jordan continued to be classified among the medium human development countries, as shown by the international reports issued by the United Nations measuring human development indicators in the countries of the world, as set out in the table below.

Table No. (5): Jordan's ranking in the Human Development Report issued by the United Nations during the period 2004–2016

Year	Jordan's Ranking
2004	90
2005	90
2006	90
2007	90
2008	95
2009	96
2010	82
2011	96
2012	100

¹⁵¹ Jordan Vision 2025 was formulated to define the general framework for economic and social policies based on the provision of opportunities for all. It rests on a set of foundations and principles, including the strengthening of the rule of law, equal opportunities, increased participation in policy-making, and the achievement of sustainable development. To implement this, the education, health and labour sectors must be developed, thereby giving effect to the concept of active citizenship referred to by His Majesty the King in his Discussion Papers. For further details, see the Jordan 2025 document.

Year	Jordan's Ranking
2013	100
2014	77
2015	80
2016	80

Looking at the table above, it is evident that Jordan ranked among the high human development countries during the years 2005 through 2009, in addition to 2011, being ranked between (90–96) out of (186) countries. This rise came as a result of a number of the indicators adopted in measuring the Human Development Index, namely the rise in the Education Index from (90.1) in 2009 to (92.2) in 2010, the rise in life expectancy from (72.9) in 2009 to (73.1) in 2010, and the rise in per capita income from (4,901) dollars in 2009 to (5,965) dollars in 2010. Thereafter, the Kingdom's ranking declined in 2010 to reach (82), and continued to decline in 2012 and 2013, reaching (100) in both years respectively. It continued to decline in 2015 and 2016 to reach (80). This significant decline is attributable to a number of reasons relating to the worsening problem of poverty, rising unemployment rates and disparities in levels of development between the governorates.

On the other hand, the Centre observed the continued widening of the Gender Gap Index between the sexes in Jordan,¹⁵² with Jordan ranking (134) out of (144). According to the report, the decline in Jordan's index is attributable to its regression in two sub-indices: economic participation and opportunity, and political empowerment, noting that the political empowerment sub-index did not take into account the progress made in the proportion of women in Parliament or its decline in ministerial positions for 2016. While Jordan came close to closing the gap in health and survival (0.996) and educational attainment (0.993), it still lags behind in political empowerment, where it ranked (123) out of (144) (0.073), and in economic participation and opportunity, where it ranked (138) out of (144) countries (0.381), ahead only of Morocco, Iran, Yemen, Saudi Arabia, Pakistan and Syria. It should be noted that this sub-index showed a slight improvement from (0.350) in 2015 to (0.381) in 2016, which, according to the report, is attributable to the slight improvement achieved in the wage gap from (0.63) to (0.64).

¹⁵² This index, issued by the World Economic Forum since 2006, measures the progress made in closing the gender gap in four areas: health and survival, educational attainment, economic participation and opportunity, and political empowerment.

Second: The National Development Dimensions

From a human rights perspective,¹⁵³ the development process comprises three main dimensions that seek to measure sustainable development in any country,¹⁵⁴ namely the economic dimension, the social dimension and the environmental dimension, with the aim of achieving comprehensive goals to promote economic and social rights and of working to provide decisive opportunities to further advance the realisation of human rights for all people everywhere, without any discrimination whatsoever.

As for the development dimensions of the right to development at the national level, they are as follows:

a. National development challenges in the economic dimension.

The National Centre for Human Rights observed a number of indicators relating to this dimension, as follows:

1. The statistical data of the Ministry of Finance for 2016 revealed an increase in total public debt, which amounted to approximately (26.1) billion dinars at the end of 2016, compared with total public debt estimated under the Budget Law at approximately (26.4) billion dinars, i.e. a decrease of (300) million dinars, in addition to an increase in the net domestic debt balance. This comes despite the Government's pursuit of austerity economic policies in the form of expanding the imposition of taxes, raising the prices of services and goods and lifting subsidies on certain basic commodities.
2. The continued inverse relationship between the rates of economic growth and population growth,¹⁵⁵ in the absence of an economic policy addressing this matter, whereby the decline of the former adversely affects the latter if the rates remain as they are. The figures issued by the

¹⁵³ The role of the national human rights institution in monitoring the Sustainable Development Goals arises in the following respects: 1. determining whether the State is fulfilling its obligations and establishing a basis for accountability; 2. the ability to identify the source and nature of violations and the reasons impeding the realisation of rights; 3. the ability to set priorities for action and to propose the areas to which resources should be allocated; 4. the ability to support and advocate these rights legislatively and in the formulation of policies in their field; 5. implementing promotional and educational programmes, which means integrating the work of the national human rights institution relating to economic and social rights into its programmes through strategic planning, evaluation, monitoring and promotion; 6. reviewing laws and draft laws and harmonising them with standards; 7. advising the State and shaping policies; 8. establishing national benchmarks for measuring the progressive realisation of economic, social and cultural rights; 9. conducting research and inquiries; 10. considering complaints. Thus, at the development level, national human rights institutions may undertake the following: implementing promotional and educational programmes, which means integrating the work of the national human rights institution relating to economic and social rights into its programmes through strategic planning, evaluation, monitoring and promotion; reviewing laws and draft laws and harmonising them with international standards, which requires encouraging the State to ratify the conventions relating to economic and social rights and to adopt measures ensuring the consistency of national laws with international obligations; and advising the State, shaping policies, providing national benchmarks for measuring the progressive realisation of economic, social and cultural rights, and considering specific complaints. For further details, see the Handbook for National Human Rights Institutions.

¹⁵⁴ Sustainable development is defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. For further information, please visit the following link: www.un.org/sustainabledevelopment.

¹⁵⁵ For further details, see the article published by Al-Ghad newspaper on 1/2/2017 on the website: <http://alghad.com/articles/917839-أرقام-البطالة-النمو-والمدىونية-والاستثمار-والحقيقي>

Ministry of Finance revealed a continued decline in the economic growth rate to 2.5%, a rate that affects the citizens' standard of living, with population growth continuing to rise at a rate of 2.3%, to which is added approximately 5% population growth resulting from the Syrian asylum. This requires real economic growth of approximately 7.3% in order to maintain the citizen's standard of living.

3. The low average income of workers, estimated at (470) dinars,¹⁵⁶ notwithstanding that the Department of Statistics has set the poverty line in Jordan at below (580) dinars per month per household. This is the result of the severe weakness of salaries and the erosion of individuals' monthly incomes.

4. The unemployment rate among males exceeds 13%, while it exceeds 22% among females. It should be noted that the number of working contributors continuously covered by social security amounts to one million and (112) thousand. In addition, rates of economic participation vary between males and females, with 71% of males being economically active compared with only 21% of females, according to the latest census of the Department of Statistics.

5. The absence of public participation by stakeholders in the governorates in the preparation of the State budget, as it is prepared and spent according to the vision of the decision-making centre in the capital, without taking into account the views of government institutions and departments in the other governorates, which are better acquainted with the needs of their local communities.¹⁵⁷

b. National development challenges in the social dimension:

1. The rise in the cost of living in Jordan, which ranks first in the Arab region, amid increasing price rises, which has affected citizens as a result of successive governments' resort to imposing taxes, fines and other forms of charges that the income level of the Jordanian individual cannot cover.

2. The limited proportion of citizens covered by health insurance according to the latest Population and Housing Census, at 68%.¹⁵⁸ Despite the rise in the rate of expenditure by Jordanian citizens of their income on medicines, at 6.7%,¹⁵⁹ the Kingdom witnessed a significant increase in the prevalence of non-communicable diseases, with the mortality rate from such diseases reaching (727)¹⁶⁰ deaths per one hundred thousand population annually, a rate that exceeds the global mortality rate from non-communicable diseases, which stands at (573) per one hundred thousand population per year.

¹⁵⁶ Website of the Department of Statistics.

¹⁵⁷ See Al-Rai newspaper, 12/4/2016, <http://alrai.com/article/780641.html>, a seminar entitled: "Calls for Involving Citizens in Shaping the State's Fiscal Policies".

¹⁵⁸ See Al-Rai newspaper, 23/2/2016.

¹⁵⁹ See Al-Ghad newspaper, 27/4/2016, news item entitled "Food Bill Exceeds USD 3.5 Billion Annually".

¹⁶⁰ See Ad-Dustour newspaper, 31/5/2016, news item entitled "(727) Local Deaths per Hundred Thousand Population due to Non-Communicable Diseases".

3. The high prevalence of severe or complete functional difficulties in the governorates hosting Syrian refugees: Irbid, Mafraq and Ajloun, where the rate exceeded 3%. This is attributable to the impact of the Syrian asylum on those governorates.¹⁶¹
4. Food insecurity¹⁶² among (6,200) households in the Kingdom, i.e. (28,078) thousand individuals,¹⁶³ in addition to (71.3) thousand households considered vulnerable to food insecurity.
5. The low participation of women in the labour market, as statistical figures indicate that unemployment rates among Jordanian women continued in 2016 to be considerably higher than among men. Added to this is the widening of the wage gap in favour of males, as official reports¹⁶⁴ showed a large gap in monthly wages between the sexes among holders of a bachelor's degree or higher, at 27.1% in the public sector compared with 40.7% in the private sector.
6. The increase in the number of working children to (40) thousand, owing to the poor economic and living conditions of their families.¹⁶⁵
7. The increase in the number of children deprived of education to (90) thousand children in the Kingdom,¹⁶⁶ who do not receive any form of education in Jordan.
8. The closure of the Royal Initiative project "Decent Housing for a Decent Living",¹⁶⁷ after (6) thousand apartments out of (8,448) apartments had been sold, without launching another similar project for the groups in need.

c. National development challenges in the environmental dimension:

1. The continuing environmental challenges facing Jordan in the sectors of energy, water, the management of waste, medical waste and solid waste, and the generation of hazardous waste, particularly following the influx of Syrian refugees.¹⁶⁸
2. Energy is considered one of the serious environmental problems, as Jordan imports 96% of the energy it consumes. This coincides with accelerating economic and population growth, which has led to increased rates of energy consumption in all its forms, including crude oil and its derivatives, natural gas, electricity and solar energy, particularly for industrial and domestic purposes. This has led the Government to pursue alternative solutions that place the burden on the citizen, by gradually lifting subsidies on petrol and petroleum derivatives according to a formula adopted by the Government monthly and based on the global price of oil.

¹⁶¹ For further details, see the General Population and Housing Census 2015.

¹⁶² According to the survey, the concept of food security refers to food insecurity as the situation in which people suffer from undernourishment as a result of the unavailability of food or the inability to obtain it. The concept of households vulnerable to food insecurity refers to those who are exposed to food insecurity upon facing any future shocks.

¹⁶³ According to the Food Security Survey in Jordan for 2013/2014, the second survey of its kind in Jordan, which was launched on 2/3/2016.

¹⁶⁴ See the position assessment paper / Jordan Labour Watch / 8/3/2016.

¹⁶⁵ See the study of the Economic and Social Council entitled "Estimating the Number of Working Children in Jordan" (2014–2016).

¹⁶⁶ Joint report of the United Nations Children's Fund (UNICEF) and the Ministry of Education.

¹⁶⁷ <http://www.alghad.com/articles/876252>.

¹⁶⁸ See Ad-Dustour newspaper, 17/12/2016, <http://addustour.com/articles/>

This prompts the Centre to recommend, as a matter of urgent necessity, that Jordan move towards opening all avenues of national innovation in finding and using alternative and sustainable energy sources, such as solar energy and gas, with the possibility of developing technology to extract energy from oil shale in an economically viable and environmentally clean manner.

Third: Poverty and Unemployment Indicators

Poverty and unemployment indicators are considered among the basic pillars by which the progress of States is measured at the international level:

(a) The Poverty Indicator

The United Nations Committee on Economic, Social and Cultural Rights has defined poverty¹⁶⁹ comprehensively as a human condition characterised by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, political, cultural, economic and social rights.¹⁷⁰

The Centre attributes the ineffectiveness of government policies in reducing the phenomenon of poverty to a number of reasons: (a) the political circumstances surrounding the region and their impact on Jordan through hosting a large number of refugees of various nationalities; (b) the continued competition of migrant workers with the national workforce; (c) demographic shifts in the population structure as a result of health progress, which contributes to a rise in the birth rate and a fall in the number of deaths, without this being accompanied by a change in government plans and policies to work towards securing employment opportunities and improving the citizens' standard of living; (d) weak planning in the implementation of micro development projects at the governorate level and their management by civil society organisations, and the lack of coordination with civil society organisations in determining the locations where projects are to be implemented; (e) global economic crises (privatisation policies, the decline in economic growth, the shrinking of the agriculture and livestock sectors, and successive years of drought).¹⁷¹

(b) The Unemployment Indicator

Unemployment is one of the prominent challenges facing the development process in Jordan. Statistics for 2016 indicate a rise in unemployment rates compared with the previous year, to 15.8%, according to the fourth quarterly report issued by the Department of Statistics for that year. The report showed that the unemployment rate among males stood at 13.8% compared with 24.8% among females for the same period. Furthermore, the unemployment rate for the fourth quarter of 2016 rose by (2.2) percentage points.

¹⁶⁹ Poverty is considered a fundamental violation of human rights. The distinctive feature of poverty is that it does not constitute a violation of one human right only, but rather a violation of all of a person's rights, when poverty is addressed from the perspective of human rights and the right to development, as set out in the practical document issued by the United Nations Development Programme entitled "Poverty Reduction and Human Rights" in 2003.

¹⁷⁰ United Nations and World Health Organization, Human Rights, Health and Poverty Reduction Strategies, Health and Human Rights Publication Series, Issue No. 5, 2010, p. 6.

¹⁷¹ See the Report on the State of Human Rights in the Kingdom for 2013, pp. 79–80, and the Report on the State of Human Rights in the Kingdom for 2012, pp. 97–98.

The National Centre attributes the rise in unemployment rates in the Jordanian market to several overlapping factors: (1) the weak alignment between the outputs of intermediate and higher education and the needs of the labour market; (2) the existence of a negative social attitude towards vocational training, given the limited social protection expected from work in vocational fields; (3) reluctance to undertake self-employment owing to the weakness of government financing windows in providing the necessary financing for small and medium-sized enterprises; (4) the absence of government programmes dedicated to guiding the national workforce by the competent institutions, and the restriction of their programmes to migrant workers.

Fourth: Field Monitoring of the Governorates

In the absence of quantitative and qualitative indicators reflecting the outputs of the Governorates Development Programme, the National Centre for Human Rights¹⁷² carried out a number of visits to remote village areas in the various governorates of the Kingdom in order to ascertain the development situation of those villages. The monitoring revealed violations relating to economic, social, political and civil rights, as follows:

Ma'an Governorate

1. Widespread unemployment and a lack of investment projects.
2. A lack of transport, markets and recreational facilities for children.
3. The absence of qualified health centres equipped with the necessary medical equipment, the absence of female gynaecologists at the health centres, the unavailability of a cardiac unit, and the unavailability of specialist physicians such as dermatologists, neurologists and orthopaedists, and of a forensic physician.
4. Widespread environmental pollution.
5. Inadequate provision of water and sewerage networks.
6. The lack of adequate housing for citizens in the remote villages.
7. A shortage of teaching staff in government schools in the governorate.
8. The unavailability of secondary and preparatory education and the unpreparedness of schools in terms of infrastructure, in addition to the distance of schools from the students' places of residence in the villages visited.
9. The spread of drug abuse.

¹⁷² The Centre's reports include detailed reports on the villages visited, namely: Al-Sheikh Hussein village / Northern Ghor District; Al-Mukhaybeh Al-Tahta village / Bani Kinanah District; Al-Mashare' area / Northern Ghor District; Aqraba village / Bani Kinanah District; Al-Khushaybeh village / Barma Sub-district; Al-Hawwayah area / Jerash Qasabah District; Al-Burj and Muqbilah villages / Jerash Qasabah District; Al-Sakhinah village / Ajloun Qasabah District; Al-Safinah village / Kufranjah District; Balas village / Kufranjah District; Al-Zira'ah village / Ajloun Qasabah District; Al-Dajaniyyah village / Irhab Sub-district; Al-Ain village / Irhab Sub-district; Bal'ama village / Bal'ama Sub-district; Hayyan Al-Ruwaibid village / Bal'ama Sub-district; Umm Al-Rasas village; Irmeil village; and Al-Khashafiyyah Al-Janubiyyah village.

10. Deprivation from the Disi Water Conveyance Project.

11. The lack of a school in the Bayer area, east of Al-Jafr.

Tafileh Governorate

1. The absence of health centres equipped with the necessary medical equipment and the medicines required for medical first aid.

2. The unavailability of specialised centres for the treatment of and service to persons with disabilities, noting that there is a considerable number of persons with various forms of disability in the governorate, including hearing, visual, physical and multiple disabilities.

3. A shortage of teaching staff in government schools in the governorate, in addition to the distance of schools from the students' places of residence, which has caused school dropout and deprived girls of their right to education.

4. School overcrowding and a shortage of classrooms in government schools.

5. The prevalence of violence against women in all its forms, and women's low political participation.

6. The scarcity of development projects in the governorate, which has led to a rise in the number of unemployed persons.

Karak Governorate

1. The prevalence of child drowning and the absence of an institutional role in reducing this phenomenon.

2. A shortage of teaching staff in government schools in the governorate and an increase in school dropout.

3. The absence of qualified and equipped health centres and the unavailability of a female gynaecologist at the centre.

4. The unavailability of specialised centres for persons with disabilities.

5. The spread of drug abuse and possession, smoking, school dropout and early marriage.

Aqaba Governorate

1. Widespread environmental pollution and the spread of rodents and insects.

2. The prevalence of asthma.

3. The distance of schools from the students' places of residence.

4. The unavailability of specialised centres for the treatment of persons with disabilities.

5. The spread of drug abuse.

6. The absence of the role of the Authority in maintaining the cleanliness of the South Beach.

7. The prevalence of health nuisances.
8. The absence of health inspection of meat-selling premises.
9. Weak infrastructure owing to the lack of oversight by the Aqaba Authority.
10. Weak customs control, which has led to the spread of customs smuggling.

Balqa Governorate

1. The prevalence of drowning incidents, environmental pollution and rodents.
2. The spread of drug abuse and possession, smoking, and the phenomena of school dropout and early marriage.
3. Contamination of the drinking water of some schools.
4. The low level of health services.

Madaba Governorate

1. The inadequacy of health centres, where a shortage of medical staff, a shortage of the necessary equipment and medicines, and the unavailability of female gynaecologists at the health centres were observed.
2. The unavailability of specialised centres for the treatment of persons with disabilities.
3. The distance of schools from citizens' places of residence, which has deprived them of their right to education.
4. A shortage of teaching staff in government schools in the governorate.
5. Weak village infrastructure and a shortage of public transport.
6. The spread of the scourge of drugs in some areas.

The Capital Governorate

1. The spread of school dropout and drug abuse.
2. The inadequacy of health centres, where a shortage of medical staff and a shortage of the necessary equipment and medicines were observed.
3. The lack of sustainability in the financing of micro and very small development projects.
4. The rising number of unemployed persons.
5. House collapses.
6. The phenomenon of children and women working at traffic lights.
7. The phenomenon of theft of women's handbags.

Irbid Governorate

1. A shortage of small and medium-sized development projects.
2. The unpreparedness of health centres in terms of the medical equipment and medicines required for first aid, and the unavailability of female gynaecologists at the health centres.
3. The prevalence of child labour.
4. The Irbid–Amman road is unsafe owing to landslides.
5. The phenomenon of roadside vending.
6. Encroachment on forest areas in the form of excessive logging.

Zarqa Governorate

1. Overcrowding of students in government schools.
2. The spread of rodents.
3. The unpreparedness of health centres in terms of the medical equipment and medicines required for first aid, and the unavailability of female gynaecologists at the health centres.
4. A shortage of small and medium-sized development projects.
5. Weak infrastructure in terms of streets and urban planning within the city of Zarqa.
6. Societal violence.

Jerash Governorate

1. The insufficiency of specialised centres for the treatment of persons with disabilities.
2. The unpreparedness of health centres in terms of the medical equipment and medicines required for first aid, and the unavailability of female gynaecologists at the health centres.

Mafrq Governorate¹⁷³

1. The prevalence of early marriage.
2. The spread of begging, child labour and school dropout.
3. A shortage of small and medium-sized development projects.
4. Overcrowding of students in government schools.
5. Widespread environmental pollution (wastewater treatment plants).
6. The absence of health inspection of bakeries and restaurants.

¹⁷³ The amount allocated for the development of Mafrq Governorate under the Government Programme Action Plan 2016–2018 totalled JOD (166) million (382) thousand, of which JOD (55) million (617) thousand in 2016, JOD (53) million (609) thousand in 2017, and JOD (57) million (156) thousand in 2018.

7. A shortage of specialised centres providing care and treatment for persons with disabilities.

Ajloun Governorate

1. The widespread use of septic pits.
2. Weak infrastructure in the villages visited.
3. The unpreparedness of health centres in terms of the medical equipment and medicines required for first aid.
4. The spread of child labour and school dropout.
5. A shortage of specialised centres providing care and treatment for persons with disabilities.

Recommendations

1. Establishing a national database that provides quantitative and qualitative indicators for following up the implementation of government development policies and programmes.
2. Working to involve the widest possible segment of institutions and citizens in developing programmes and plans for implementing the 2030 Sustainable Development Goals, aligning their application with the programmes of the national plan (Jordan 2025), and intensifying awareness-raising through the various media regarding those programmes and the places where they are implemented.
3. Finding a solution to the debt crisis and the burdens it places on society and the individual, and to the resulting economic and social reform programmes, whose impact is reflected in the quality of the daily life of the individual.
4. Involving community forces, including civil society organisations and individuals, in identifying and adopting development projects in the governorates, including oversight of the implementation of those projects.
5. Increasing the small grants programmes provided by the government institutions concerned with development in remote village areas, within the small, home-based and micro enterprise programmes.
6. Establishing programmes to guarantee social security for persons with limited income and workers in the informal sector, as a solution to the problem of reluctance to take up vocational work and teaching in remote areas.
7. Adopting policies for meeting service needs, focusing on growth and economic empowerment programmes, and giving priority to poverty pockets and to the limited-income and poor classes of society.

2. The Right to an Adequate Standard of Living

The Jordanian Government seeks to achieve economic growth that contributes to improving the citizen's standard of living, through activating the strategies, visions and plans it has formulated

over previous years, and whose weak implementation it has acknowledged.¹⁷⁴ While we are fully aware that the Kingdom is labouring under the burden of the surrounding regional circumstances, the global financial crisis that occurred in 2008 and its continuing repercussions, including the rise in oil prices and the interruption of gas imported from Egypt, through to the Arab Spring, in addition to hosting more than (1.3) million Syrian refugees,¹⁷⁵ there is nonetheless a requirement to curb tax evasion and to stop the waste of public funds, which is estimated at four billion Jordanian Dinars according to the Audit Bureau's report for 2015,¹⁷⁶ and to reduce expenditure and take the necessary measures in this regard, particularly with respect to the high salaries of officials,¹⁷⁷ as well as per diems and privileges, instead of continuing to pursue a fiscal policy based on borrowing from international financing institutions and submitting to their dictates, and consequently casting the burdens onto the shoulders of citizens by lifting subsidies on basic commodities and raising taxes,¹⁷⁸ fees¹⁷⁹ and other charges.

The year 2016 witnessed the continued aggravation of the general budget deficit and the increase in indebtedness, with total public debt reaching (26,092.7) million Jordanian Dinars in 2016, i.e. 94.8% of gross domestic product (GDP), compared with 93.4% in 2015. A fiscal deficit in the general budget of approximately (878.8) million Dinars was also recorded, compared with a fiscal deficit of (925.8) million Dinars in 2015.¹⁸⁰ Chart No. (1) illustrates the ratio of total public debt to GDP for the years 2012–2016. In the wake of this deficit, the Government continued to pursue the economic adjustment programmes which it began implementing in the late 1980s¹⁸¹ in

¹⁷⁴ The Ministerial Statement (Statement of Confidence) submitted to the House of Representatives on 16/11/2016. Those strategies and plans include: the Jordan 2025 document, the National Employment Strategy, the National Strategy for Human Resource Development, and the Fiscal and Structural Adjustment Programme signed with the International Monetary Fund.

¹⁷⁵ Department of Statistics: Report on the Main Results of the General Population and Housing Census 2015.

¹⁷⁶ Report of the Audit Bureau for 2015.

¹⁷⁷ Directives of His Majesty the King during his meeting with figures and notables of Ajloun Governorate on 11/1/2017, at the following link: <https://www.youtube.com/watch?v=5DfYr-XzH-c>

¹⁷⁸ The Council of Ministers' decision on the Fiscal and Administrative Reform Programme, published in Official Gazette No. (5411) on 21/7/2016, included a number of fiscal measures, among them: the revocation of the decision reducing taxes and customs duties on clothing and footwear, and the addition of (25) fils to the selling price of each litre of diesel, kerosene and all types of gasoline.

¹⁷⁹ Vehicle ownership transfer fees were doubled under an amending Regulation to the Regulation on Fees for Driving Licences and Vehicle Registration and Licensing, No. (107) of 2016, published in Official Gazette No. (5416) on 25/8/2016. The fees were amended on 25/11/2016, following popular protests and demands by Members of the House of Representatives, whereby the additional fees on the transfer of vehicles more than ten years old were reduced, and agricultural and construction vehicles were exempted from the increase in ownership transfer fees.

¹⁸⁰ Ministry of Finance – General Government Finance Bulletin – Issue No. 12 – January 2017.

¹⁸¹ In 1989, the Government adopted a comprehensive economic adjustment programme in cooperation with the International Monetary Fund and the World Bank, aimed at maintaining the exchange rate of the dinar at that time, rebuilding the Central Bank's foreign currency reserves, restoring internal and external balance, achieving appropriate growth in gross domestic product (GDP), and controlling inflation. This was due to the decline in oil prices witnessed during the 1980s, which led to a decline in the remittances of Jordanian workers and a decline in foreign aid. This resulted in a current account deficit amounting to 5.2% of GDP, and a decline in GDP growth rates to an average of 6.2% during the period 1981–1985; on the other hand, however, the fiscal deficit declined, and inflation fell to an average of 4.1%. During the second half of the 1980s, the fiscal deficit increased, debt service ratios rose to 45.4% of exports in 1989, and the budget deficit reached 20% of GDP. Government borrowing to meet this deficit led to an aggravation of inflation. For further information, see the website of Mr. Mufleh Aqel at the link: http://www.muflehakel.com/part%20one/syasat_elesla7_elektesade_alordon_namothajan.htm

partnership with the International Monetary Fund (IMF) and the World Bank, with the aim of reducing public debt and driving forward wide-ranging structural reforms in order to improve economic conditions and achieve inclusive growth for broader segments of the population. The most recent of these was the “Extended Fund Facility (EFF)”¹⁸² arrangement of 24/8/2016, in support of Jordan’s economic and financial reform programme. Here we review some of the results achieved under the Stand-By Arrangement¹⁸³ (which preceded the above-mentioned programme), implemented by Jordan with the IMF over three years (August 2012 – August 2015), the outputs of which consisted of lifting subsidies on electricity, water and other services. Likewise, the total public debt ratio¹⁸⁴ rose during the programme’s implementation period at a rate of (3.8) percentage points annually, unemployment rates¹⁸⁵ rose by (1.6) percentage points, and the poverty rate remained stable at a high level estimated at 14.4%. According to a number of economic experts, this requires the Government to evaluate the previous programme in order to avoid failure again when implementing the new programmes.¹⁸⁶ As for the inflation rate (average consumer prices), it decreased in 2016 by 0.8% compared with 2015. Looking at the groups¹⁸⁷ that led to this decrease, we find that they are closely linked to energy, which fell owing to the decline in fuel prices in previous periods. The decrease in the inflation rate here points to the state of slowdown prevailing in the Jordanian economy and to the decline in consumers’ purchasing power, which is an inevitable result of poverty and unemployment.

Total public debt to GDP for 2016 compared with previous years

Year	2013	2014	2015	2016
Total public debt to GDP	86.70%	89.00%	93.40%	94.80%

¹⁸² International Monetary Fund – Press Release No. (16/381) – The Jordanian authorities and an IMF staff team reached an agreement for a period of (26) months on the request for access under the Extended Fund Facility (EFF), in an amount equivalent to (514.65) million Special Drawing Rights (approximately USD 723 million, or 150% of Jordan’s quota in the Fund), to be disbursed over three years. Jordan will be able to draw an immediate amount equivalent to (51.465) million Special Drawing Rights (approximately USD 72.4 million), with the remainder of the amount to be disbursed in instalments over the duration of the programme, subject to six reviews to be conducted by the Fund.

¹⁸³ The Jordanian Government signed a Stand-By Arrangement with the International Monetary Fund in August 2012 for a period of (36) months ending in August 2015, in the amount of USD (2.06) billion. The national economic programme in Jordan aims to maintain macroeconomic stability through: the implementation of fiscal, monetary and structural policies capable of addressing the challenges and halting the revenue losses recently incurred by the State; reducing the primary deficit (excluding grants) by approximately 6% of GDP; directing subsidies to those entitled to them; and other measures.

¹⁸⁴ According to the Government Finance Bulletin issued by the Ministry of Finance, the ratio of public debt to GDP for the years 2013 to 2015 was estimated at (86.7%, 89%, 93.4%) respectively.

¹⁸⁵ According to the Department of Statistics, the unemployment rate during the years 2013 to 2015 stood at (12.6%, 11.9%, 13%) respectively.

¹⁸⁶ Dr. Fahd Al-Fanek, “Economic Reform between Two Programmes”, at the link <http://alrai.com/article/783051.html>; Khaled Al-Zubaidi, “Towards Evaluating the IMF’s Objectives”, on the Ad-Dustour newspaper website; and Dr. Mazen Marji, Mr. Mohammad Al-Bashir and Mr. Imad Al-Malhi, “The Jordanian Economy: Where To?”, at the link <https://www.youtube.com/watch?v= SX8OOVMdbBA>.

¹⁸⁷ Department of Statistics: among the most prominent commodity groups that contributed to the decline in the inflation rate were meat and poultry, by 10.2%; transport, by 3.9%; fuel and lighting, by 4.5%; vegetables and dried and canned legumes, by 4.5%; and dairy and egg products, by 2.6%; whereas among the most prominent commodities whose prices increased were: rents, by 2.6%; culture and recreation, by 4.6%; education, by 1.9%; and tobacco and cigarettes, by 3.2%. Link: http://dos.gov.jo/dos_home_a/main/archive/inflation/2017/CPI_Jan.pdf

Chart prepared by the Centre on the basis of the Ministry of Finance bulletin.

The Centre considers it necessary to seek to reduce the indebtedness deficit, which has worsened in recent years to the point of exceeding the limits set by the Public Debt Law, through: (a) reviewing the Income Tax Law so that tax is paid on the basis of the net income actually received, in order to close the gap between citizens' salaries; (b) easing the tax burden on citizens by reducing the general sales tax rate; (c) benefiting from international trade agreements, particularly following the incentives offered to Jordan by reducing the rules of origin to 35%,¹⁸⁸ which afford Jordanian producers and investors the opportunity to overcome the most significant difficulties facing the access of Jordanian exports to the European market; (d) encouraging investment and attracting capital; and (e) controlling public expenditure.

As for the energy file, which still constitutes the greatest challenge facing the Jordanian economy and the State's public finances, the year 2016 witnessed the continued losses of the Electricity Company, which reached (6.7) billion Dinars according to the Ministry of Finance bulletin.¹⁸⁹ The Government announced a mechanism for adjusting the electricity tariff¹⁹⁰ automatically in accordance with changes in world oil prices, which was implemented at the beginning of 2017 as a core requirement of the Extended Fund Facility financial reform programme with the IMF. The Centre commends the Government's orientation towards alternative energy through the launch of two alternative energy projects in Ma'an Governorate with the aim of reducing the size of the oil bill, namely the Shams Ma'an Project¹⁹¹ and the Wind Energy Project,¹⁹² the two projects will supply the electricity grid with clean energy without emitting carbon dioxide into the atmosphere. The Centre also commends the current efforts of the Ministry of Water and Irrigation to supply areas with water by gravity flow instead of pumping, which contributes to reducing the cost of energy consumed in the water sector, which accounts for 15% of total consumption in the

¹⁸⁸ Ministry of Industry, Trade and Supply: the decision simplifying the rules of origin between Jordan and the European Union, which entered into force on 19/7/2016 and remains in force until 31/12/2026, makes it possible to overcome the most significant obstacles to the access of Jordanian exports to the European market, thereby increasing Jordanian exports and benefiting from customs exemptions under the Jordan–EU Association Agreement. To view the decision, see the link: <http://mit.gov.jo/Pages/viewpage.aspx?pageID=310>

¹⁸⁹ Ministry of Finance – General Government Finance Bulletin – Issue No. 12 – January 2017.

¹⁹⁰ According to the mechanism published by the Energy and Minerals Regulatory Commission, the monthly electricity tariff will be calculated according to the following formula: the cost of the fuel basket used monthly + the cost of capacity, maintenance and energy purchased from electrical interconnection and renewable energy + the monthly administration and operation cost + the electricity distribution cost. To view the electricity tariff, see the website of the Energy and Minerals Regulatory Commission at the link: <http://emrc.gov.jo/index.php/ar/%D8%A7%D9%84%D8%AA%D8%B9%D8%B1%D9%81%D8%A9-%D8%A7%D9%84%D9%83%D9%87%D8%B1%D8%A8%D8%A7%D8%A6%D9%8A%D8%A9>

¹⁹¹ The Shams Ma'an project is the largest energy project in the Middle East region for generating electricity from solar energy, using 600 thousand photovoltaic panels, with an estimated capacity of (52.5) megawatts. The project was established over an area of (2) million square metres, with an investment volume of up to USD (170) million. The project will supply the electricity grid with clean energy at a rate of (160) megawatts annually, avoiding the emission of approximately (60) thousand tonnes of carbon dioxide.

¹⁹² The wind energy project is one of the alternative energy projects aimed at reducing the oil bill, in addition to supporting and advancing development and creating job opportunities in the city of Ma'an. The project will generate (200) gigawatt-hours per year of clean electricity for the grid.

Kingdom.¹⁹³ The Centre further calls upon universities in the Kingdom to study the possibility of establishing projects similar to the “Hashemite Sun Project”¹⁹⁴ for solar energy, which contributed to reducing the energy bill of the Hashemite University, which had exceeded (2.5) million Dinars annually, to zero. In this regard, the Centre calls upon the Government to move towards the green economy,¹⁹⁵ which supports economic growth and increases income and employment opportunities, and to benefit from the experiences of other States and the projects implemented in them, such as waste recycling projects in Brazil,¹⁹⁶ the United Arab Emirates’ practice¹⁹⁷ of exploiting the smoke and gases emitted by factories by collecting them in turbines and converting them into fuel, as well as the Canadian experience of exploiting oil sands, and not only oil shale, for oil extraction.¹⁹⁸

Poverty Rates¹⁹⁹ and Means of Combating Them:

The manifestations of poverty and the gap between social classes²⁰⁰ have widened, and are clearly visible in many of the Kingdom’s governorates, particularly in light of rising prices and taxes, falling wages and rising unemployment rates, in addition to the increasing numbers of Syrian refugees, who constituted one fifth of Jordan’s population, which has placed enormous pressure on services, resources and employment opportunities. Moreover, the Government’s pursuit of fiscal policies consisting of raising taxes and fees in order to cover the deficit in indebtedness has overburdened citizens amid a lack of employment opportunities and low wages; the capital, Amman, ranked first in the Arab world in terms of high prices and low income, according to a

¹⁹³ Statement by the Minister of Water and Irrigation during the opening of the Second Jordanian–French Forum on Water Sustainability on 17/10/2016.

¹⁹⁴ The solar energy project at the Hashemite University is a project aimed at achieving “the University’s energy independence”, to serve as a pillar for increasing productivity and improving performance. The cost of the project was estimated at JOD 5.5 million, and it consists of two stations: a medium-voltage station with a capacity of (4) megawatts and a low-voltage station with a capacity of 1 megawatt.

¹⁹⁵ The green economy is the fruit of a close partnership between the United Nations Environment Programme (UNEP) and the International Labour Organization (ILO). UNEP has defined the green economy as an economy that results in improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities.

¹⁹⁶ Source: Towards a Green Economy report (United Nations Environment Programme, 2011). The waste recycling project in Brazil has yielded a range of benefits, including: (1) the employment of more than (500) thousand persons in the field of waste recycling in Brazil; (2) the recycling of 95% of all aluminium cans and 55% of polyethylene bottles, and the recovery of half of the glass and paper; (3) the recycling process now generates for Brazil revenue worth USD (2) billion; (4) Brazil has avoided (10) million tonnes of greenhouse gas emissions; (5) the recycling process accounts for 0.3% of GDP.

¹⁹⁷ To view the achievements of the United Arab Emirates in the green economy, see the report of the Dubai Supreme Council of Energy at the link: http://www.dubaisce.gov.ae/arabic/images/EB_newsletter_arabic_FINAL_V1_pp_spreads.pdf

¹⁹⁸ ALBIAN SANDS ENERGY INC leads oil sands mining operations in Canada. For information on the company’s mode of operation, see the link: http://www.shell.ca/en_ca/about-us/projects-and-sites/shell-albian-sands.html

¹⁹⁹ The figures issued by the Department of Statistics estimate the poverty rate at approximately 14.4%, while, according to the World Bank report, (18.6%) of the total Jordanian population are at risk of joining the poor (“transient poor”). Combining the two percentages, one third of the population of the Kingdom is exposed to poverty at certain times of the year and for specific periods of time.

²⁰⁰ The Department of Statistics announced that it will conduct a Household Income and Expenditure Survey in the Kingdom at the beginning of next year, 2017, in order to calculate poverty rates.

study by the Economist Intelligence Unit (EIU).²⁰¹ The analytical report on the state of food security (2013–2014)²⁰² issued by the Department of Statistics further indicated that there are (6,212) food-insecure households, compared with (3,887) households in 2010, i.e. an increase of 60%. As for households vulnerable to food insecurity, they amounted to 5.7%, i.e. the equivalent of (71,347) thousand households. The highest proportion of food-insecure households was recorded in the governorates of Ma'an and Karak at 0.9%, as was the case in Al-Muraigha District at a rate of 12.9%, whereas the highest proportion of households vulnerable to food insecurity was in Umm Al-Rasas District at a rate of 25.6%. The Centre finds that these statistical indicators contradict Jordan's international obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR), as set out in the text of Article (11): "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions". This necessitates unifying the efforts of the bodies concerned with combating poverty and developing radical and rapid remedies, rather than confining themselves to temporary solutions consisting of the provision of financial and food assistance, in order to forestall the risks of the violation of this right, the consequences of which have begun to appear on the Jordanian street in the form of a rising crime rate, including economic crimes (fraud, narcotics, theft, etc.).

The National Centre renews its emphasis on what it stated in its previous annual reports regarding the amount of the minimum wage, which currently stands at (190) Dinars: it is insufficient to provide a decent living for a citizen who supports, on average, four persons, particularly in light of the rising prices that the Kingdom is witnessing.

Unemployment rate for 2016 compared with previous years

Year	2013	2014	2015	2016
Unemployment rate (%)	12.6	11.9	13.05	15.3

Chart prepared by the Centre on the basis of Department of Statistics figures.

Unemployment Rates and Means of Combating Them:

The year 2016 witnessed the formation of a Higher Committee for the Implementation of the National Employment Strategy,²⁰³ chaired by the Prime Minister and with the membership of a number of ministers and concerned parties,²⁰⁴ within the framework of the Government's interest

²⁰¹ The capital, Amman, ranked (29th) on the list of the world's most expensive cities in 2015, having ranked (48th) in 2014. To view the study, which covered (133) cities around the world and compared the cost of obtaining more than sixty products, see the link: <http://www.economist.com/blogs/graphicdetail/2016/03/daily-chart-4>

²⁰² Department of Statistics – Analytical Report on the State of Food Security in Jordan (2013–2014), issued in February 2016 as a survey accompanying the Household Expenditure and Income Survey 2013/2014, with the aim of identifying the state of food security in the Kingdom and determining areas of food insecurity and vulnerability at the sub-district level. To view the report, see the link: http://www.dos.gov.jo/dos_home_a/main/Analasis_Reports/food/food_2013-2014.pdf

²⁰³ The National Employment Strategy consists of three pillars: the vision pillar compared with the current reality of the labour market; the pillar of comprehensive and systematic diagnosis of the labour market; and the forward-looking pillar.

²⁰⁴ On 12/6/2016, the Council of Ministers decided to form a Higher Committee for the National Employment Strategy, chaired by the Prime Minister and with the membership of the Deputy Prime Minister for Economic Affairs and Minister of Industry, Trade and Supply, the Deputy Prime Minister for Services Affairs and Minister of Education, and the Ministers of Planning and International Cooperation, Labour, Higher Education and Scientific Research, Public Works and Housing,

in the issue of poverty and unemployment and its treatment as a top priority on the Government's scale of priorities. An amount of (25) million Dinars was also allocated to the Development and Employment Fund to be lent to young people on concessional terms;²⁰⁵ the recruitment of migrant workers was suspended in order to make employment opportunities available to Jordanians; and loans and advances were extended to Social Security retirees.²⁰⁶ With these measures, the Government's strategy is shifting from public-sector hiring to employment generation. However, looking at the unemployment figures issued by the Department of Statistics,²⁰⁷ we find that they indicated a rise in the unemployment rate to 15.8% during the last quarter of 2016. The highest unemployment rate was recorded among young people aged (15–24), at 3%, most of whom are graduates of universities and community colleges, and Ma'an Governorate recorded the highest unemployment rate, at 23%. The year 2016 also witnessed several scenes that sounded the alarm about the danger of unemployment in Jordanian society, including: the sit-in of unemployed persons in Dhiban District²⁰⁸ for more than sixty days, demanding the right to the provision of employment opportunities for the sons and daughters of the District; this was followed by a sit-in of unemployed persons in Ma'an Governorate, who stressed during their sit-in that, despite having been trained and qualified to work in energy projects, the vacancies in the energy projects established in the Governorate had been filled by persons from outside the Governorate.²⁰⁹ The National Centre is aware that the scale of the challenge in this field is considerable, particularly in light of: (a) the tendency of a broad segment of individuals to rely on employment opportunities provided by the public sector, which itself suffers from overstaffing and surplus;²¹⁰ (b) the declining capacity of the private sector to absorb more labour owing to low levels of economic performance; (c) the mismatch between educational outputs and the needs of the Jordanian labour market; (d) bearing the burden of employing Syrian refugees in accordance with the Jordanian Government's undertakings within the framework of its international obligations to provide (50) thousand opportunities for them before the end of 2016, with the opportunities to be increased to

and Finance. The Committee also includes the Presidents of the Jordan Chamber of Industry and the Jordan Chamber of Commerce, and the Head of the Technical Team for the Preparation of the National Employment Strategy.

²⁰⁵ Among the conditions and criteria relating to the groups targeted to benefit from the Group Employment Programme: 1. the beneficiaries of the project shall be of Jordanian nationality; 2. the beneficiaries shall be unemployed; 3. the age of the loan beneficiaries shall be not less than (22) years and not more than (45) years; 4. the minimum number of beneficiaries of the group loan shall be (4) persons; 5. one of the partners shall hold the General Secondary Education Certificate.

²⁰⁶ On 3/7/2016, the Council of Ministers announced a set of measures to reduce unemployment. For details, see the website of the Jordanian Prime Ministry: <http://www.pm.gov.jo>

²⁰⁷ Department of Statistics: the unemployment rate for the fourth quarter of 2016 rose by 2.2 percentage points compared with the fourth quarter of 2015. The results showed that the unemployment rate was high among holders of university degrees, reaching 22.5% compared with other educational levels. To view the bulletin, see the electronic link: http://dos.gov.jo/dos_home_a/main/archive/unemp/2017/Emp_q4_2016.pdf

²⁰⁸ On 25/4/2016, a group of unemployed young people, most of them university graduates, set up a tent in the main square of Thiban District / Madaba Governorate to demand their right to appointments and jobs.

²⁰⁹ On 1/11/2016, a number of unemployed persons in Ma'an Governorate staged a sit-in in front of the Governorate building to demand their constitutional right to obtain decent work in light of the difficult economic conditions. The protesters from the city of Ma'an stated that they had completed the requirements of training courses in solar energy, yet the vacancies were filled from outside the Governorate.

²¹⁰ Dr. Omar Al-Razzaz indicated that, in order to address unemployment, an economic growth rate of 7% must be achieved, and he coined the term "the waiting generation", namely the marginalised, frustrated and yearning generation.

(200) thousand job opportunities over the coming years,²¹¹ and the decision to simplify the rules of origin between Jordan and the European Union,²¹² which requires industrial establishments located in the geographical area specified in the decision, in order to benefit from it, to employ Syrian refugees at a rate of no less than 15% per factory during the first and second years from the date of the decision's entry into force, with the rate to reach no less than 25% during the third year; and (e) economic stagnation, the decline in exports and the fall in foreign and domestic investment.

The Centre considers that concerted efforts are indispensable to resolve the problem of unemployment. The number of unemployed persons has exceeded two hundred thousand according to Department of Statistics figures.²¹³ It is also necessary to activate the short-, medium- and long-term solutions put forward by the National Employment Strategy and to begin implementing its programmes, such as the School-to-Work Transition Programme; to introduce health insurance benefits and extend the Social Security umbrella to cover medium and small companies; and to move towards enhancing industrial production and exploiting the natural resources with which most governorates are endowed, which, if exploited and manufactured rather than exported as raw materials, would benefit the Jordanian economy and the citizen and contribute to reducing unemployment and poverty rates. It is likewise necessary to invest the skills of Syrian refugees in the industries in which they are proficient, such as the food and textile industries, and to encourage tourism investment in the governorates that are distinguished by archaeological sites and tourist areas, such as Ajloun, Jerash, Tafileh and Madaba.

Food Security and Upgrading Agricultural Production:

The agricultural sector continues to suffer from the same concerns addressed by the Centre in its previous annual reports. The beginning of 2016 witnessed a sit-in by Jordan Valley farmers²¹⁴ in front of the Al-Aridah Market in Deir Alla, which was monitored by the team of the National Centre for Human Rights. The sit-in was held in protest against the deteriorating conditions experienced by farmers in the Jordan Valley, which have led them to buy their daily sustenance (bread) on credit from bakeries as a result of the debts accumulated against them owed to the Agricultural Credit Corporation and agricultural companies; the number of farmers wanted for judicial enforcement on account of accumulated debts is estimated at approximately (13) thousand farmers, according to the President of the Jordan Valley Farmers Union.²¹⁵ It is worth noting that the agricultural sector's losses began five years ago and have worsened year after year as a result of the surrounding regional events in sister States. The Centre reiterates its emphasis on the most

²¹¹ The "Supporting Syria and the Region" Conference held in London on 4/2/2016, at which the Jordanian Government undertook to provide job opportunities for refugees, primarily in the form of work permits. To view the conference documents, see the World Bank website: www.worldbank.org

²¹² The decision simplifying the rules of origin between Jordan and the European Union entered into force on 19/7/2016 and remains in force until 31/12/2026.

²¹³ Department of Statistics: Annual Report on Labour Statistics in Jordan for the years 2011–2015. To view the report, see the link: http://dos.gov.jo/dos_home_a/main/archive/news/2016/Emp_Jordan.pd

²¹⁴ Sit-in by Jordan Valley farmers in front of the Al-Arda market / Deir Alla on 24/3/2016.

²¹⁵ During the meeting of the team of the National Centre for Human Rights with the President of the Jordan Valley Farmers Union, Mr. Adnan Khaddam, during the farmers' sit-in in Deir Alla on 24/3/2016.

prominent obstacles facing the sector, in addition to those it set out in its annual report for 2015, namely: (a) the phenomenon of climate change, which manifested itself during 2016 in rising temperatures, frost and drought, and which calls for activating the role of the National Centre for Agricultural Research and Extension in producing varieties suited to the climatic conditions; (b) the failure to find solutions for marketing agricultural products following the closure of the Syrian, Iraqi and Lebanese markets to Jordanian produce as a result of the conflicts witnessed in those countries; the farmers have demanded that the Government charter an air transport fleet to transport and export agricultural products and subsidise it, since exporting produce to Europe and Russia is not viable at current prices; (c) legislation and laws that do not keep pace with developments in the agricultural sector, such as the Agricultural Risk Management Fund Law,²¹⁶ which restricted compensation to frost waves only; (d) the rising prices of production inputs; (e) the inability of farmers to meet their financial obligations towards the Agricultural Credit Corporation and agricultural input companies owing to low crop prices and the closure of markets to their produce, which calls for fixing the prices of agricultural products in order to protect farmers from the greed of brokers and traders; for example, the selling price of a kilogram of tomatoes in the Jordan Valley fell to only two piasters, which drove many farmers to pick the produce and dump it in the streets or throw it to livestock as fodder; (f) a legislative shortcoming consisting of the non-coverage of agricultural workers by the Labour Law, as confirmed by court judgments,²¹⁷ owing to the failure to issue a regulation for workers²¹⁸ in the agricultural sector in accordance with the amendments made to the Labour Law in 2008; and (g) the shortage of water allocated for irrigation, as the water of the King Abdullah Canal has been diverted to supply the capital, Amman, while the people of the Ghor have been left to buy water tanks at their own expense.

The National Centre calls upon the Government to study the farmers' problems and to develop time-bound plans and programmes in consultation with the stakeholders among agricultural bodies, institutions, unions and associations, as well as to work to encourage investment in this sector and to support projects for the processing and marketing of agricultural products; it is unreasonable for agricultural crops to be destroyed by being dumped in the streets or left as fodder for sheep instead of being processed. The Centre also commends the Government's response to the farmers' demand to suspend the decision halting the recruitment of migrant workers for agricultural establishments, and to suspend the decision halting the loading of agricultural produce

²¹⁶ The Agricultural Risk Management Fund Law and its amendments, No. (5) of 2009, published in the Official Gazette (No. 4948), as amended by Amending Law No. (42) of 2015, which restricted compensation to frost waves in accordance with bases and mechanisms to be determined under a regulation issued for this purpose, as though the Law addressed a specific geographical area, disregarding the risks arising from winds, snowstorms, floods and epidemics, the pretext for this being the unavailability of financial resources.

²¹⁷ Decision of the General Panel of the Court of Cassation No. (3842/2015), which provided that, in view of the non-issuance of a regulation specifying the categories of agricultural workers subject to the provisions of the Labour Law pursuant to Article (3), as amended by Law No. (48) of 2008, agricultural workers remain excluded from the provisions of the Labour Law.

²¹⁸ Article (3/b) of the Jordanian Labour Law provides: "The provisions to which agricultural workers, domestic workers, cooks, gardeners and the like are subject shall be determined under a regulation issued for this purpose, provided that such regulation includes the regulation of their employment contracts, working hours and rest periods, inspection, and any other matters relating to their employment."

by foreign refrigerated trucks, which contributed to ending the strike of the agricultural sectors in the production, marketing and export of all agricultural products.²¹⁹

The Transport Sector:

The public transport sector is one of the most important service sectors in societies, in addition to the strategic advantages of this sector and the added value it generates for the national economy. Furthermore, its development and sound organisation are a key factor in preserving the environment and health by reducing harmful emissions and reducing traffic accidents, and it is a principal support for all sectors such as education, health and employment. The year 2016 witnessed the first step taken by the Government towards developing the public transport sector, with the approval by the Parliamentary Public Services and Transport Committee of the Provisional Public Transport of Passengers Law No. (33) of 2010.²²⁰ The National Centre hopes that, once the law has been enacted in its constitutional form, the concerned bodies will proceed to develop time-bound plans and programmes to resolve all the obstacles that have long faced the public transport sector, which suffers from a bitter reality in light of a transport network run by individual owners, remote from oversight and regulation; to resolve the overlap and conflict in the powers of the bodies that supervise and regulate it; and that the “Passenger Transport Support Fund” provided for in the law will contribute to alleviating the financial burdens borne by citizens. The National Centre has previously indicated in its previous annual reports the obstacles faced by citizens and students according to statistical studies²²¹ by bodies concerned with the sector, the most important of which are: (a) transport constitutes a financial burden on the citizen’s monthly income, consuming 25%–30% of his budget; (b) the absence of operative time and location schedules for bus movements and stops, with 40% of users spending more than (20) minutes waiting for a single trip; (c) transport difficulties account for 40% of the reasons for women not joining the workforce; (d) the transport sector constitutes a burden on the State Treasury, consuming 40% of the petroleum imported into the Kingdom annually. This is not to mention the stifling traffic congestion witnessed in the governorates and main cities, particularly the capital and other major governorates such as Zarqa, Irbid and Madaba, among the most important causes of which are the low standard of public transport services, which has contributed to citizens

²¹⁹ With reference to the statement issued by the Association of Vegetable and Fruit Traders and Exporters on 3/12/2016, which indicated the consensus of all those working in the agricultural sector, including associations, unions and the General Union of Jordanian Farmers, to cease the production, marketing and export of all agricultural products by all agricultural sectors on Thursday, 8/12/2016, should the Government fail to respond to their demands relating to: (a) suspending the decision of the Minister of Labour on halting the recruitment of migrant workers; (b) suspending the decision of the Minister of Transport on the operating mechanism of foreign refrigerated trucks.

²²⁰ According to Member of Parliament Eng. Amer Al-Bashir / Chairman of the Parliamentary Public Services and Transport Committee: the Law includes new definitions such as: passenger transport services, fare, operating contract, line, route and passenger, in addition to classifications of passenger transport according to the type and scope of service. The Law also establishes a national fund within the Commission dedicated to passenger transport revenues, named the “Passenger Transport Support Fund”, for the development of passenger transport facilities and the improvement of services through the provision of grants and loans to operators. The Law further permits the operational management and regulation of the sector to be entrusted to municipalities, governorate centres or any local authority exercising the powers of municipal councils, etc.

²²¹ A World Bank study entitled “Review of the Transport Sector of the Hashemite Kingdom of Jordan”, and a study by the International Youth Organisation entitled “The Experience of Using Public Transport in Amman”.

turning away from using them and towards acquiring private cars,²²² as well as the serious flaws and randomness in granting licences to service establishments and commercial shops at critical traffic points, as is the case on Al-Madina Al-Munawwara Street in the capital, Amman. The Centre renews its emphasis on the need to develop clear and specific short- and long-term plans and policies by incorporating provisions and articles into the Public Transport Law to advance the sector, which is regarded as a vital artery of life, and to adopt budgets capable of advancing the sector and lifting it out of the difficult situation under whose burden it labours. It is also necessary to take into consideration the need to raise the specifications of means of transport so as to serve persons with disabilities, and to focus on the economic and social impact of the sector and not only its financial impact. The Centre commends the attention given by the Land Transport Regulatory Commission to the transport problem of the Hashemite University and the introduction of four lines to serve students in the capital, Amman; however, according to the reality monitored by the Centre, oversight of the periodic maintenance of buses must be activated and their number increased in proportion to the number of students who spend the entire journey standing.

The Water Sector:²²³

Water is a vital and strategic resource and a fundamental input to life and to social and economic development. However, the Kingdom's suffering from a shortage of natural resources, climate change, increased demand for water as a result of population growth²²⁴ and the swelling numbers of refugees has contributed to a decline in per capita water share to below (120) cubic metres annually, according to statements by the Minister of Water and Irrigation.²²⁵ The year 2016 witnessed a series of measures taken by the Ministry of Water and Irrigation within the framework of confronting the water poverty²²⁶ from which the Kingdom suffers, in order to protect water sources and remove infringements, including: (a) continuing the campaign to tighten control over water sources,²²⁷ which began to be implemented in June 2013, with the number of infringements

²²² Annual Statistical Report on Vehicles for 2015 – Drivers and Vehicles Licensing Department – the number of vehicles registered at the end of 2015 reached (1,412,817) vehicles, with the rate of increase over the last ten years amounting to (8.7%). According to the World Bank study, the number of cars in Amman is expected to rise to (1.2) million cars in 2025, i.e. three times the current number.

²²³ Jordan is considered the third poorest country in the world and the second poorest Arab country in terms of water, according to the standards of the World Health Organization.

²²⁴ Department of Statistics, Report on the Main Results of the General Population and Housing Census 2015: the population of the Kingdom has increased more than (10) times over (55) years, with the greatest increase occurring during the past decade, particularly since 2011.

²²⁵ Statements by the Minister of Water and Irrigation on 19/10/2016, <http://www.waj.gov.jo/sites/ar-jo/default.aspx>

²²⁶ According to the World Health Organization, the global water poverty line is (1000) m³ annually, while the absolute (acute) water poverty line is (500) m³ annually.

²²⁷ Since the launch of the campaign to tighten control in June 2013, the Ministry of Water and Irrigation has managed to detect (861) cases of encroachment on main water lines, remove (26) cases of encroachment on State Treasury lands in the Jordan Valley areas, and more than (804) cases of encroachment on the resources, facilities and water of the King Abdullah Canal. The total number of illegal wells backfilled since the beginning of June 2013 reached (831) illegal wells, which had been drawing hundreds of thousands of [cubic metres of] groundwater; the total number of illegal drilling rigs seized reached (49) illegal rigs, in addition to the detection and seizure of (27,135) thousand encroachments on main water lines, while the total number of encroachments removed from lands in the Jordan Valley areas reached (1486) encroachments,

detected and removed reaching more than (27) thousand infringements on main and carrier water lines; (b) the Water Authority's adoption of new Instructions to curb water waste, which include a number of effective measures extending to heavy fines and the conversion of a subscription from residential to commercial and then the permanent disconnection of water;²²⁸ (c) the inauguration of a number of water projects such as the Kufranja Dam,²²⁹ the Wadi Al-Arab water conveyance²³⁰ and the project to modernise and rehabilitate water networks in a number of governorates such as the governorates of Tafileh, Ajloun and Irbid, as well as work on implementing a number of sanitation projects in a number of governorates such as the governorates of Mafraq and Zarqa.

In view of the phenomenon of climate change from which the Kingdom suffers owing to its location within the arid and semi-arid belt of the globe, it is necessary to urge and raise the awareness of citizens of the importance of rainwater harvesting and collecting it by various methods in available tanks in order to reuse it in summer. This would provide free, high-quality quantities of water estimated at (43) million cubic metres annually, i.e. 16% of the water used by citizens on the basis of a consumption of (253) million cubic metres.²³¹ As for sanitation services, although the proportion of properties served by sewerage has reached 68% according to the Ministry of Water and Irrigation, the Centre has monitored the suffering of many citizens in areas lacking this service and the consequences thereof, including odours emanating from cesspits and the spread of rodents, not to mention their bearing costs ranging from (30–40) Dinars to empty the cesspits, as is the case in Al-Hay Al-Sharqi / Madaba Governorate, Al-Dhulail and Al-Hallabat District / Zarqa Governorate, and Al-Mansoura / Mafraq Governorate.

Recommendations:

1. Involving local economic experts in developing economic plans to overcome the crisis from which the Kingdom suffers, as they are best able to assess the reality in a manner consistent with the local conditions experienced by Jordanian citizens, rather than resorting to IMF experts.

and (10,935) thousand encroachments on the King Abdullah Canal. This is according to what was published on the website of the Water Authority on 18/12/2016, <http://www.waj.gov.jo/sites/ar-jo/default.aspx>.

²²⁸ The new Instructions issued by the Ministry of Water / Water Authority include: photographing anyone wasting water and retaining the photographs to document the incident, and issuing a warning to the offender if it is the first time, together with a fine; in the event of repetition of such an act, the subscription is converted from domestic to commercial, after which the water supply is permanently disconnected and the offender is referred to the court for the application of the provisions of the law. To view the Instructions, see the Water Authority link: <http://www.waj.gov.jo/sites/ar-jo/default.aspx>.

²²⁹ The Kufranjah Dam project was constructed with a capacity of (7.8) million cubic metres at an estimated cost of JOD (29) million, financed by the Abu Dhabi Fund for Development within the Gulf grant to Jordan, for the purposes of irrigation, drinking water and the development of the surrounding environment, contributing to averting the risk of floods, in addition to supporting the agricultural sector in the Governorate and the surrounding areas.

²³⁰ The Wadi Al-Arab water conveyance project is one of the priority projects approved by the Ministry of Water and Irrigation within the framework of ongoing cooperation between the European Union and the French Republic. The project will bridge the large deficit in the northern governorates resulting from the waves of Syrian asylum by supplying the governorates of Irbid, Jerash, Ajloun and Mafraq with additional quantities of water of up to (45) million m³ from the waters of the King Abdullah Canal and Al-Wehdah Dam, so as to ensure that the future needs of the northern governorates are met. The cost of the project is estimated at USD (125) million. <http://www.waj.gov.jo/sites/ar-jo/Lists/List6/AllItems.aspx>

²³¹ Statements by the Minister of Water and Irrigation on 19/10/2016: rainwater harvesting provides (43) million m³ annually. See the link: <http://www.waj.gov.jo/sites/ar-jo/default.aspx>

2. Reforming the tax system and curbing tax evasion by working on: amending the Income Tax Law so that tax is paid on the basis of the net income actually received; reducing the unfair general sales tax, which the rich and the poor pay at the same rate, and raising the income tax on banks; training and building the capacities of the personnel responsible for applying the tax provisions; building a database of all persons working in the Kingdom and obliging them to submit data on the nature of the activities they pursue; and imposing an invoicing system on all those working in the services sector.

3. Raising the minimum wage in proportion to the cost of living, and limiting the imposition of fees and of direct and indirect taxes on goods and services.

4. Addressing the problem of unemployment by working on: strengthening the role of universities and community colleges in directing students to study the specialisations required by the labour market; allocating courses for practical application so that students acquire professional and practical skills before graduation; and safeguarding the right to work in public employment and opening its doors to young people by halting the appointment of retirees in independent institutions.

5. Reducing traffic congestion by working on coordination between the concerned bodies in the Ministry of Municipal Affairs and the Traffic Department with respect to the licences granted to commercial shops, restaurants and other establishments located on main roads, and strengthening programmes for disseminating traffic awareness through schools, universities, mosques and the media.

6. Preserving water resources by working on: spreading water awareness among all segments of society; enhancing regional cooperation for the development and implementation of water projects; and the continuation by the Ministry of Water of the implementation of network rehabilitation projects to cover all governorates of the Kingdom in order to curb water waste and reduce non-revenue water.

7. Supporting the agricultural sector and farmers, through:

- Reducing the share of the capital, Amman, of the water of the King Abdullah Canal and allocating it to agriculture.
- Exempting farmers from the interest on the loans owed by them to the Agricultural Credit Corporation, in view of the agricultural season having suffered a series of losses as a result of frost and the closure of the Syrian and Iraqi markets.
- Encouraging investment in the field of agricultural processing, and re-operating the tomato factory so that it can absorb the large quantities that farmers are unable to market.
- Activating the field role of the National Centre for Agricultural Research and Extension by supporting it with specialised technical staff and providing it with financial allocations.
- Supporting the export of agricultural products by sea and air freight.

3. The Right to Work

The year 2016 did not witness any developments concerning the Labour Law or any amendments thereto to strengthen this right, despite the Provisional Labour Law No. (26) of 2010 being on the agenda of the House of Representatives; it has been discussed several times by the Labour and Development Committee, but has not, to date, been debated under the Dome.

On the other hand, the National Centre commends the issuance of the Regulation on the Mandatory Employment of Jordanian Labour from the Inhabitants of the Governorates in the Construction Projects Implemented Therein No. (131) of 2016, issued pursuant to the National Building Law No. (14) of 1993 and its amendments, which would contribute to the development of the governorates and to alleviating unemployment, by obliging the contractor, the supervising engineering office and the employer to appoint a number of newly graduated engineers, administrative staff, technicians and Jordanian workers in construction projects from among the inhabitants of the governorate in which such projects are implemented. The provisions of this Regulation apply to all tenders for construction projects implemented in the Kingdom, including ministries, government departments and institutions, public universities, municipalities, any authority or body established under the legislation in force, and companies in which the Government holds shares.

Practices and Policies:

During this year, the Ministry of Labour worked to re-apply the Instructions on the insurance policy for domestic workers issued pursuant to Regulation No. (12) of 2015, after dozens of citizens who approached the Ministry at the beginning of this year and the previous year complained that they had been unable to recover the financial compensation covering them against domestic workers absconding after the first month from the signing of the contract with them, given that the signed contracts refer to the existence of “absconding or refusal-to-work insurance”, which covers the amounts paid by householders for recruitment. The figures indicate that approximately (600) citizens faced the problem of a worker leaving the workplace or refusing to work during the past two years,²³² and these persons were left without legal cover to restore their rights, owing to the decision previously issued by the Ministry of Industry and Trade halting the application of the Instructions on optional insurance for domestic workers, even though the contracts signed by householders confirm that they benefit from the workers’ insurance should the workers leave the workplace or abscond. In May 2015, the Ministry of Industry and Trade had issued a decision cancelling the application of the optional insurance clause for domestic workers, within an agreement signed by the Ministries of Labour and of Industry and Trade and the Association of Owners of Recruitment Agencies, which left all citizens who had suffered from their workers absconding or refusing to work after the first month from the signing of the contract without insurance cover.

During 2016, the Ministry of Labour permitted Syrian labour to work within specified sectors on condition that it does not compete with local labour; (38,185) work permits were issued after the United Nations High Commissioner for Refugees (UNHCR) undertook to pay the work permit

²³² Al-Ghad newspaper, dated 7/4/2016.

fees for Syrian workers in the permitted sectors. For its part, the Ministry of Labour affirmed that Syrian labour would compete only with migrant labour in the Kingdom, within the percentages permitted for such labour in the available sectors, without in any way prejudicing employment opportunities for Jordanians. It should be noted that during 2016 the Ministry of Labour issued a total of (375,362) work permits for migrant workers of various foreign nationalities.²³³

On the other hand, the Tripartite Committee for Labour Affairs, chaired by the Minister of Labour, discussed the preliminary report of the technical committee formed to review the minimum wage. It had been expected that a decision would be taken to raise the minimum wage by (30–50) Dinars on Labour Day, i.e. on 1/5/2016, with establishments and factories to be granted a period of three months to regularise their situation before the decision entered into force. However, a dispute arose among the members of the Tripartite Committee over the value of the increase in the minimum wage, despite its members' acknowledgement of and agreement on the need to raise the minimum wage: the General Federation of Trade Unions pushed for it to be raised to (250) Dinars, whereas the employers, represented by the Chambers of Industry and Commerce, refused to raise it to more than (220) Dinars. This led to the matter being referred to the Council of Ministers in the Government of Dr. Abdullah Ensour, pursuant to the text of Article (52) of the Labour Law, to take the appropriate decision. However, the Government left office without taking a decision on this matter, so that the minimum wage remained at (190) Dinars, which does not cover the rising cost of living from which workers suffer. In this regard, it should be noted that a decision was issued by the Council of Ministers on 8/2/2017 raising the minimum wage to (220) Dinars instead of the (190) Dinars previously in force.

In order to control and regulate the labour market, the Ministry of Labour intensified its inspection campaigns during 2016. These campaigns resulted in the apprehension of (17,126) migrant workers in violation of either the Labour Law or the Residence Law, of whom (3,328) were migrant workers of Syrian and Yemeni nationality and (12,835) were migrant workers of Egyptian nationality. The campaigns also resulted in the deportation of (8,139) workers.²³⁴ It should be noted that the number of migrant workers deported in 2015 had reached (5,728) migrant workers. The Ministry of Labour estimated the number of migrant workers in Jordan at approximately (900) thousand migrant workers, only one third of whom hold work permits, the majority of them of Syrian nationality, and 70% of the (300) thousand workers holding work permits are of Egyptian nationality, followed by Bangladeshi nationality.

In order to regulate the labour market, the Ministry of Labour, through the Central Bank, circulated to exchange companies and companies transferring funds abroad “the necessity of not issuing any transfer for any unlicensed worker”, within measures to control the labour market²³⁵ and to provide employment opportunities for Jordanians. The Minister of Labour also decided to suspend the recruitment of migrant workers, a step which met with approval from trade unions and workers and with popular support, who considered it a bold decision by the Government that is consistent with the National Employment Strategy and the package of measures taken by the

²³³ Personal interview, Ministry of Labour – Syrian Refugees Office, on 30/1/2017.

²³⁴ Personal interview with the Director of the Inspection Directorate at the Ministry of Labour, on 30/1/2017.

²³⁵ Jordan News Agency, 25/10/2016.

Government to curb unemployment and poverty and to address the imbalances in the labour market.

During 2016, the Ministry of Labour, through its affiliated inspection directorates, carried out (85,253) inspection visits to industrial, commercial and service institutions and establishments, ranging from inspections of working conditions, occupational safety and health and compliance with conditions of work, in addition to sector surveys. During these visits, (5,190) labour violations and (9,511) warnings were issued to non-compliant establishments in accordance with the Labour Law. The directorates affiliated to the Ministry of Labour also dealt with (1,198) complaints through the Complaints Section and the hotline, of which (934) complaints were resolved and legal measures taken in respect of them in the interest of the workers.²³⁶

On the other hand, during 2016 the Ministry of Labour dealt with (75) labour disputes and (32) strikes. (53) labour disputes were resolved through direct negotiation between workers and employers, (18) labour disputes were resolved through recourse to a conciliation officer, while (4) labour disputes were referred to the court. The number of collective labour agreements deposited reached (71) collective labour agreements, from which (115,731) male and female workers benefited.²³⁷ The workers' demands focused mostly on increasing wages and salaries, obtaining additional gains in favour of savings funds and end-of-service gratuities, and improving the working environment and conditions.

Child Labour:

A study prepared by the Economic and Social Council revealed that the number of working children in the Kingdom ranged between (36) thousand and (40) thousand during the past two years, stressing “that child labour still represents a problem troubling Jordan, which calls for ascertaining the scale of child labour and the places where working children are found as a first step towards resolving this problem”. The study, entitled “Estimating the Number of Working Children in Jordan 2014–2016” and prepared by the Economic and Social Council, noted that it estimated the number of working children in Jordan on the basis of the growth in the number of students and the number of school dropouts, and explained “that official statistics confirm that most working children dropped out of school after completing the intermediate stage, the first (9) years of education, that (1.3%) of working children had not completed the primary stage, (34.4%) had completed the primary stage only, while 60% of them had completed the intermediate stage”. The study stated that the proportion of working children who had completed the first or second secondary grade, or who had dropped out during their studies at the secondary education stage, “does not exceed (5%)”. The study affirms that the main driver of child labour is “the existence of economic problems, the most important of which is household poverty, which pushes children to leave school and enter the labour market”, and stressed the need to activate the role of professional associations and trade unions and of the Ministry of Labour in curbing child labour.

²³⁶ Personal interview with the Director of the Inspection Directorate at the Ministry of Labour, on 30/1/2017.

²³⁷ The information was obtained through a personal interview with the Labour Relations Directorate at the Ministry of Labour on 27/2/2017.

The National Centre considers that oversight of employers of children must be activated and the legislation holding violators accountable must be enforced.

During 2016, one of the inspection committees, while performing its duty of inspecting factories in the Al-Yadudah area, discovered that one of these factories was employing children of an Arab nationality late at night. The Child Labour Section of the Inspection Directorate at the Ministry of Labour also dealt with (1,479) cases of child labour, of which (1,112) cases concerned Jordanian children and (367) cases concerned non-Jordanian children, and issued (852) closure warnings to employers and (1,210) violations against repeat offenders among establishments employing children below the legal age.

Although the Jordanian Labour Law No. (8) of 1996 and its amendments has addressed and regulated the phenomenon of child labour, by prohibiting the employment of a juvenile who has not completed (16) years of age and prohibiting the employment of a juvenile in hazardous, arduous or health-damaging work until the age of (18) years, and although Jordan has ratified several conventions for the protection and advancement of the child, in particular International Labour Organization (ILO) Convention No. (182) concerning the progressive elimination of the worst forms of child labour, the measures taken by the concerned bodies to curb the phenomenon of child labour remain deficient and insufficient to curb this phenomenon.

Social Safeguards:

The number of employers working in their own establishments who have been covered by Social Security as employers amounted to only some seven thousand since the Corporation began the phase of compulsory coverage of employers. This number represents only (3%) of employers working in their own establishments, whose share reaches 15% of the total number of employed persons in the Kingdom.²³⁸ The non-compliance of many employers with this legal entitlement reflects their lack of awareness of the importance of Social Security for them, despite the earnest steps taken by the Social Security Corporation to encourage employers to join the Social Security umbrella. By contrast, the number of active contributors to Social Security in 2016 reached (1,167,000) contributors, while the number of retirees receiving pension salaries reached (180,000) retirees, and (91,000) heirs.²³⁹

The recent amendments to the optional subscription system also made it possible to allocate a pension to the heirs of a deceased insured person whose subscription the Corporation had suspended owing to his delay in paying the monthly contributions for a period exceeding (12) months, should it become evident to the Corporation that special circumstances prevented him from paying such contributions, on condition “that the period of the subscriber’s default in paying contributions does not exceed (60) months and that his beneficiaries pay all the amounts due in respect thereof”.

On the other hand, the National Centre for Human Rights commends the measures taken by the Ministry of Education obliging private schools to pay teachers’ wages and Social Security

²³⁸ Press release issued by the Social Security Corporation on 14/6/2016.

²³⁹ Dr. Mohammad Al-Tarawneh, Director of the Studies Unit at the Social Security Corporation, during his intervention at the forum “Social Protection Floors in Jordan: Challenges and Opportunities”, Amman, 16/11/2016.

contributions throughout the year, including during the summer holiday, through compliance with the terms of the Unified Contract for Teachers in the Private Sector, which include payment of wages for a period of (12) months and their enrolment in Social Security for the whole of this period, in order to preserve the rights of those working in these educational institutions. The Social Security Corporation also took a decision providing for the coverage of private-sector teachers under the Social Security umbrella from the beginning of the academic year and for the entire contractual year of (12) months; it will not accept the suspension of their subscription during the summer holiday or the mid-year holiday, and it will undertake to issue certificates to private educational institutions regarding this obligation. The two decisions came after the widening of complaints by female teachers in the private sector affirming “the insistence of some private school owners on committing multiple violations against them, including paying them salaries below the minimum wage and forcing them to sign their resignations”. The teachers often accept this, as they return to work at the beginning of the year, but they lose their wages during the holiday, in addition to the interruption of payment of the Social Security contributions.

During 2016, the unemployment rate in the fourth quarter of the year jumped to its highest level according to the figures issued by the Department of Statistics, with the unemployment rate in the fourth quarter of the year reaching 15.8%, an increase of 2.2% over the fourth quarter of 2015. The unemployment rate for males reached 13.8%, compared with 24.8% for females, for the same period. The results showed that the unemployment rate was high among holders of university degrees (unemployed persons holding a bachelor’s degree or higher, divided by the labour force with the same educational qualification), the rate here reaching 22.5% compared with other educational levels. The results also indicated that 57% of all unemployed persons are holders of a secondary school certificate or higher, and that 43% of all unemployed persons had educational qualifications below secondary level. The highest unemployment rates were recorded in the two age groups (15–19) years and (20–24) years, the rate reaching 36.3% and 37% respectively. At the governorate level, the highest unemployment rate was recorded in Ma’an Governorate, at 23.2%, and the lowest unemployment rate in Balqa Governorate, at 10.5%.²⁴⁰ In addition, the attempted collective suicide by five young men on 11/5/2016 in Amman, after they had lost hope of obtaining decent employment opportunities, revealed the weakness of the employment programmes and their ineffectiveness. At a time when the figures issued by the Ministry of Labour indicate that it had employed more than (26) thousand unemployed persons under the National Employment Campaign, the Centre, through its field visits to the Qualifying Industrial Zones and its meetings with Jordanian workers, concluded that there are defects in this campaign, and that the figures being circulated regarding the number of workers employed are exaggerated to a large extent if we take into consideration the Ministry’s reliance, in its figures, on the number of workers employed annually by factories and companies without its having any role in their employment.

On the other hand, the studies conducted by the Ministry of Labour²⁴¹ show that there is a widespread reluctance on the part of persons with disabilities to register in the records of the Higher Council for the Affairs of Persons with Disabilities, and a significant increase in the number of those not registered with Social Security, which reflects the rise in unemployment

²⁴⁰ Report issued by the Department of Statistics on the fourth quarter of 2016, dated 25/1/2017.

²⁴¹ Al-Ghad newspaper, 15/8/2016.

among this segment of citizens. The 2015 General Population Census showed that the proportion of persons with disabilities among the population was approximately 11%, their number being estimated at approximately (900) thousand persons, whereas the number of persons with disabilities registered in the records of the Higher Council for the Affairs of Persons with Disabilities is (43,407) persons, i.e. 4.8% of the total number of persons with disabilities. Meanwhile, the study conducted by the Ministry of Labour showed that (16,338) persons with disabilities of working age are not registered with Social Security, constituting 66.3% of the total number of persons of working age within this group, thereby drawing attention to the fact of unemployment among the majority of persons with disabilities, owing to the absence of a disability-friendly working environment.

This reveals the weakness, or lack, of employers' compliance with the legal provisions affirming the necessity of employing persons with disabilities, which requires redrafting Article (13) of the Labour Law,²⁴² concerning guaranteeing the right of persons with disabilities to work, by amending it in a manner that ensures its actual application on the ground and establishing a penalty in the event of non-compliance with it, given that the Article refers the employer to Article (4/3)²⁴³ of the Law on the Rights of Persons with Disabilities in force, which is a loose article that did not specify the body responsible for overseeing its implementation. It is also necessary to include a provision in the Labour Law giving persons with disabilities priority in filling certain posts and occupations, in line with Arab Convention No. (17) of 1993 concerning the Employment and Rehabilitation of Persons with Disabilities. #### Trafficking in Persons:

In 2016, (30) cases were referred to the Public Prosecutor on suspicion of trafficking in persons,²⁴⁴ compared with (28) cases in 2015. Of these, (5) cases were classified as sexual exploitation, (21) cases as forced labour (domestic labour), and (4) cases as forced labour in other workplaces. The number of victims in these cases stands at (65) victims, and the number of persons harmed at (6) persons, while the number of perpetrators stands at (51) persons. A total of (208) cases of (11) nationalities were also accommodated in shelters, distributed as follows: (51) cases received by Karama House for the Sheltering of Survivors of Trafficking in Persons, (145) cases received by the Jordanian Women's Union, and (8) cases accommodated in various locations.

The cases received are referred by the Anti-Trafficking in Persons Unit of the Public Security Directorate,²⁴⁵ and these centres provide services to them until the victim is rehabilitated and integrated into the labour market, or voluntarily returns to the country of origin, according to her wishes.

²⁴² Article 13 provides: "The employer shall employ the percentage of disabled workers specified in the Law on the Rights of Disabled Persons in force, in accordance with the conditions set out therein, and shall send to the Ministry a statement specifying the jobs occupied by disabled persons and the wage of each of them."

²⁴³ "Obliging public and private sector institutions and companies in which the number of employees is not less than (25) and not more than (50) to employ one disabled worker; and, where the number of employees in any of them exceeds (50), to allocate not less than (4%) of their employees to disabled persons, provided that the nature of the work in the institution so permits."

²⁴⁴ These cases are still pending before the judiciary, and no final judgment has been issued therein.

²⁴⁵ The National Centre for Human Rights commends the efforts made by the Anti-Trafficking in Persons Unit of the Public Security Directorate and its prompt handling of the cases referred to it by the National Centre for Human Rights.

Qualifying Industrial Zones:

During 2016, the National Centre for Human Rights carried out numerous visits to the Qualifying Industrial Zones in order to ascertain the environment of these zones and the extent to which the workers employed therein enjoy their rights. These visits revealed deteriorating conditions in many factories, as well as the violations to which workers are subjected. Workers expressed their discontent with these conditions by going on strike and occasionally stopping work during 2016. The Qualifying Industrial Zones employ (62,191) male and female workers, of whom (16,599) are Jordanian. The most prominent observations and violations to which workers are subjected in some of these factories include the following:

- Ill-treatment of female workers by some supervisors in factories and industrial establishments, harassment of them and, at times, sexual harassment; in addition to ill-treatment of workers by the management of some factories, in the form of contempt and verbal abuse.
- Delays in the payment of salaries, at times until the tenth day of the month; and irregular payment of the annual increment, which is paid to the worker in some months and withheld in others.
- Retention of passports by employers.
- Failure to observe public health requirements in the preparation, serving and storage of food. Moreover, the quantity and quality of the food provided to workers as meals are inadequate, and are usually described as insufficient and lacking in nutritional value.
- Long overtime working hours, which may extend until ten o'clock in the evening, and at times until midnight.
- Failure to provide transportation from the factories to the workers' places of residence.
- Overcrowding in the dormitories, with the number of workers in some rooms reaching (12) male or female workers. Some dormitories also lack a kitchen that meets health conditions and has the necessary cooking utensils, in addition to lacking potable water, with water filters being placed inside the bathrooms.
- A general lack of cleanliness in some dormitories, and the prevalence of foul odours, damp and insects therein, in addition to the lack of the necessary ventilation and lighting in most of them.
- Failure to provide a place for prayer and worship in some dormitories, and the inability to practise religious rites in the factories comfortably owing to the limited time and space allocated for that purpose.
- Lack of the necessary heating, whether in the factories or in the dormitories; the small number of blankets allocated to workers in winter; the unavailability of personal lockers for workers; and the lack of privacy in the sanitary facilities in some dormitories, as they have no doors.
- The duration of the contracts of Jordanian workers in some factories is only three months, and in other factories (6) months or one year, constituting a probationary period to ensure that they perform the work required of them and continue to work with the same efficiency.

During this period, either party is entitled to terminate or rescind the contract without the slightest liability and without notice, with the result that workers have no sense of job security or stability.

- The financial incentives occasionally offered to workers are conditional upon their waiving their labour rights, most notably by not taking their annual leave.
- The medical clinics in many factories are not fit to receive patients, in addition to the absence of a doctor in the clinics of some factories throughout working hours.
- Workers' lack of awareness of their rights and job duties, and the failure to provide public safety measures inside the factories.

Recommendations:

The National Centre affirms the necessity of adopting its recommendations issued in previous reports, in addition to the following recommendations:

1. Working to amend the Labour Law in conformity with international standards on workers' rights.
2. Working to address the observations and violations to which workers in the Qualifying Industrial Zones are subjected, as set out in this report.
3. Raising the minimum wage in the labour market so as to guarantee the worker a decent wage commensurate with economic and living challenges.
4. Raising awareness among workers and employers of labour rights, the Jordanian Labour Law and the Law on Trafficking in Persons.
5. Urging the labour inspection offices in the Qualifying Industrial Zones to exert further efforts to monitor the situation of workers and address the violations to which they are subjected.
6. Intensifying inspection campaigns by the Ministry of Health and the Ministry of Labour on workers' dormitories to ensure their compliance with the Instructions on the Prevention of Health Nuisances relating to Health Hazards Arising from Residential Units and Labour Gatherings, issued pursuant to the provisions of Article (49) of the Public Health Law No. (47) of 2008, as amended.

4. The Right to Education

First: School Education

During the 2015/2016 academic year, the number of students in schools affiliated with the Ministry of Education across the Kingdom stood at (1,265,216) students, while the number of students in the public and private education sectors and the United Nations Relief and Works Agency (UNRWA) in the same academic year stood at (1,899,280) students.

Table No. (6) presents educational statistical data for 2015–2016.²⁴⁶

Table No. (6): Educational Statistical Data, 2015–2016

Details	Ministry of Education	Private Education	Other Government Bodies	UNRWA	Total
Total students	1,265,216	499,467	17,845	116,752	1,899,280
Number of students in basic education	1,080,346	382,958	15,044	116,197	1,594,545
Total teachers	79,079	35,495	2,052	4,392	121,018
Number of schools	3,683	3,055	45	178	6,961
Number of class sections	47,620	24,760	672	3,307	76,359

The budget of the Ministry of Education for 2016 amounted to (906,130,750) Jordanian Dinars, as shown in the following table:²⁴⁷

Table No. (7) presents total current and capital expenditure for the 2015 fiscal year compared with the 2016 fiscal year.²⁴⁸

Table No. (7): Total Current and Capital Expenditure for the 2015 Fiscal Year Compared with the 2016 Fiscal Year

Description	2016	2015
Current expenditure	842,381,000	844,481,000
Capital expenditure	63,749,750	65,690,000
Total	906,130,750	910,171,000

With regard to the staff of the Ministry of Education, the total number of the Ministry's employees during 2016 stood at (104,525), of whom (29,462) were male teachers, (49,617) female teachers, and (25,446) employees in administrative and financial positions, of whom (14,199) were male and (11,247) female.²⁴⁹

With regard to the General Secondary Education Certificate Examination (Tawjihi) during the 2016/2017 academic year, a rise in the failure rate was observed, which reveals a clear flaw in the educational process in general and on the part of all its stakeholders. In addition, there is the problem of the examination entrenching intellectual rigidity among students, as well as the psychological pressure generated by anxiety and tension from regarding a single year of a student's life as determining his or her future. This calls for a study reconsidering the General

²⁴⁶ According to the information included in the table of educational statistical data from the Information Management Section / Ministry of Education, taken from the Queen Rania Centre for Education and Information Technology.

²⁴⁷ According to the educational statistical data of the Queen Rania Centre for Information and Communication Technology and Education for the academic year 2015–2016, E-Learning System Section.

²⁴⁸ According to the educational statistical data of the Queen Rania Centre for Information and Communication Technology and Education for the academic year 2015–2016, E-Learning System Section.

²⁴⁹ According to the educational statistical data of the Queen Rania Centre for Information and Communication Technology and Education for the academic year 2015–2016, E-Learning System Section.

Secondary Examination in order to arrive at a fair mechanism for assessing students, offering more than one opportunity.

In the same vein, reference should be made to the recommendations on secondary education as a whole set out in the National Strategy for Human Resource Development, namely the unification of the General Secondary tracks so as to limit them to only two tracks: the academic track and the vocational track. A successful student who achieves a result consistent with university admission criteria shall be entitled to pursue university studies or to enrol in community colleges, while a student who has not sat the General Secondary Examination, or who has failed it, shall be entitled to apply for admission to technical intermediate university colleges, provided that he or she meets their admission requirements, in order to obtain a vocational education diploma. In addition, an independent national testing centre is to be established, responsible for supervising the General Secondary Examination, preparing examination questions, marking answer sheets and announcing results.²⁵⁰

Table No. (8) presents the pass rates in the General Secondary Examination, summer session 2016.²⁵¹

Pass Rates in the General Secondary Education Certificate Examination for 2016 – Summer Session (by Branch of Education, Type of Study and Sex)

Branch of education	Regular students: sat	Regular students: passed	Regular students: pass rate	Private-study students: sat	Private-study students: passed	Private-study students: pass rate	Males: sat	Males: passed	Males: pass rate	Females: sat	Females: passed	Females: pass rate	Total: sat	Total: passed	Total: pass rate
Scientific	17080	10781	63.1 %	6405	3174	49.6 %	9180	5375	58.6 %	14305	8580	60.0 %	23485	13955	59.4 %
Literary	6039	1098	18.2 %	3870	1094	28.3 %	2112	343	16.2 %	7797	1849	23.7 %	9909	2192	22.1 %
Information Technology	17406	4606	26.5 %	10609	3979	37.5 %	10212	2606	25.5 %	17803	5979	33.6 %	28015	8585	30.6 %
Health	1147	234	20.4 %	535	221	41.3 %	187	41	21.9 %	1495	414	27.7 %	1682	455	27.1 %
Sharia	53	10	18.9 %	62	16	25.8 %	74	15	20.3 %	41	11	26.8 %	115	26	22.6 %
Industrial	4393	3042	69.2 %	3640	1840	50.5 %	7717	4653	60.3 %	316	229	72.5 %	8033	4882	60.8 %
Agricultural	373	146	39.1 %	1961	521	26.6 %	1533	380	24.8 %	801	287	35.8 %	2334	667	28.6 %
Home Economics	2868	1058	36.9 %	3624	1020	28.1 %	210	26	12.4 %	6282	2052	32.7 %	6492	2078	32.0 %

²⁵⁰ From the recommendations of the National Strategy for Human Resource Development 2016–2025, issued by the National Committee for Human Resource Development.

²⁵¹ According to the statistics received from the Queen Rania Centre for Technology, Ministry of Education, for 2016.

Branch of education	Regular students: sat	Regular students: passed	Regular students: pass rate	Private-study students: sat	Private-study students: passed	Private-study students: pass rate	Males: sat	Males: passed	Males: pass rate	Females: sat	Females: passed	Females: pass rate	Total: sat	Total: passed	Total: pass rate
Hospitality	287	97	33.8 %	395	123	31.1 %	601	186	30.9 %	81	34	42.0 %	682	220	32.3 %
Total	49646	21072	42.4 %	31101	11988	38.5 %	31826	13625	42.8 %	48921	19435	39.7 %	80747	33060	40.9 %

With regard to illiteracy eradication, the Illiteracy Eradication and Adult Education Programme covers persons aged (15) years and over. The programme includes those who cannot read and write, through their enrolment in the programme and the acquisition of reading and writing skills. The number of adult education and illiteracy eradication centres for both sexes during the 2015/2016 academic year stood at (272) centres, of which (21) centres were for males and (251) centres for females. The number of persons enrolled in these centres stands at (3,499) persons, of whom (265) are male and (3,234) female.²⁵² The Centre reaffirms what was stated in its previous reports regarding the importance of exerting efforts in the field of illiteracy eradication and of reaching this group by working to expand networking with civil society institutions and charitable societies that may hold data relating to them, as well as by launching programmes designed to attract illiterate persons from all locations.

On more than one level, the challenges facing the education sector during 2016 persisted as a result of hosting Syrian students, as indicated in the Centre's previous reports, in terms of the pressure on school infrastructure and the resulting negative effects on students, owing to the continuing and growing overcrowding and student density in classrooms, without solutions being found by the Government.

Kindergartens:

The kindergarten stage is a non-compulsory stage of education. The number of government (free) kindergartens in the 2015/2016 academic year stood at (1,283) kindergartens, and the enrolment rate in the second kindergarten year (KG2) of pre-school education reached 61.4%.²⁵³ However, the challenges facing kindergartens, which were mentioned in the Centre's previous reports, persist, including: the unavailability of sufficient financial resources; the insufficient number of educational supervisors for the kindergarten stage in the education directorates; and delays in the procedures for constructing, furnishing and equipping kindergarten wings.

Protection and Safe Environment:

The Protection and Safe Environment Section at the Ministry of Education seeks to protect children from violence and abuse. Complaints are received and followed up with the competent authority, whether submitted through the hotline or the website, and written complaints are submitted on a form prepared for that purpose. Upon receipt of a complaint, the competent

²⁵² According to the preliminary statistics contained in the Ministry of Education report in the field of non-formal education on literacy and adult education, 2016.

²⁵³ Based on the preliminary information issued by the Queen Rania Centre for Education Technology.

directorates are addressed in order to form a committee to investigate the substance of the complaint, and the investigation is conducted in cooperation with the Legal Affairs Department and the Oversight Department, for the protection of the family and the prevention of domestic violence. However, there are challenges facing the work of this Section, including the absence of a social worker in schools affiliated with the Safe Protection Section, and the long time taken for the results of investigations into abuse cases to be issued.

Table No. (9): Statistics on Complaints Submitted to the Office of the Protection and Safe Environment Section for 2015–2016²⁵⁴

Nature of complaint	Number
1- Complaints received and withdrawn by the complainant after being addressed in coordination with the liaison officer at the directorate.	116
2- Complaints in respect of which official letters were sent to the directorates to form verification/investigation committees, as follows:	72
– Psychological abuse (neglect – discrimination)	17
– Physical abuse	37
– Verbal abuse	6
– Physical and verbal abuse (combined)	12

School Curricula

The year 2016 witnessed extensive controversy over the amendment of school curricula, with one camp in favour of and another opposed to these amendments. Several sit-ins were also held denouncing these amendments, most notably:

- A sit-in on 24/9/2016 with the participation of some members of the Council of the Teachers' Syndicate and members of the National Commission for the Defence of the Curricula, in front of Al-Husseini Mosque, in rejection of the amendments to the curricula. Their principal demands were the dismissal of the Minister of Education and the reversal of the approval of the amendments to school curricula, since, in their view, these amendments constitute an infringement of the Islamic faith and of good values.
- Members of the Teachers' Syndicate held another sit-in on 29/9/2016 in front of the Ministry of Education building, at which the Syndicate renewed its demands for the dismissal of the Minister of Education and its rejection of the amendment of school curricula.
- A number of students, teachers and members of the Syndicate held a sit-in in the city of Madaba on 12/10/2016 in front of the Madaba Directorate of Education building in rejection of the amendment of the curricula.
- The Centre also monitored several sit-ins in various areas of the Kingdom in rejection of the amendment of the curricula.

²⁵⁴ According to the preliminary statistics issued by the Protection and Safe Environment Section at the Ministry of Education for the academic year 2015–2016.

Within the framework of following up and monitoring the state of the right to education, the National Centre for Human Rights carried out monitoring visits to a number of government schools in 2016, and the results were as follows:²⁵⁵

First: Schools in Baqa'a Camp, which were visited on 29/9/2016; the most prominent findings were:

- The distance of some schools from the main road, which makes it difficult to reach the school.
- There are only two buses serving the camp area, and students are at times forced to wait for more than (45) minutes until one of the two buses becomes available.
- The road leading to some schools is not properly equipped, as it is unpaved, in addition to problems in dealing with the operators of public transport buses.
- The unavailability of Islamic Education and English (student book) textbooks in some schools as at the date of monitoring, namely 29/9/2016.
- The poor condition of individual wooden desks, which are uncomfortable, according to complaints by some students.
- The prevalence of foul odours owing to the presence of a livestock market in the area surrounding some schools in Baqa'a Camp.
- The insufficient number of indoor toilets in some schools.
- The sale in school canteens of certain products containing unhealthy substances, such as carbonated drinks, and certain products containing artificial colourings or certain preservatives.

Second: Schools in Jerash Governorate; the most prominent findings were:²⁵⁶

- Water shortages in most schools.
- Inadequate sanitary facilities, most of which are in need of maintenance.
- The lack of student clubs that could provide students with extracurricular educational and cultural programmes through which their capacities could be developed and built.
- The unavailability of heating and cooling in most of these schools.
- The unavailability of the medical supplies necessary for first aid in most of these schools.
- The distance of some schools from residential areas, such as Hatma Mixed Basic School and Al-Jabbarat Basic School for Girls.
- The unavailability of playgrounds in some schools, such as Al-Jabbarat Basic School for Girls and Jerash Comprehensive Secondary School for Boys.

²⁵⁵ The schools visited by the Centre are: Rabi'a Al-Adawiyya Secondary School for Girls, Al-Baqa'a Secondary School for Boys, Abu Nseir Mixed Basic School, and Al-Baqa'a Comprehensive Secondary School for Girls.

²⁵⁶ On 30/10/2016, the team of the National Centre for Human Rights conducted monitoring visits to a number of schools in Jerash Governorate, namely: Amina Bint Wahb Basic School for Girls / Sakib; Hamta Mixed Basic School / Hamta; Al-Jabbarat Basic School for Girls / Gaza Camp; and Jerash Secondary School for Boys / Jerash Qasabah.

Higher Education:

In 2016, certain challenges facing the higher education sector came to the fore, which the National Centre for Human Rights had already pointed out in its previous reports,²⁵⁷ including incidents of university violence, the expulsion of students, and the sit-ins they carried out.

The most prominent sit-ins carried out by students during 2016 include the following:

- The sit-in by students of the University of Jordan in protest against the increase in university fees since 2014. The sit-in began on 28/2/2016 in front of the University Presidency building, and the students' demands consisted of the cancellation of the decision to raise university fees, and of the increase in university fees of 30%–100% for the parallel programme and 100%–220% for postgraduate studies. On 6/4/2016, the student sit-in ended following the issuance of a decision by the University's Board of Trustees, which included the following:
 - a. With regard to the postgraduate studies programme: cancellation of the fee increase for (36) specialisations, and retention of the increase for the remaining programmes at a rate ranging between 20% and 40% of the value of the increase; and giving priority to doctoral students in teaching introductory courses and university requirements instead of lecturers from outside the University.
 - b. With regard to the bachelor's programme: treating outstanding students in the parallel programme in the same manner as the competitive programme with respect to credit-hour fees; linking the scheduling of the reduction of the remaining increase to the volume of government support; and not confining it to the 50% approved for the parallel programme.²⁵⁸
- The sit-in carried out by students of the Hashemite University on 4/8/2016 demanding the exemption of certain students from the university fees incurred by them as a result of registering for the summer semester, on the grounds that they had not completed attendance of lectures and sitting examinations, and an extension of the period for payment of university fees for the current semester. Other sit-ins were also held in protest against certain decisions, such as the sit-in held by students on 27/10/2016 to object to the imposition of disciplinary penalties on a student, and the sit-in held by students on 2/12/2017 for the same reason.
- With regard to university violence, the Centre monitored the outbreak of a fight at the University of Jordan on 17/11/2016 between two groups of students against a tribal background. The security services detained (14) persons suspected of involvement in these acts of violence, and the University imposed on the students whose involvement in these incidents was proven the penalty of final expulsion on (10) students, the penalty of

²⁵⁷ These challenges are as follows: the continued rise in university fees, as in previous years, with no changes or initiatives emerging to overcome the problem of increased fees or the problem of exceptions in university seats; and the continued existence of the parallel education programme in Jordanian public universities, as this system impedes the realisation of the principle of equality among Jordanians with respect to the right to education and discriminates between students according to their financial means.

²⁵⁸ Summary by the National Centre for Human Rights on the follow-up of the University of Jordan sit-in.

suspension for a period of one to four semesters on (7) students, and the penalty of a warning on one student.²⁵⁹

Recommendations:

The National Centre for Human Rights reaffirms its previous recommendations set out under the right to education, in order to guarantee the effective enjoyment of this right by individuals, and makes the following recommendations:

1. The necessity of working to raise students' awareness of human rights issues and to disseminate the values of tolerance and acceptance of the other.
2. Developing teaching methods and amending conventional educational tools in a manner that ensures that students acquire thinking and analytical skills.
3. The necessity of reconsidering the General Secondary Examination and finding a fairer means of measuring students' competence.
4. The necessity of upgrading school infrastructure by increasing the proportion of expenditure on education, building more schools, increasing the number of teachers, and ending reliance on rented schools and the double-shift system; in addition to developing the services provided in schools, particularly during winter, which requires the provision of adequate heating, as well as the need to provide yards, playgrounds and laboratories in schools that lack them, and to attend to cleanliness and sanitation.
5. Improving the conditions of teachers in general and increasing salaries and allowances.
6. The necessity of following up the paving of roads leading to schools, and the importance of studying ways to facilitate means of transport.
7. The necessity of creating additional class sections in certain schools that experience overcrowding.
8. Reconsidering the criteria for university admission and reducing exceptions.
9. Concerted efforts by all State institutions to curb manifestations of university violence.

5. The Right to Health

At the level of national legislation, 2016 witnessed the continuation of the debate on the Draft Law Amending the Public Health Law of 2015, as a joint session of the House of Representatives and the Senate had been scheduled, prior to the dissolution of the Seventeenth House of Representatives, to settle a number of contentious points contained in the draft amending law, such as the Minister's power to designate public places, the exclusion of tribal guesthouses (dawawin) from the application of the Law as public places, and the amendment of the definition of a public place.²⁶⁰ The draft law was proposed with the aim of contributing to the improvement

²⁵⁹ Website of the University of Jordan, on the summary of disciplinary decisions, dated 16/3/2017.

²⁶⁰ News item, Jordan News Agency (Petra), 3/7/2016.

of the health environment of citizens and reducing diseases resulting from smoking and passive smoking, by toughening the penalties for offences committed in breach of the provisions of this Law, and by obliging those working in crafts and industries that affect public health to obtain a health certificate before practising their work.²⁶¹

In a related context, and within the framework of the efforts exerted to combat the scourge of tobacco, the Council of Ministers approved during 2016 the National Strategy for Tobacco Control in Jordan for the years 2016–2018. The Prime Minister circulated the Strategy to all institutions for compliance, and the Ministry of Health and the King Hussein Cancer Foundation were then requested, with technical support from the World Health Organization, to formulate a road map for the years 2016–2018 setting out the objectives and responsibilities incumbent upon each institution, within specified time frames, for the enforcement of legislation on tobacco products and the identification of the best means of combating it, taking into account the six policies adopted under the World Health Organization Framework Convention on Tobacco Control, which Jordan was among the first States to ratify, in 2004.

a. Primary Health Care Pillar:

The Ministry of Health provides primary health care services through the health directorates, together with a wide network of health centres covering all population clusters in the Kingdom, through which general medicine, dentistry, public health, maternal and child health and health education services are provided, in addition to certain specialised services. The number of these centres in 2016 stood at (671) centres, distributed as follows: comprehensive centres (101) centres, primary centres (380) centres and branch centres (190) centres, in addition to (481) centres for the control of communicable diseases.

During 2016, the Ministry of Health recorded (103) new cases of HIV/AIDS infection, of which (37) cases were Jordanians and (66) cases non-Jordanians. Accordingly, the total number of cases of HIV/AIDS according to the records of the Ministry of Health from 1986 until 2016 has reached (1,340) cases, of which (369) cases are Jordanians and (971) cases non-Jordanians. The number of deaths from this disease since that date stood at (122) cases. It is worth noting that between (160) and (180) cases are under treatment.²⁶²

b. Tertiary Health Care Pillar:

Secondary health care services and certain tertiary health care services are provided through (110) hospitals, which collectively comprise the hospitals affiliated with the Ministry of Health, the Royal Medical Services, the teaching hospitals and private-sector hospitals.

Table No. (10) shows the number of hospitals operating in the Kingdom and their number of beds, while Table No. (11) shows the state of the services they provided in 2016.

²⁶¹ The statement of reasons (explanatory memorandum) for the draft law amending the Public Health Law, contained in the preamble to the draft law published on the website of the Jordanian House of Representatives on 7/12/2016.

²⁶² Based on the information received by the Centre from Dr. Mohammad Abu Jum'a, the Centre's liaison officer at the Ministry of Health.

Table No. (10): Number of Hospitals and Number of Beds in the Kingdom²⁶³

Item	Number in 2016
Total hospitals	110
Total hospital beds in the Kingdom	13731
Hospital beds at the Ministry of Health	5177
Hospital beds at the Royal Medical Services	2917
Beds at the Jordan University Hospital	599
Beds at King Abdullah I University Hospital	542
Hospital beds in the private sector	4496

Table No. (11): State of the Services Provided by Hospitals in the Kingdom

Item	Rate in 2015
Bed rate per 10,000 persons	14 (the indicator does not include the beds of the Psychiatric Hospital, the Addiction Rehabilitation Centre, Al-Karama and Al-Rasheed Psychiatric Hospital)
Admission rate per 1,000 persons	99
Average occupancy rate %	60.4
Average length of stay	3
Average mortality rate % in hospitals	1.7

Given that the Public Health Law No. (47) of 2008 has entrusted the Ministry of Health with responsibility for health affairs in the Kingdom,²⁶⁴ and with the aim of examining the health services provided in hospitals and health centres affiliated with the Ministry of Health and evaluating their standard, the Centre formed a team to monitor the conditions of these hospitals and health centres, and the results were as follows:

First: Al-Quwaysmeh Comprehensive Health Centre. The Centre's team carried out this visit on 24/2/2016, and the team recorded the following observations:

- The dilapidated and old condition of the Centre's building, in addition to its location on the second floor, which confirms that it is not suited to the needs of older and disabled patients.
- The dilapidated and inadequate infrastructure of the Centre, with a single toilet shared by male and female patients.
- The absence of a radiology department at the Centre, despite the fact that it is considered a comprehensive health centre.
- The narrowness of the service windows in the following sections: registry, accounts and pharmacy, and the absence of separate windows for men and women, which results in overcrowding and the gathering of patients in large numbers.
- The absence of family medicine specialists, despite the Centre's pressing need for this specialty.

²⁶³ Annual Statistical Report for 2016, issued by the Ministry of Health on 19/4/2017.

²⁶⁴ Public Health Law No. (47) of 2008, Article Three.

- The unavailability of a box for submitting complaints and suggestions.
- In this regard, the Centre emphasises the necessity of providing physicians (family medicine) in all primary health centres that still lack this specialty.

Second: Ma'an Government Hospital. The Centre's team carried out this visit on 20/3/2016, and the team recorded the following observations:

- The hospital generally has advanced medical equipment and provides diverse medical services; however, there is a shortage of certain equipment needed to complete the provision of medical services in the best manner.
- The level of cleanliness in the hospital is generally good, and there is no pressure in terms of patient numbers in general.
- The hospital has established a special mental health unit to deal with acute cases requiring admission; the kidney dialysis department has been developed and the number of its beds and equipment increased; and a special forensic medicine department has also been established.
- The problems from which the hospital suffers are: the absence of a cardiac centre, which leaves the hospital unequipped to perform catheterisation procedures, in addition to the absence of a central blood bank.

Third: New Zarqa Government Hospital. The Centre's team carried out this visit on 17/7/2016, and the team recorded the following observations:

- The hospital generally has advanced medical equipment and provides diverse medical services; however, there is a shortage of certain equipment needed to complete the provision of medical services in a better manner.
- The hospital's location and site are considered appropriate, the level of cleanliness inside the hospital is generally good, the hospital's external environment is generally clean, and the hospital meets health and public safety requirements.
- The hospital has also obtained accreditation from the Health Care Accreditation Council (HCAC), an independent body that prepares standards and prepares health facilities in accordance with these standards. The hospital ranked first among the hospitals affiliated with the Ministry of Health, which has had a positive impact on the services provided to patients, as the quality of many aspects has been raised, such as sterilisation, operations and the manner in which staff deal with patients. An electronic queuing system has also been introduced in the hospital's departments in order to resolve the problem of overcrowding and any problems that may arise therefrom.

Fourth: Princess Salma Government Hospital / Dhiban District. The Centre's team carried out this visit on 25/7/2016, and the team recorded the following observations:

- The hospital's location and site are considered appropriate for Dhiban District, the level of cleanliness inside the hospital is generally good, the hospital meets health and public safety requirements, and the hospital's external environment is generally clean.

- The shortage of male nursing staff, and the absence of nutrition engineers (dietitians) at the hospital.
- The absence of a cardiopulmonary resuscitation (CPR) team at the hospital.
- The failure to activate the Hakeem programme for electronic linkage at the hospital; moreover, the hospital has not obtained accreditation from the Health Care Accreditation Council (HCAC).
- The absence of a nursery for the children of the hospital's female and male employees.
- The lack of a visitors' rest area in some departments, such as the operating theatres and the intensive care unit.
- The lack of a cafeteria or buffet serving the hospital's employees and visitors.
- The inadequacy of the working hours of the specialist clinics relative to the number of patients.
- In this regard, the Centre stresses the need to link the Ministry's health centres and hospitals and the Royal Medical Services electronically.

Fifth: Prince Hussein bin Abdullah II Government Hospital / Ein Al-Basha: The Centre's team carried out this visit on 7/8/2016, and recorded the following observations:

- The location and site of the hospital are considered appropriate for the residents of Baqa'a Camp and the areas of Ein Al-Basha and Sweileh. The level of cleanliness inside the hospital is generally good, and it meets health and public safety requirements. However, the hospital's external environment is generally not considered clean owing to the presence of factories, quarries, noise and traffic congestion around it.
- The hospital is generally equipped with advanced medical equipment and provides diverse medical services; however, it lacks some of the equipment necessary to complete the provision of medical services in the best manner. In addition, the hospital needs to establish a psychiatric clinic, to construct a separate building for the clinics in order to reduce overcrowding in the current building, and to expand the Accident and Emergency Department.
- The hospital has no nursery for the children of its female and male employees.
- The Hakeem programme for electronic linkage has been activated at the hospital; moreover, the hospital has obtained accreditation from the Health Care Accreditation Council (HCAC) more than once.

In light of the foregoing, the Centre sent the detailed reports on the field visits to the Prime Minister, who in turn forwarded them to the Minister of Health to take the necessary action.

Food and Drug Control

Through the media, the Centre monitored the measures taken by the institutions concerned with food and drug control, the most prominent of which were the following:

- Staff of the Jordan Food and Drug Administration seized (470) tonnes of pickles at a factory in the north of Irbid Governorate, after signs appeared indicating that they were unfit for human consumption.²⁶⁵
- In late November 2016, staff of the Jordan Food and Drug Administration seized (250) tins of adulterated olive oil in Amman; as a result, the Administration referred the violators to the competent authorities for the requisite legal action to be taken against them pursuant to the Food Law.²⁶⁶
- The Administration followed up on reports circulated by some media outlets concerning the presence of the hepatitis virus in certain Egyptian agricultural products (strawberries and mangoes). Consequently, the Administration raised the inspection targeting rate for these two products by conducting the laboratory tests necessary to verify the safety of the products; thirty samples were tested and were found to be entirely safe. The Administration also resolved to write to the Ministry of Health to verify the incidence of viral hepatitis in Jordan, which showed a decrease in the number of cases compared with the same period in previous years.²⁶⁷

Recommendations

1. The National Centre for Human Rights reaffirms its previous recommendations under the section on the right to health aimed at ensuring the effective enjoyment by individuals of the right to health, in particular those relating to the general needs of the hospitals visited during 2015. The Centre further stresses the need to establish a specialised hospital in Karak Governorate to serve the Faculty of Medicine.
2. In light of the monitoring visits carried out by the team of the National Centre for Human Rights, and the detailed reports provided to His Excellency the Prime Minister, the Centre hopes that the Government, represented by the Ministry of Health, will implement the recommendations contained in those reports, part of which the Centre has set out in this report.
3. The Centre stresses the need to construct buildings for health centres that are designed from the outset for that purpose, instead of rented buildings, in the areas where rented buildings are still in use. It further stresses, in general, the need for all secondary care hospitals to obtain an accreditation certificate.

6. The Right to a Healthy Environment

In 2016, the Jordanian Government adopted a set of legal rules relating to the environment pursuant to the Environmental Protection Law No. (52) of 2006, the most prominent of which were the Instructions on Controlling the Use, Import and Re-export of Substances Controlled

²⁶⁵ Official page of the Jordan Food and Drug Administration on the social networking website (Facebook), dated 24/10/2016.

²⁶⁶ Official page of the Jordan Food and Drug Administration on the social networking website (Facebook), dated 2/11/2016.

²⁶⁷ The National Centre for Human Rights followed up the measures taken by the Jordan Food and Drug Administration.

under the Montreal Protocol and the Appliances and Equipment Containing Them of 2016,²⁶⁸ as well as the Instructions on the Selection of Sites for Development Activities and their amendments of 2016.²⁶⁹

The Ministry of Environment also prepared a number of draft laws and regulations and submitted them to the Prime Ministry so that the constitutional procedures for their enactment could proceed, the most prominent of which were:

- The draft Framework Law on Waste Management, which will provide the legal umbrella for increasing sustainable investment in the waste sector in all its types and in the methods of waste treatment and recycling, and for curbing the phenomenon of random dumping.
- The draft new Environmental Protection Law, which includes new provisions, the most important of which are the “polluter pays” principle and the review and toughening of penalties with a view to reducing attacks on and violations against the environment.
- The draft Regulation on the Manufacture, Import and Circulation of Biodegradable Plastic Bags of 2016.
- As for environmental challenges, in Jordan they are concentrated in the scarcity of water resources; energy challenges; increasing pollution rates as a result of growing activity in the transport, energy and industrial sectors; non-compliance with environmental requirements; the deterioration of ecosystems and encroachments on forests; environmental degradation in a number of areas, such as the Zarqa River basin; and weak environmental awareness and environmental culture within society in general, in addition to the phenomenon of climate change and its negative effects. Moreover, the negative repercussions of Syrian asylum on various sectors, including the environment, are evident to all. The challenges relating to water and energy shortages, desertification and the degradation of biodiversity, together with the accompanying pollution and climate change, may be less dangerous in immediate terms than other economic and political challenges; however, the effects of these challenges are longer-lasting and wider in scope and, regrettably, less amenable to remedy and correction once they have occurred.

Climate Change

In the field of climate change, Jordan submitted its Nationally Determined Contributions (NDCs) document, which aims to implement the requirements of the Paris Agreement on Climate Change by reducing emissions by 14% by 2030 at a cost of approximately USD (5.7) billion. Of this, 1.5% consists of unconditional contributions not dependent on the availability of funding, at a cost of USD (0.5) billion, and the remainder consists of contributions conditional on the availability of funding to reduce emissions by 12.5% in priority sectors, such as energy, transport, waste management, industry, water and agriculture, at a cost of approximately USD (5.2) billion.

²⁶⁸ Published on page (3951) of Official Gazette Issue No. (5410) dated 17/7/2016, and issued pursuant to Article (4/d) of the Environmental Protection Law No. (52) of 2006.

²⁶⁹ Published on page 4835 of Official Gazette Issue No. (5418) dated 1/9/2016, and issued pursuant to Article (4/d) of the Environmental Protection Law No. (52) of 2006.

Protection of Nature and Biodiversity

In 2016, a number of governmental measures were taken with the aim of protecting nature, forests and biodiversity, the most important of which were:

- a. The preparation of a draft agreement between the Ministry of Environment and the Royal Society for the Conservation of Nature for the development and management of recreational areas in the forests of the north of the Kingdom, so as to ensure the effective protection of forests and recreational facilities from all types of encroachment, particularly those relating to the random dumping of waste, which damages the forest environment.
- b. The commencement of the implementation of two agreements between the Ministry of Environment and the Royal Society for the Conservation of Nature for the preparation of a digital map of protected areas with a view to incorporating them into the land-use plan, and for the construction of a monitoring tower inside the Ajloun Reserve to monitor fires and encroachments on forests.
- c. The introduction of a number of new articles into the draft new Environmental Protection Law, in particular the articles relating to the protection of natural systems, strategic environmental assessment, and the network of protected areas approved by the Prime Ministry since 2009.

Rangeland Rehabilitation and Development

With regard to rangeland rehabilitation, implementation has commenced of the roadmap for the rehabilitation and development of rangelands in the Jordanian Badia through the Environmental Compensation Programme. Agreements were concluded between a number of ministries and associations to serve the central and northern Badia areas for the purposes of rehabilitating artesian wells, providing thousands of dunums with water-harvesting techniques, planting tens of thousands of pastoral shrubs, constructing water-harvesting ponds and water dams, establishing agricultural road networks, vaccinating and immunising tens of thousands of head of livestock, and providing sheep breeders with barley free of charge. The most important achievements of the programme during 2016 were as follows:

- The commencement of the implementation of a project to establish a marketing system following the value chain for sheep dairy products in the Jordanian Badia, with the aim of improving the incomes of livestock breeders in the Jordanian Badia, in cooperation with the United Nations Development Programme (UNDP).
- Contributing to the financing of the extension of the treated wastewater transmission line, (25) km in length, from the South Amman Treatment Plant to sites suitable for growing fodder crops east of Dhiban District.
- Following up on the implementation of the agreement between the Ministry of Environment and the Ministry of Water and Irrigation concerning the raising of Al-Wala Dam, and the implementation of fodder-crop cultivation activities over an area of (16) thousand dunums using treated wastewater discharged from the South Amman and Khirbet As-Samra treatment plants.

- Financing two cooperative societies to establish projects for the production of fodder using treated water discharged from the South Amman Treatment Plant.
- The commencement of the rehabilitation of two artesian wells in the northern Badia (Al-Bandan and Al-Qattiyya), in cooperation with the Ministry of Water and Irrigation.
- Financing the operation of three artesian wells in the Jordanian Badia using solar energy.
- Financing the drilling, equipping and operation of two artesian wells in the southern Badia (Sath Ma'an and Al-Husseiniyya).
- Financing the construction of a waste transfer station (Transfer Station) in the Juruf Al-Darawish area.
- The commencement of tendering for the construction of approximately (23) water-harvesting ponds or dams with a capacity of approximately (2.3) million m³ in the Jordanian Badia.
- The designation of three new agricultural roads in the central and northern Badia, (24) km in length, for paving and maintenance.
- The continued training and capacity-building of a number of cooperative societies in the northern Badia in the field of managing agricultural techniques for fodder production and managing rangeland reserves in the Badia.

Waste and Waste Management

There are (21) waste dumpsites in Jordan, not all of which meet the health requirements for the landfilling of waste, with the exception of the Al-Ghabawi dumpsite and a special dumpsite for hazardous waste located (125) km south of Amman in the Swaqa area. The Ministry of Environment implemented numerous initiatives in the field of waste management during 2016, including the following:

- Implementing the integrated national awareness campaign to reduce the random dumping of waste, using social media and media materials attractive to citizens (short films, plays for schools, etc.).
- Carrying out works, together with the relevant authorities, to upgrade the infrastructure in the Swaqa area (electricity, communications, access roads to the dumpsite, etc.) in order to attract the private sector to invest in the dumpsite; and liaising with the German side for the purpose of preparing the tender documents required for establishing integrated units for the treatment of hazardous waste at the Swaqa dumpsite on the basis of public-private partnership (PPP).
- Establishing a mechanism for dealing with medical waste at the national level, including the development and adoption of special specifications for modern medical-waste treatment equipment imported into the Kingdom and approved in accordance with international standards, in cooperation with the Ministry of Health.
- Intensifying control and inspection operations at the entrances to the Jordan Valley to prevent the entry and use of untreated organic fertiliser (manure), in cooperation and

coordination with the Royal Department for Environmental Protection, in order to curb the spread of flies.

- Commencing the implementation of a project for an electronic tracking system for tankers transporting domestic wastewater and waste oils and for vehicles transporting hazardous waste, which will limit random dumping into valley beds, torrent courses and elsewhere and ensure that such waste is disposed of at the sites designated for it.

Control and Inspection

The regulatory 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 through the application of the laws, regulations and instructions on environmental protection to institutions whose activities may affect the environment. The most important means of control exercised by them are the following:

a. Licences

In 2016, the Central Licensing Committee granted (1650) environmental licences, compared with (1472) licences in 2015. On the other hand, the Committee rejected (259) applications for the licensing of industrial, agricultural and craft projects and warehouses, compared with (242) applications for the licensing of industrial, agricultural and craft projects in 2015, owing to their non-compliance with the environmental requirements for licensing investment projects, as shown in Table No. (12).

Table No. (12): Environmental Licences and Their Numbers

Outcome of licence applications	2015	2016
Approved	1230	1391
Not approved	242	259
Total	1472	1650

b. Environmental Assessment and Audit Studies:

In 2016, (11) environmental audit studies were approved for non-compliant establishments, compared with the approval of (7) environmental audit studies in 2015. In addition, (41) environmental impact assessment studies were conducted during 2016, compared with (46) studies conducted during 2015.

c. Violations:

In 2016, the Royal Department for Environmental Protection recorded (47110) violations in various parts of the Kingdom; 2016 also saw a marked increase in the number of environmental violations compared with previous years.

d. Complaints, Warnings and Closures:

In 2016, (903) development establishments in the Kingdom were inspected. The Ministry of Environment issued (322) warnings to the non-compliant establishments among them, and (83) of them were closed, compared with (218) warnings and (49) closures during 2015, as shown in Table No. (13).

Table No. (13): Number of Warnings and Closures

Action	2015	2016
Warning	218	322
Closure	49	83

Rehabilitation of Environmentally Degraded Sites

The Ministry of Environment approved proceeding with the project for the rehabilitation of the phosphate hills in Russeifa District by the Jordan Phosphate Mines Company, in accordance with the work plan submitted by the British company “Aleff Group”, which includes the removal of the phosphate stockpiles.

The Ministry of Environment also completed the implementation of the first phase of the project to establish the environmental park in Russeifa District, and work is currently under way to secure the funding necessary to tender the implementation of the first part of the second phase of the park, so that it may serve as a recreational outlet for the residents of the area.

The Ministry of Environment further secured, through the European Investment Bank, the funding necessary to appoint a consultant (Transaction Advisor) to prepare the economic feasibility studies for the project to establish an industrial wastewater treatment plant in the Al-Hallabat area on a PPP basis. This project is considered an essential prerequisite for resolving the problem of the pollution of the Zarqa River.

State of the Environment Reports

The final draft of the Second State of the Environment Report in Jordan was completed with the participation of all relevant institutions. This is intended to help empower decision-makers and specialists, on the one hand, and to provide them with what is needed to take decisions on development and environmental issues that are based on correct information and supported by evidence, in order to ensure a balance and harmony between economic plans and policies, social growth, and the exploitation of natural resources and ecological and environmental systems; and to address national strategic issues of great importance, such as water scarcity, desertification, environmental degradation, natural and humanitarian disasters, pollution, waste and increasing population growth, and to achieve sustainable economic growth without harming the environment.

Monitoring the Situation of the Zarqa River

On 11/4/2016, the Centre monitored the Zarqa River in order to identify all the violations committed that contribute to its pollution. The river, which for many years had been a destination for picnickers and a vital source for agriculture, has turned into a place of pollution and foul odours. It was found that the effluent from treatment plants and factories and the sewage overflows

discharging into the river constituted a major source of pollution of the river and of crops in the areas through which it passes, in addition to their effect in polluting the nearby groundwater. The cities of Zarqa, Russeifa and Jerash, within whose “boundaries” the river passes, ending at King Talal Dam, are perhaps the most affected by the pollution of the river. The Centre also observed that there was random, unmonitored dumping of waste and rubble in the riverbed, which has negatively affected the depth of the channel. The Centre further observed the leakage of sewage water from houses into the river in some areas.

Recommendations

In light of all the foregoing, the National Centre reaffirms the recommendations contained in its previous reports and recommends that a set of measures be taken that would provide protection for the right to a healthy environment, foremost among them those relating to the institutional and legislative framework, which still suffers from a number of problems. The most prominent of these measures are the following:

1. Strengthening the role of the Ministry of Environment as a supervisory, regulatory and coordinating body responsible for formulating the general policy for environmental protection, and providing it with sufficient staff to strengthen its regulatory role and the enforcement of the law.
2. Ensuring continuous coordination among policy-makers in the relevant sectors that directly and indirectly affect the environment.
3. Refraining from issuing any environmental legislation regulating the work of certain bodies (for example, as occurred in the legislation on development zones and others) except after coordination with the Ministry of Environment as the competent authority, in order to avoid overlapping powers in the environmental sector before, during and after the issuance of any legislation relating to environmental affairs.
4. Taking social, economic and environmental dimensions into account in an integrated manner in the drafting of environmental legislation.
5. Continuing to integrate environmental considerations into other sectoral policies, plans and programmes.
6. Strengthening the technical capacities of the staff of the Royal Department for Environmental Protection to enable them to carry out inspection and law-enforcement operations.
7. Building the national capacities of municipalities to enable them to contribute to national efforts to protect the environment.
8. The Water Company of Jordan (Miyahuna) must, before pumping water from springs or wells to pumping stations, verify the absence of pollution, and must not delay preventive measures until the departments of the Ministry of Health, the Ministry of Environment and the food authorities intervene, particularly in cases of mixing between drinking water and sewage and the occurrence of faecal contamination; it must also rectify the condition of pipes, springs and wells and ensure that they are tested in the laboratory on a permanent basis to establish that they are completely free of pollution.

9. The Greater Amman Municipality and the municipalities must develop rapid executive plans to resolve the sewerage problem in all areas of the Greater Amman Municipality in particular, given that citizens pay taxes for this service without being connected to sewerage networks; and must likewise expand sewerage networks in the various areas of the Kingdom, particularly those containing closely situated residential neighbourhoods.

7. Cultural Rights

Cultural rights encompass the right to enjoy and participate in cultural life; cultural heritage (tangible and intangible, and artistic freedom); intellectual property rights; and the right to enjoy the benefits of scientific research and its applications.

As regards the legislation governing cultural rights, no amendments were made to that legislation in 2016;²⁷⁰ the Centre therefore reaffirms its previous recommendations on this matter.

First: Tangible Cultural Heritage

In 2016, the Ministry of Tourism and Antiquities rehabilitated and restored a number of archaeological sites and implemented a number of projects to promote and raise awareness of those sites of cultural value. The “Museum of Popular Traditions” at the Roman Amphitheatre was also reopened after having been closed five years earlier for restoration and maintenance works. It should be noted that a single storehouse will be established to bring together the antiquities held in all the storehouses of the Kingdom with the aim of preserving Jordan’s historical heritage. This followed a case involving the forgery and substitution of (401) gold and silver coins discovered in the areas of Iraq Al-Amir and Abdoun, which was discovered by chance by a French researcher; it should also be noted that there were suspicions regarding the substitution of approximately (35) archaeological coins discovered in the Tell Nimrin area in the Jordan Valley, and that the main archaeological collections storehouse in the Tabarbour area was subjected to an attempted theft on the first day of the last Eid Al-Fitr holiday, at a time when all the site’s cameras were out of order. To date, these cases remain under investigation by the security authorities. Maintenance was carried out on the Citadel Museum, which was equipped with additional cameras, and in 2016 a project was launched to archive the collections of the Jabal Al-Qal’a (Citadel) Museum, in place of the system currently in use, at a cost of EUR (350) thousand.²⁷¹ On the other hand, 2016 witnessed the continuation of the challenges relating to tangible cultural heritage that were identified in 2015.

Second: Intangible Cultural Heritage

Further to the issuance of the Arabic Language Protection Law of 2015, in 2016 the Jordan Academy of Arabic submitted to the Prime Ministry proposals for two regulations, the first being a regulation on monitoring the compliance of institutions with the Arabic Language Protection Law, and the second concerning the Arabic language proficiency examination. In light of this, the

²⁷⁰ These legislative instruments are: the Culture Promotion Law, the Copyright Protection Law, the Press and Publications Law, and the Law on Guaranteeing the Right of Access to Information.

²⁷¹ Based on the information received from the Department of Antiquities in late 2016.

Regulation on the Arabic Language Proficiency Examination was issued in August of the same year.

At another level, the total budget of the Ministry of Culture for 2016 amounted to JOD (8147200), compared with JOD (8533000) in 2015. It should be noted that the number of cultural bodies increased in 2016, reaching (630) cultural bodies registered by the end of 2016, compared with (626) bodies in 2015.²⁷² The Ministry of Culture provides support to these cultural bodies; however, this support is considered relatively modest and barely covers the rent of their premises. It should also be noted that a number of cultural bodies do not own premises and rely, in supporting their activities, on individual networking with donor institutions and agencies, which does not enable them to contribute to activating the cultural movement in an institutional manner; rather, they carry out individual activities depending on the availability of support. Accordingly, support must be increased for these bodies, which contribute to sustaining and preserving cultural specificity and diversity within Jordanian society. On another front, the Ministry of Culture supports and disseminates cultural output through the Publishing and Publications Programme by issuing numerous works and contributing to the creation of a comprehensive national culture, pursuant to the Regulation on the Dissemination of Culture and Heritage No. (21) of 2007, issued under Article 6 of the Culture Promotion Law No. (36) of 2008. During 2016, partial support was provided for (73) manuscripts and full support for (17) manuscripts, in addition to support for (35) titles for the City of Culture (Aqaba), compared with 2015, in which partial support was provided for (65) manuscripts and full support for (11), and (36) titles were published for the City of Culture. Work was also carried out on holding cultural events, activities and festivals. On another front, work continued on the Jordanian Cities of Culture project, which began in 2007; Aqaba was selected as the Jordanian City of Culture for 2016, and (323) events were held, ranging from concerts, evening gatherings, performances by heritage troupes, festivals, conferences, children's shows and exhibitions, to seminars, exhibitions, children's plays, theatrical performances, murals, heritage survey projects, competitions and radio programmes, as well as support for the publication of City of Culture books. However, the limited financial resources and the lack of adequate infrastructure for holding events impaired the delivery of some activities. The Ministry launched the "Ministry of Culture Awards for Creativity", which replaced the Creative Full-Time Grant scheme. The Jordanian Family Library project also continued; under it, these publications are sold at nominal prices ranging from twenty-five to thirty-five piasters per publication, as a contribution to raising the level of cultural awareness and reading in Amman and the governorates. A total of (15) titles were sold, comprising a total of (175) thousand books in various sciences, literature, arts and fields of knowledge, including (55) thousand copies for children and (120) thousand copies for adults, compared with (50) titles in 2015, which comprised (50) thousand copies for children and (120) thousand copies for adults. In addition, there is the Mobile Children's Library project, launched in 2007, which is implemented in cooperation with the Abdul Hameed Shoman Foundation and the Haya Cultural Centre Society. The project aims to reach children in all governorates, villages, rural areas and Badia areas in order to achieve equity in the distribution of cultural gains, by visiting selected schools in all governorates of the Kingdom throughout the year to provide books and magazines, computer and Internet services and educational games, and to present artistic performances (theatre, puppet theatre, etc.), face-

²⁷² Based on the information received from the Ministry of Culture.

painting segments, training for children in drawing and the plastic arts, and story and poetry readings by writers and supervisors. The Ministry of Culture supported this project for the year 2016–2017 under the signed agreement (thirty thousand dinars) and by donating to the Mobile Library (200) copies of each issue of Wisam magazine for distribution to schools during the visits. The Abdul Hameed Shoman Foundation supported the project with five thousand dinars and provided the library with three thousand stories and assorted books, while the Haya Cultural Centre operated the library (the mobile truck) and implemented all stages of the programme. Nevertheless, it should be noted that it is important to increase the financial resources allocated to this programme **in order to achieve equity in the distribution of cultural gains and to enable children in rural and remote areas to benefit from the library’s activities.** The Ministry also launched the “Knowledge Hut” activities for children, coinciding with the beginning of the 2015/2016 school year, to distribute special publications for children, including books and magazines, in cooperation with a number of local institutions.²⁷³

In 2016, the challenges facing Jordanian artists that were set out in the Centre’s previous reports persisted, most prominently the limited cinematic and television production, the limited participation of the private sector and capital in the television industry, and the weak material and moral support for Jordanian artists. On another front, the weakness of the cultural sector’s infrastructure in most governorates of the Kingdom persisted, as did the limited financial support provided to cultural bodies and the Ministry’s limited interest in holding international festivals, exhibitions and bazaars to market and promote handicrafts and traditional crafts, in addition to the limited financial resources allocated to the Jordan Academy of Arabic.

Third: The Right to Benefit from Scientific Progress and Its Applications

It should be noted that the Scientific Research Support Fund supports scientific research for all researchers nationwide in accordance with national priorities, the publication of specialised and peer-reviewed Jordanian scientific journals, and contributes to supporting the peer-reviewed scientific conferences held by Jordanian universities and institutions concerned with scientific research within the Kingdom. However, the Fund suffers from a scarcity of financial resources. The budget for supporting scientific research in 2016 amounted to approximately JOD (3) million and (411) thousand, compared with JOD (4) million and (819) thousand in 2015.²⁷⁴

On another front, with regard to access to information, applications, knowledge, data and scientific works and their flow for the purposes of scientific research, it should be noted that there is a good number of libraries in Jordan: the number of public libraries reached (103), including the libraries affiliated with the Greater Amman Municipality and the municipalities in the other governorates of the Kingdom and the Shoman Library, in addition to (402) school libraries that provide the necessary resources for students, as well as the libraries affiliated with public and private universities.

²⁷³ Based on the information received from the Ministry of Culture.

²⁷⁴ Based on the information received from Mr. Abdullah Al-Shboul, Director of Financial and Administrative Affairs at the Scientific Research Support Fund, on 1/5/2017.

As for the number of works actually deposited with the National Library Department, these reached (3358) works in 2016, compared with (3064) works in 2015. The judicial police at the Copyright Protection Office of the National Library is the official body charged with protecting copyright and literary, artistic and scientific creations and with referring violators to the judiciary. The number of violations referred to the judiciary in 2016 reached (360) cases.

With regard to the availability of information and technical services and ensuring access to information and communications technology, and the rate of use of the Internet, fixed telephone lines and mobile phones, 2016 witnessed an increase in the Internet user base in Jordan. According to the Telecommunications Regulatory Commission, the Internet penetration rate in Jordan reached 87% of the total population of Jordan, and it should be noted that Jordan ranked sixth in the Middle East in terms of the number of Internet users, according to the specialised website “statista”.²⁷⁵ Moreover, it is possible to access all research and knowledge sources except those not authorised, in order to safeguard the intellectual property rights of their owners or in accordance with the exceptions provided for in the Information Systems Crimes Law, in addition to the availability of digital databases of scientific periodicals and of electronic archives of master’s and doctoral theses, which researchers may consult and purchase.

On the other hand, challenges in this area persisted, including the scarcity of financial resources that would permit the provision of human resources in the form of trainers, as there are stations that have no trainers and are not operational, in addition to the geographical distance between these stations and the Information Technology Centre, which at times hinders the follow-up of their work, as well as the timing of the courses, which are held during official working hours with no evening session.

Recommendations

The Centre reiterates its previous recommendations, in particular:

1. Increasing the services provided by public libraries outside the capital, as the role of libraries is confined to providing lending services only, particularly in remote areas.
2. Reviewing the legislation governing cultural work, in particular the Culture Promotion Law and the regulations issued thereunder, in order to meet the basic needs for supporting and stimulating cultural work.
3. Increasing the support provided to cultural bodies.
4. The need for municipalities to expand the establishment of public libraries and to supply them with books addressing contemporary issues, and to promote the holding of cultural events so as to contribute to supporting the cultural and development movement in the Kingdom.
5. Increasing the number of research papers published in the electronic databases of universities, in response to the needs of researchers and the requirements of the information age.

²⁷⁵ <http://www.hala.jo/2017/01/05/8-7- # Part Four: Rights of the Groups Most in Need of Protection>

6. Developing Jordanian museums and preserving Jordan's civilisational and cultural heritage, and using all means of raising awareness of Jordanian antiquities in various parts of the world through the media and satellite channels.
7. Restoring and maintaining archaeological sites and making them accessible to persons with disabilities.
8. Promoting the principle of partnership in conducting applied research among the various sectors.
9. Increasing the budgets allocated to scientific research.

1. Women's Rights

In 2016, the National Centre for Human Rights (NCHR) prepared a shadow report to the sixth national report under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in consultation with civil society organisations concerned with women's rights. The report highlighted the efforts made by the Government and the relevant bodies to protect and promote women's rights, and set out the challenges that women still face, including: the existence of certain discriminatory legislation containing provisions against women, among them the Penal Code, the Nationality Law, the Personal Status Law, the Social Security Law, the Labour Law and the Civil Service Regulation; and the lack of equal opportunities for women to hold senior positions. The report further referred to the scarcity of awareness-raising programmes informing women of their rights in litigation, the weakness of the provision of free legal aid programmes, and the high proportion of women held in administrative detention in Correction and Rehabilitation Centres. The report also noted that customs and traditions at times prevent women from enjoying their rights, particularly in the field of inheritance. With regard to women's economic rights, the report affirmed that women's participation rate in the labour market is low, owing to limited awareness of their economic rights, the numerous responsibilities borne by women in relation to family and child-rearing, and difficulties relating to working conditions and the workplace, long working hours, and the failure to adapt the workplace in a manner that takes into account the nature and needs of women.²⁷⁶

It is noteworthy that in 2016 the National Centre for Human Rights issued a statement on the occasion of International Women's Day, in which the Centre stressed the need to amend legislation that entails discrimination against women and to harmonise such legislation with the Constitution and international standards; and to develop a national plan to increase women's participation in the management of public affairs by raising the women's quota in the House of Representatives and the proportion of women's representation in senior leadership positions in the State, amending the laws of labour and professional unions so as to expressly provide for seats reserved for women on union councils, and appointing women judges to the Constitutional Court and the religious courts.²⁷⁷ The Centre likewise issued a statement on the occasion of the International Day of Rural Women, in which it called for the integration of human rights into

²⁷⁶ For further information, please refer to the website of the National Centre for Human Rights: www.nchr.org.jo.

²⁷⁷ The statement was published in the local press on 8/3/2016. For further information, please refer to the Centre's website: www.nchr.org.jo.

public economic policies in order to achieve social justice, which is no longer a mere slogan but rather a fundamental right and a legal obligation, in light of the wide development gap between the capital and the rural and Badia areas. The statement also called upon governmental and non-governmental institutions to realise and give effect to the rights of rural women, to study their conditions in those areas, and to improve the level of services in villages in a manner that ensures the promotion of sustainable development, so as to redress the injustice suffered by women, while taking firm care to keep them productive in their own environment, far from being uprooted and pushed into the informal settlements of cities.²⁷⁸

With regard to the most significant developments concerning women's civil and political rights, the Centre monitored the following in 2016:

a. Positive developments regarding the participation of Jordanian women in the management of public affairs, through an increase in their overall participation rate in:

1. The Eighteenth House of Representatives, in which Jordanian women won 15.38% of the seats of the Eighteenth House of Representatives, namely (20) seats out of (130) seats, five of which were won by women through open competition; this is the highest proportion in the history of women's political participation in Jordan.

2. The rise in women's participation in the Senate, where the number of women in the Senate reached (10) women out of (65) members, i.e. a proportion of 15.38%, whereas the number of women in the Senate in 2013 was (9) women out of (75) members, i.e. a proportion of 12%.

3. The rise in women's participation in the judiciary, as the number of women judges rose in 2016 to (178) women judges out of (974) male and female judges, i.e. a proportion of 18.2%, whereas this number during 2015 and 2014 was (175) women judges out of (966) male and female judges, i.e. a proportion of 18.1%.

b. The issuance of the Governorate Councils Electoral Districts Regulation No. (135) of 2016, pursuant to Article 6 of the Decentralisation Law No. (48) of 2015.²⁷⁹ Under Articles (2 and 3) of the Regulation, the Kingdom was divided into (145) electoral districts allocated (270) seats, of which 10% are seats for the women's quota, amounting to (27) seats. Furthermore, Paragraph (d) of Article 6 of the Decentralisation Law provides that "The Council of Ministers shall, upon the recommendation of the Minister, appoint as members of the Council a number not exceeding 15% of the number of elected members of the Council, provided that one third of this proportion is allocated to women."

c. The issuance of the Regulation on Monitoring Women's Deaths during Pregnancy, Childbirth and the Puerperium No. (10) of 2016,²⁸⁰ which provides for the establishment of a national register of women's deaths at the Ministry of Health, in which every death occurring during pregnancy, childbirth or the puerperium is to be recorded. Article 6 of the Regulation further provides that the Minister of Health shall form a national committee of experts and specialists to study deaths

²⁷⁸ The statement was published in the local press on 16/10/2016. For further information, please refer to the Centre's website: www.nchr.org.jo.

²⁷⁹ Published on page (5811) of Official Gazette issue No. (5430) dated 1/11/2016.

²⁸⁰ Published on page (54) of Official Gazette issue No. 5377 dated 17/1/2016.

arising from pregnancy, childbirth and the puerperium, the causes of death and the places where they occurred, and to submit its recommendations to the Minister of Health for implementation, with the aim of reducing women's deaths during pregnancy, childbirth and the puerperium.

d. The issuance of the National Team for Family Protection against Violence Regulation No. (33) of 2016.²⁸¹ The Team is responsible for monitoring and supervising the implementation of national directives and policies on family protection against violence and the commitment of national institutions thereto, so that they serve as a reference for such institutions in preparing their institutional plans in the field of protecting the family and its members. It should be noted that the National Centre for Human Rights is a member of this Team pursuant to the provisions of the Regulation.

e. The issuance of the Council of Ministers' decision dated 31/7/2016 forming a ministerial committee to follow up on the women's empowerment pillar included in the Government's Executive Plan of Action. The women's empowerment pillar aims to advance women's participation in the various sectors and to empower them to overcome the challenges they face. It is noteworthy that the committee's membership comprises the Minister of Political and Parliamentary Affairs, the Minister of Planning and International Cooperation, the Minister of Municipal Affairs, the Minister of Labour, the Minister of Information and Communications Technology and Public Sector Development, and the Secretary General of the Jordanian National Commission for Women.

On the other hand, in 2016 the National Centre for Human Rights monitored a number of observations affecting women's right to participate in public life, the most important of which are the following:

1. The decline in the proportion of women's representation in the Council of Ministers in the second Government of Dr. Hani Al-Mulki, formed in September 2016, in which only two women ministers were appointed out of (29) ministers, i.e. a representation rate of 6.8%, whereas the proportion of women's representation in the first Al-Mulki Government, formed in June, was four women ministers out of (29) ministers, i.e. a representation rate of 13%.
2. The failure of the Seventeenth House of Representatives, during its deliberation of the Draft Elections Law, to respond to the demand of the National Centre for Human Rights and women's rights organisations for one women's seat for each electoral district. The Law was issued and provides in Article 8 that fifteen parliamentary seats shall be allocated to women, at a rate of one seat for each governorate, with each of the three Badia districts (Northern, Central and Southern) being treated as a governorate.
3. The proportion of female voters registered for the purposes of voting in the parliamentary elections for the Eighteenth House of Representatives reached 52%, whereas the proportion of registered male voters reached 48%; however, the actual number of women who voted was lower than the number of men who voted. It should be noted that the proportion of women who actually

²⁸¹ Published on page (1487) of Official Gazette issue No. (5387) dated 16/3/2016.

voted to the number of women registered in the final voter lists was 32%, while the proportion of men who voted to the number of registered men was approximately 40%.

It is noteworthy that the National Centre for Human Rights monitored the conditions of women in remote areas deprived of services, and found that in most of the villages it visited women did not have an independent opinion in the elections, and that women cast their votes on the basis of prior instructions from their relatives to choose a particular person. In addition, the Centre observed that women were unable to reach candidates' campaign headquarters, which are usually located outside the village. Moreover, women in those areas frequently refrain from standing as candidates in elections owing to their weak financial capacity, in addition to the scarcity of awareness-raising programmes on women's rights, whether by civil society organisations or by official institutions.

4. The weak representation of women in the membership of the Committee for Developing the Judiciary and Enhancing the Rule of Law, where one woman was appointed out of (13) members of the Committee. The same applies to the membership of the Integrity and Anti-Corruption Commission, where one woman was appointed out of five members, including the Chairman.

5. Jordan's continued failure to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, despite the National Centre for Human Rights having repeatedly recommended this in its previous reports.

6. The decline in the proportion of women's representation on the Board of Commissioners of the Independent Election Commission in 2016, where one woman was appointed out of five members, bringing the proportion to 20%, whereas the proportion of women's participation in the previous Board of Commissioners was 40%.

7. The failure to appoint any woman to the Constitutional Court or any woman judge to the Sharia judiciary, and the absence of female employees from the Sharia courts and the General Iftaa' Department, despite the availability of qualified women holding advanced academic degrees in the field of Sharia and law.

8. A number of elections were held for the councils of professional associations, and the National Centre for Human Rights observed that no woman reached the Council of the Jordan Medical Association, whose elections were held in April 2016. The same applies to the Council of the Teachers' Association, whose elections were held in March 2016, whereas two women succeeded in reaching the Council of the Jordan Dental Association through the elections held in May 2016.

f. The continued failure to amend the Civil Service Regulation so as to provide for the mandatory provision of nurseries for the children of female employees and for the family allowance to be paid to female employees under the same conditions as the allowance paid to male employees.

g. The failure to activate the Alimony Advance Fund Regulation, despite the Regulation having been issued and published in the Official Gazette in 2015.

h. Customs and traditions still, at times, prevent women from enjoying their rights, particularly in the field of inheritance. Women's lack of awareness of laws and procedures, fear of being shunned by the family, or apprehension of being subjected to various forms of violence frequently constitute reasons for women to waive their right to inheritance.

With regard to women's participation in economic life, in March 2016 the Phenix Center for Economic and Informatics Studies issued a study entitled "Women's Economic Participation in Jordan: Reality and Challenges / The Private Sector",²⁸² with the aim of examining the reality of Jordanian women's work in the private sector by identifying the nature of the factors and reasons underlying Jordanian women's decision to take up work in the private sector and to remain in it or withdraw from it, specifically in the fields of banking, tourism, information technology and manufacturing industries. The study showed that women face a range of challenges relating to the financial viability of work, the gender pay gap, and the ability to continue working in light of family circumstances such as marriage and children. The study made a number of recommendations, including the need to take the necessary measures to provide a safe working environment in all private-sector workplaces; to develop a legal framework ensuring oversight of working hours, unpaid overtime, leave and rest hours; and to activate an effective oversight system on pay equity.

Violence against Women

The National Centre, in cooperation with CARE International, is following up the implementation of the project on the protection of women and young girls from gender-based violence, "Himaya 2", which aims to promote gender equality, to raise women's awareness of their economic rights set out in international standards and national legislation, to introduce them to the basics of running and managing small projects and the marketing process, and to protect them from economic violence, through a series of training workshops on women's economic rights and economic empowerment in remote villages in the Governorates of Zarqa and Mafrqa.

Within the framework of protecting women victims of trafficking in persons, the National Centre for Human Rights commends the Government's response to its recommendation on the establishment of Karama House for victims of trafficking, affiliated to the Ministry of Social Development,²⁸³ which was opened on 12/9/2015 and began receiving beneficiaries pursuant to Article 7 of the Prevention of Trafficking in Persons Law No. (9) of 2009, with the aim of providing all services (social, psychological, health, economic and shelter). Prior to that, such victims were received at the Family Reconciliation House. The number of beneficiaries in 2016 received at Karama House for victims of trafficking in persons reached (51) female beneficiaries of various nationalities.²⁸⁴

On another note, the statistics of the Public Security Directorate indicate that (37) murders were committed against women during 2016, whereas the number of murders committed against males

²⁸² Study on the Economic Participation of Women in Jordan: Reality and Challenges / The Private Sector – A Qualitative Study in Non-Traditional Sectors. Author: Dr. Abeer Dababneh. Published in March 2016. For further information, please see the following link: <http://www.phenixcenter.net/ar/paper/209>

²⁸³ The National Centre for Human Rights conducted an unannounced field visit to Karama Shelter and met with the beneficiaries; the Centre did not receive any complaint from them.

²⁸⁴ It should be noted that the nationalities of the beneficiaries were as follows: Bangladeshi (22), Filipino (14), Kenyan (4), Sri Lankan (2), Jordanian (3), Syrian (5) and Ukrainian (1).

reached (108); accordingly, the number of murders committed against women and men totalled (145) during the period from 1/1/2016 to 31/12/2016.²⁸⁵

Furthermore, the figures and statistics issued by the Family Protection Department of the Public Security Directorate indicate that crimes of violence committed against women during 2016 were as shown in Table (14):

Table No. (14): Number of cases committed against women and number of female victims handled by the Family Protection Department in 2016

Type of case	Number of cases	Number of victims (adult women / females)
Rape	120	120
Attempted rape	8	8
Indecent assault, attempt thereof and complicity therein	614	635
Act contrary to public decency	116	120
Incitement to debauchery	3	3
Abduction	9	8
Miscellaneous sexual offences: (adultery / procuring a female for intercourse / procuring a female for prostitution / keeping a female for the practice of prostitution against her will / indecent caressing contrary to public decency / defloration upon a promise of marriage / running a brothel)	16	16
Other miscellaneous offences: (harbouring a minor / interference with the custody of a minor / violation of the sanctity of private life / threats / breach of marriage formalities / fabrication of crimes / slander / causing harm / inciting a girl to leave her home / causing abortion / corrupting a marital bond / violation of the sanctity of homes / filing of investigation papers / defamation and insult / self-harm)	41	41
Sexual exploitation “via the internet”	8	8
Assaults against persons with disabilities	1	1
Physical harm	2192	2186
Total	3128	3146

Recommendations

In order to promote and protect women’s rights, the National Centre recommends the adoption of a range of legal and practical measures, the most important of which are the following:

1. Ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
2. Appointing women judges to the Sharia judiciary and the Constitutional Court, and appointing female employees in the Sharia courts and the Iftaa’ Department.

²⁸⁵ According to statistics of the Public Security Directorate received by the National Centre for Human Rights.

3. Integrating women into the development process in a manner that enables them to serve society and to improve their living conditions and those of their families, and that reflects their excellence at all stages of education.
4. Cooperation among all the relevant bodies to combat violence against women through various legal, social, cultural and educational tools and means.
5. Urging the Government and the relevant bodies to work towards improving the level of services in municipalities, villages and elsewhere, so as to ensure the promotion of local development and the raising of the economic standard of their inhabitants, in a manner that positively reflects on women's enjoyment of their rights.
6. Promoting women's political participation and increasing their representation in decision-making positions and senior posts.
7. Activating the Alimony Advance Fund Regulation.

2. The Rights of the Child

The year 2016 did not witness the adoption of any legislation specifically aimed at promoting and protecting the rights of the child. At the same time, there remains a body of legislation related to the rights of the child that requires amendment or expedited adoption, including the Draft Law Amending the Protection from Domestic Violence Law, as the amendments address numerous gaps in the family protection system. Other laws requiring amendment include the Penal Code, specifically the amendment of Article (62) of the Penal Code, which permits forms of discipline inflicted by parents on their children in accordance with what is permitted by general custom.

Child Labour

In August 2016, the Centre for Strategic Studies at the University of Jordan, in cooperation with the International Labour Organization, the Ministry of Labour and the Department of Statistics,²⁸⁶ issued a report containing a national survey of child labour in Jordan. The survey aimed to provide an updated and comprehensive database on child labour in Jordan. The National Child Labour Survey was conducted on a sample of 20,002 households.²⁸⁷ The results of the survey showed that the total number of children aged between (5–17) years was (4,030,384), of whom (75,982) were working, i.e. a proportion of 1.89%. As regards the working children by sex, the number of working male children reached (67,114), i.e. a proportion of 88.3%, while the number of working female children reached (8,868), i.e. a proportion of 11.67%. The survey further showed that those engaged in hazardous work numbered (44,917) children, i.e. 71% of working children. Moreover, Syrian children ranked first among working children in Jordan, children of other nationalities

²⁸⁶ The National Child Labour Survey in Jordan 2016, prepared by the Centre for Strategic Studies – University of Jordan, in cooperation with the International Labour Organization, the Jordanian Ministry of Labour and the Jordanian Department of Statistics; published in August 2016. For further information, please see the following link: <http://www.jcss.org/Photos/636069615661859738.pdf>

²⁸⁷ These are households with children aged (5–17) years residing in the territory of the Kingdom, in addition to Zaatari Camp for Syrian refugees.

ranked second, and Jordanian children ranked third. By governorate, working male children in Karak ranked first, while females in Madaba ranked first among working females in Jordan.

Children Deprived of Family Support in Social Care Institutions

Through its field visits and the complaints it received, the National Centre for Human Rights monitored a number of challenges and problems relating to the conditions of children in social care institutions, including the following:

1. The shortage of human resources assigned to work with this group, in particular staff specialised in strengthening children's social and psychological capacities and promoting their integration into society, given that this group suffers from psychological problems manifested mainly in feelings of anxiety and fear of the future. The Centre observed that the majority of the staff present in the care homes lack appropriate practical experience and do not hold specialised academic qualifications in sociology or psychology, which renders them unable to design programmes and develop plans for systematic behaviour modification and to follow up on their implementation.
2. In most care homes, a single mother is responsible for the care of (7–9) children, a number that exceeds the mothers' capacity to provide care and proper upbringing for the children.
3. Insufficient attention to the educational aspect of the beneficiaries owing to staff shortages, particularly as the mother is charged with numerous burdens.
4. The transfer of beneficiaries from one care home to another, or from one governorate to another, without clear and specific criteria for the transfer process, which causes serious problems for the beneficiaries, including a change of the substitute mother and a change of the family, educational and environmental atmosphere, thereby heightening the child's feelings of anxiety and fear of the unknown.
5. The inadequacy of the daily allowances for beneficiary children.
6. With regard to the vehicles belonging to these care homes, they bear the name of the social care institution, which may cause moral harm to the children.
7. The exposure of beneficiaries in some care homes to physical and verbal violence, with violence being regarded as a method of disciplining children. The National Centre for Human Rights received complaints from beneficiary children in some care homes concerning their being subjected to violence by the staff of the home.
8. The major problem facing orphans arises after they reach the age of eighteen and are compelled to leave the care homes without shelter, particularly where they have not been academically qualified or received vocational training, which leads to serious problems that aggravate the suffering of this group and render them more vulnerable to exploitation.

Juveniles

Among the legislative and executive developments monitored by the National Centre for Human Rights during 2016 in the field of juvenile justice are the following:

1. The issuance of regulations implementing the provisions of the Jordanian Juveniles Law No. (32) of 2014, including:

a. The issuance of the Regulation on Settlement of Disputes in Juvenile Cases No. (112) of 2016.²⁸⁸ The Regulation addresses the consensual legal procedures undertaken by the Juvenile Police, the dispute-settlement judge, or the persons or bodies accredited by the Minister for the settlement of disputes, in such a manner as to take into account the best interests of the juvenile, his protection, and the procedures for his reform, rehabilitation and care when settling disputes, while taking his views into consideration in accordance with his age and capacity. Article 4 of the Regulation affirms that the Juvenile Police shall undertake the settlement of disputes in contraventions and misdemeanours whose penalty does not exceed two years and the consideration of which is contingent upon a complaint by the aggrieved party. The Regulation also specifies the procedures that the Juvenile Police must observe when settling a dispute.²⁸⁹ It should be noted that the number of Juvenile Police offices in the Kingdom has reached (16) offices.

b. The issuance of the Juveniles Aftercare Regulation of 2016,²⁹⁰ which addresses the services provided for the reintegration of a juvenile released from the home and for assisting him in returning to his natural social environment and providing him with social and economic security, with the aim of completing the care and rehabilitation programme provided to the juvenile within the home. Despite the importance of this Regulation, as of the date of preparation of this report it had not yet entered into force, owing to the failure to issue the Instructions governing it, and it is expected to enter into force in the first quarter of 2017.²⁹¹

2. The expansion of vocational training sections in juvenile education and rehabilitation homes: two vocational training workshops (for carpentry, and for leather and bags) were established at the Juvenile Education Home in Russeifa, and a plumbing and sanitary ware workshop was opened at the Juvenile Education and Rehabilitation Home in Irbid. Accordingly, the number of juveniles who benefited from vocational training services within juvenile education and rehabilitation homes in 2016 rose to (505) juveniles,²⁹² whereas the number of juveniles who benefited from vocational training services in 2015 was (364) juveniles.

²⁸⁸ Issued pursuant to Articles (13) and (47) of the Juveniles Law No. (32) of 2014, and published on page (4700) of Official Gazette issue No. (5418) dated 31/8/2016.

²⁸⁹ Article Five: “The Juvenile Police shall, when settling a dispute, observe the following: a. Obtain the written consent of the parties to the dispute before proceeding with the settlement procedures. b. Observe the confidentiality of the procedures in settling the dispute. c. Expedite the resolution of the dispute and the reaching of an agreement. d. The subject matter of the settlement shall not be one of the matters prejudicial to morals and public decency. e. The dispute settlement procedures shall be conducted in the presence of one of the juvenile’s parents, guardian, custodian or foster carer, unless this conflicts with the best interests of the juvenile, and in the presence of the behaviour monitor and the juvenile’s lawyer for the settlement procedures whenever possible. f. Where the victim is a legal person, the presence of its authorised representative shall be required.”

²⁹⁰ Issued pursuant to Article (41) of the Juveniles Law No. (32) of 2014, and published on page (2714) of Official Gazette issue No. (5418) dated 15/5/2016.

²⁹¹ According to statements made by the Social Defence Directorate at the Ministry of Social Development during a meeting with them on 26/12/2016.

²⁹² According to statements made by the Social Defence Directorate at the Ministry of Social Development during a meeting with them on 26/12/2016.

On the other hand, the Centre records the following observations relating to children in conflict with the law (juveniles), the most important of which are:

- The absence of a juvenile education and rehabilitation home in the Southern Region following the closure of the Ma'an Juvenile Education and Rehabilitation Home at the end of 2015. The Centre stresses the need to establish a juvenile education and rehabilitation home in the Southern Region so as to enable the families of juveniles to visit and meet their children with ease, in addition to sparing juveniles the strain of long travel for the purpose of attending their cases before the courts.
- The failure to open the home for the education and rehabilitation of dangerous juveniles in Madaba Governorate as of the date of preparation of this report. The National Centre stresses the need to open the home promptly in order to provide appropriate psychological and social assistance to this category of juveniles.
- Continued allegations of juveniles being subjected to torture and ill-treatment by some Public Security personnel upon their arrest and interrogation. It should be mentioned in this context that the Centre did not receive any complaints concerning ill-treatment of juveniles by the Juvenile Police.
- The exposure of juveniles to violence and ill-treatment, particularly verbal and physical violence, by social workers in care homes.²⁹³
- Juveniles who are detained or sentenced are not permitted to continue their education owing to the danger to which they may be exposed when leaving the homes, which deprives them of continuing their education and results in a complete cessation of their academic attainment; this is inconsistent with compulsory education as provided for in the Constitution and the relevant national legislation. Students in the General Secondary Education Certificate (Tawjihi) year are excepted from this, as the Ministry of Education provides a committee of teachers to administer the Tawjihi examinations to them; however, juveniles regularly attending other grades remain outside the scope of this service.²⁹⁴
- The increase in the number of repeat juvenile offenders out of the total number of juveniles admitted to and released from juvenile education and rehabilitation homes, as the number of repeat juvenile offenders in 2016 reached (512) juveniles, whereas the number of repeat juvenile offenders in 2015 was (491).²⁹⁵
- The increase in the number of crimes committed by juveniles compared with 2015.

The number of crimes committed by juveniles in 2016 reached (4864) crimes, compared with (5276) crimes committed in 2015, as shown in the table. We note that there was a decrease in the number of crimes committed by juveniles in 2016 compared with 2015.

²⁹³ The Centre received several complaints from the families of juveniles complaining that the juveniles had been subjected to beating by the Public Security Directorate and to ill-treatment by social workers in care homes.

²⁹⁴ The National Centre received complaints on this matter.

²⁹⁵ According to statements made by the Social Defence Directorate at the Ministry of Social Development during a meeting with them on 26/12/2016.

Table No. (15): Number of crimes committed by juveniles in 2015–2016

Type of crime	2015	2016
Felonies and misdemeanours against persons	278	241
Crimes against public trust	4	1
Crimes against property	1883	1661
Crimes against public administration	165	173
Crimes endangering public safety	126	101
Crimes against public morals	174	243
Other crimes	2646	2444
Total	5276	4864

Recommendations

1. Developing a national strategy for the protection of children from all forms of exploitation, trafficking, labour and violence; activating the national plans of action for childhood; and developing a national system for monitoring cases of violence and abuse committed against children, in an endeavour to ascertain the scale of the phenomenon of child abuse in its various patterns.
2. Adopting the Draft Law Amending the Protection from Domestic Violence Law.
3. Taking the necessary measures to give effect to Article (74) of the Labour Law concerning the prohibition of employing children in hazardous work and work harmful to health.
4. The need to activate the role of the various Public Security personnel by training and qualifying them in the mechanisms for dealing with children in conflict with the law.
5. Increasing the administrative and supervisory staff of substitute mothers and female psychologists and social workers in orphan care homes.
6. The need to absorb graduates of orphan care homes into the military and civil institutions of the State, to include them in government health insurance, to provide them with the necessary employment opportunities, and to support them by various means and methods.

3. The Rights of Persons with Disabilities

During 2016, the National Centre for Human Rights monitored a number of developments at the legislative level concerning the rights of persons with disabilities, most notably:

- The issuance, in March 2016, of the Council of Ministers' decision approving the Draft Law on the Rights of Persons with Disabilities of 2016,²⁹⁶ which was prepared by the Higher Council for the Affairs of Persons with Disabilities in coordination and consultation with the institutions concerned with the rights of persons with disabilities. The Draft Law comes in harmony with the International Convention on the Rights of Persons with Disabilities and in keeping with developments and new trends in the field of

²⁹⁶ It should be noted that the draft Law on the Rights of Persons with Disabilities was approved in 2017, during the preparation of this report.

disability at the level of concepts and practices. It aims to provide opportunities and ensure non-discrimination on the basis of disability, and it introduces provisions that take into account comprehensive diagnostic criteria and allocate roles and competences among the executive, oversight and technical bodies in a manner that ensures their complementarity and the concerted pooling of their efforts, so as to achieve the maximum benefit from services and facilities and to guarantee persons with disabilities the full enjoyment of their rights and freedoms. The Draft Law also provides for the conversion of residential care homes for persons with disabilities into inclusive day-care institutions over a period of ten years, so that these persons may be integrated into society, their families trained in the correct scientific way of dealing with them, and those families enabled to help their children attain the highest possible degree of independent living. Furthermore, Article (30/d) provides that the National Centre for Human Rights shall monitor and uncover cases of violence and abuse against persons with disabilities, particularly in care homes, centres and institutions. The National Centre for Human Rights commends the response of the Higher Council for the Affairs of Persons with Disabilities to the observations of the National Centre sent to it on 12/1/2016, which included the text of Article (30/d) referred to above.

- The issuance of the Instructions on Registration, Admission, Benefit and Deregistration at the Vocational Training and Rehabilitation Centres for Persons with Disabilities affiliated to the Ministry of Social Development of 2006,²⁹⁷ which set out the conditions and procedures, the members of the Admissions Committee and its functions at the vocational training and rehabilitation centres.
- The issuance of the Instructions on Registration, Admission, Benefit and Deregistration at the Day-Care Centres for Persons with Disabilities affiliated to the Ministry of Social Development of 2016.²⁹⁸
- The issuance of the Instructions on Registration, Admission, Benefit and Deregistration at the Residential Centres for Persons with Disabilities affiliated to the Ministry of Social Development, 2016.²⁹⁹
- The issuance by the Central Bank of Jordan, on 25/10/2016, of the Instructions on Banking Services Provided by Banks to Persons with Disabilities No. (66) of 2016, with the aim of enhancing the values of justice and transparency and of affirming the importance of banks performing their humanitarian role towards their clients with disabilities. The Instructions comprise a set of principles and practices relating to the banking services provided to them, and they are to be applied within one year from the date of their issuance.

²⁹⁷ Published in Official Gazette issue No. 5410 dated 16/7/2016.

²⁹⁸ Published in Official Gazette issue 5410 dated 16/7/2016.

²⁹⁹ Published in Official Gazette issue No. 5413 dated 31/7/2016.

Residential Care Centres for Persons with Disabilities

A team from the National Centre for Human Rights monitored the conditions of persons with disabilities in residential care centres for persons with disabilities, and found that there are a number of challenges, including the following:

1. The failure of some families of persons with disabilities to follow up on the conditions of their children who are beneficiaries residing in care homes affiliated with the Ministry of Social Development. This failure takes the form of not visiting them or enquiring about them, and of evading their responsibility by changing their address of residence, not answering calls received from social workers, and changing their telephone numbers. In addition, some families of these persons feel that having a family member with a disability constitutes a social stigma upon them; there are beneficiaries whose families visit them only once a year, and there are families of persons with disabilities who do not welcome the presence of their children with them during holidays and occasions. This was confirmed by data of the Ministry of Social Development, which revealed that only (63) out of (550) beneficiaries in government care homes for persons with disabilities are visited by their families weekly, and that approximately 20% of them are visited by their families annually,³⁰⁰ which indicates weak communication between persons with disabilities and their families.
2. The shortage of specialised human resources, particularly in residential care centres, which are considered an unattractive working environment owing to the low salaries and incentives for staff working in centres for persons with disabilities.
3. The high monthly fees charged by (private) centres for persons with disabilities.
4. The shortage and obsolescence of most of the means of transport at these centres, which affects the conduct of work at the centres affiliated with the Ministry, particularly day centres.
5. The absence of any volunteer effort by civil society organisations and young men and women to assist persons with disabilities, care for them and provide them with recreation.
6. Notwithstanding the positive nature of the process of classifying government residential centres for persons with disabilities, which commenced in 2016, as represented by the Tafileh Care and Rehabilitation Centre for Women, the Karak Care and Rehabilitation Centre for Men and the Dhlail Care and Rehabilitation Centre for Women, it should be noted that the families of persons with disabilities find it difficult to visit their children in view of the long distances involved.

The Centre also monitored other violations relating to persons with disabilities, including the following:

- The National Centre for Human Rights received four complaints involving persons with disabilities being subjected to violence from within and outside the family. In some instances, persons with disabilities were filmed while being subjected to abuse, and the video clips were published.

³⁰⁰ <http://www.alghad.com/articles/931451>.

- Students with disabilities suffer from difficulties in moving about and in gaining access to and from school or associations, particularly in remote areas, as well as difficulty in joining some classes owing to the failure to provide appropriate environmental facilities. In addition, there is a lack of genuine inclusion in education, as students with mild disabilities (learning difficulties) suffer from the non-activation of the resource rooms located in most governorates of the Kingdom. There is also weak enrolment of children with disabilities in schools by their families, which underlines the necessity of disseminating awareness programmes on the rights of children with disabilities to education.
- The weak acceptance by employers of the employment of persons with disabilities, and the evasion of the implementation of the law, particularly by claiming that the nature of the work does not permit the employment of persons with disabilities.³⁰¹
- The failure of the Government to respond to the Centre's recommendation contained in the previous report, which called for the allocation of a quota for persons with disabilities in Election Law No. (6) of 2016, which has resulted in their failure to reach decision-making positions and to be integrated into the parliamentary councils.
- The Centre observed the lack of appropriate environmental facilities for persons with disabilities at polling centres, which constitutes an obstacle to their exercise of their right to vote independently and with ease in accordance with the international standards and conventions that provide for the right of persons with disabilities to vote. The Centre found that there are (309) polling centres located on the second floor, distributed across three regions. With regard to hearing disabilities, no information was available on the mechanism for casting votes and voting for this group. The Centre also found that there is an insufficient number of sign language interpreters for deaf persons, and that no Braille publications or raised guidance signs for blind persons directing them to the ballot boxes were provided. This is attributable to the lack of disaggregated data on persons with disabilities, the types of their disabilities and their places of residence.
- The Centre observed the weak role of the media in highlighting the issues, problems and challenges faced by persons with disabilities, or in raising awareness of their rights.
- The National Centre for Human Rights commends the response of the Ministry of Health to the Centre's recommendation concerning the facilitation and easing of the task of families in the process of diagnosing and classifying disabilities in the southern regions,³⁰² through the technical and administrative affiliation of the Centre for the Diagnosis of Persons with Disabilities in Karak to the Ministry of Health, in view of its importance for the process of early intervention and the rehabilitation of persons with disabilities in the

³⁰¹ In response to the Government's explanatory report on the Centre's report for 2015, the Centre appreciates all the efforts made by the Government and emphasises the necessity of exerting its utmost efforts to activate Article (4/c) of the Law on the Rights of Persons with Disabilities and to strengthen oversight of employers with regard to the employment of persons with disabilities.

³⁰² In 2015, the Centre issued a report on the rights of persons with disabilities entitled "Idle Potential... and Deferred Rights", which included its recommendation concerning the shortage of centres for early detection, early intervention and diagnosis, which compels the families of children with disabilities to transport them, with difficulty, to and from the centres providing similar services, particularly in the south of the Kingdom, owing to the closure of the Prince Hassan Centre for Early Diagnosis in Karak Governorate.

southern regions. Notwithstanding the foregoing, there remains a shortage of centres for early detection, early intervention and diagnosis, which compels the families of persons with disabilities to transport them, with difficulty, to and from the centres that provide early detection and diagnosis services, which are located only in Amman, Irbid and Karak.

Recommendations

1. Ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities.
2. Incorporating the issues of persons with disabilities into the media policies of the various bodies, from a perspective that reflects a rights-based approach, counters the prevailing stereotypes about disability, and positively influences collective behaviour so as to achieve non-discrimination and establish a culture of diversity and acceptance of others, with the full and effective participation and involvement of persons with disabilities and their organisations.
3. Establishing an independent oversight and monitoring mechanism to track the extent to which governmental and voluntary bodies and the private sector comply with the controls and standards of inclusive education and with the provision of reasonable accommodation and accessibility for students with disabilities, and to record cases of violation of the right to education or any discriminatory or exclusionary practice, and to follow up on, report and publish them.
4. Providing high-quality habilitation and rehabilitation programmes for persons with intellectual disabilities and, in particular, persons with autism, in harmony with internationally adopted standards, through the examination and analysis of the model practices applied in the leading countries of the world in this field.
5. Supplying government and health institutions with the modern devices and equipment required for the diagnosis of persons with disabilities, and training specialists in the use of such devices.
6. The necessity of conducting specialised surveys, studies and scientific research on the conditions of persons with disabilities in general, in order to identify their needs and the problems and challenges they face, and on the issue of their abuse in particular.
7. Disseminating a societal culture based on human diversity that relies on promoting a rights-based rather than a welfare-based approach to the issues of persons with disabilities, in order to raise awareness in society of the rights of these persons, and developing media work through the creation of specialised media that rely on the rights-based rather than the welfare-based approach in investigating and disseminating facts.
8. Implementing inclusive policies for persons with disabilities and, through such implementation, ensuring their effective participation from early childhood until they attain the highest levels of participation in public and political life. Accordingly, the Centre urges the allocation of a quota for persons with disabilities in the parliamentary, municipal and professional association councils, among others.

4. The Rights of Older Persons

With regard to legislation, the Jordanian legislator has addressed the rights of older persons through the relevant national legislation, such as the Social Security Law, the Civil Retirement Law and the Personal Status Law, as well as the Instructions of the Ministry of Social Development relating to homes for the elderly. Although this national legislative framework provides the required protection in certain areas, such as the right to social security guarantees and the right to institutional care as an alternative to the family where necessary, it is nevertheless considered insufficient. The Centre emphasises the necessity of adopting a special law on older persons that sets out the legal rules supporting the protection of older persons.

Conditions of Older Persons in Residential Care Homes

In 2016, the National Centre for Human Rights monitored the conditions of older persons in the residential care homes in the Kingdom.³⁰³ It was observed that these homes still suffer from the problems that the Centre had previously monitored and set out in its previous reports, which are as follows: 1. Most of the homes lack psychologists, social workers and nutritionists. 2. The low number of care workers owing to the weak interest of Jordanian citizens in this work, which drives the homes to employ Egyptian migrant workers, who accept work in the care of older persons. 3. The low salaries of workers in most homes for the elderly compared with the long working hours; in one of the homes, the workers were not covered by social security. 4. Most of the homes' administrations are not academically qualified and lack the foundations for dealing with this group of society in a scientific and proper manner. 5. The absence of staff training in most of the homes, which poses a danger to the lives of the beneficiaries, who require special attention and care, given that many of the older persons suffer from geriatric diseases, Alzheimer's disease and others, which require that supervisors have full knowledge of the nature of these diseases and of the mechanism for dealing with those who suffer from them. 6. The lack of sunbathing yards in most of the residential care homes, and where they are available, they are rarely used. 7. The Centre observed the poor psychological condition of the beneficiaries, which is attributable to infrequent visits by their children and relatives and to the weakness of effective programmes to occupy the beneficiaries' time. It was also observed that there is no volunteer effort by civil society organisations or young men and women to assist older persons, care for them and provide them with recreation, and that the intervention of psychiatrists in assisting the beneficiaries to overcome their circumstances and to coexist positively with their reality is weak. 8. Most of the buildings of these homes are unsuitable for the needs of older persons in terms of the space of the rooms allocated to residents and their number, the disproportion between the number of sanitary facilities and the number of rooms, and the narrowness of the halls allocated for spending leisure time, and these buildings are in need of maintenance and renovation. 9. Most private sector homes lack adequate lighting, which confirms that these centres resort to dimming the lighting in order to reduce expenses, which is not compatible with the needs of older persons. 10. Most of the homes have no surveillance cameras to monitor the conditions of older persons in the homes. 11. The

³⁰³ The National Centre monitored the conditions of older persons through field visits to seven residential care homes during the period from August to December 2016, and by reviewing the services provided.

amounts disbursed by the Ministry of Social Development (purchase of services) are not commensurate with the assessed cost in the home.

In the context of discussing the reality of homes for older persons, reference should be made to the study issued by the Economic and Social Council in July 2016 on “Assessing the Current and Future Reality of Elderly Care and Identifying Their Future Needs”,³⁰⁴ which aimed to assess the current situation of elderly care in care homes in Jordan in terms of social, health and psychological services, and to examine the most important aspects of the situation of older persons in care homes, whether affiliated with the private sector or the voluntary sector, with a view to producing recommendations and future aspirations for this group. The findings of the study revealed a number of shortcomings and obstacles, including the absence of residential care homes affiliated with the government sector, although the Ministry of Social Development purchases elderly care services; that the Ministry of Social Development is unable to provide care services for older persons itself, as it does not possess the qualified and trained staff for this purpose; and that the Ministry has no future plan to establish an integrated care home owned by the Ministry and run by its specialised staff. The study produced a number of recommendations, the most important of which was to work towards establishing a fund to be called the “Jordanian Fund for Supporting the Elderly and Ageing”, whose membership would comprise the Ministry of Social Development, the Ministry of Awqaf, the Ministry of Planning, the Association of Banks in Jordan, donor funds and the Jordanian Businessmen Association, and whose function would be the financial oversight of the resources of care homes and the collection, organisation and fair distribution of donations according to need.

On the other hand, the National Centre for Human Rights monitored the problems and challenges faced by older persons outside care homes, including the following:³⁰⁵ (1) The Instructions amending the Instructions on the Coverage of Individual Citizens by Civil Health Insurance No. (4) of 2016³⁰⁶ provided that the subscription fee of an individual subscriber to health insurance for those over eighty years of age shall be covered in full from public expenditure,³⁰⁷ whereas the same Instructions³⁰⁸ provided that the individual subscriber aged over sixty and under eighty shall cover (72) dinars of the subscription fee, with the remaining (78) dinars being covered from public expenditure. The National Centre for Human Rights considers that granting the exemption only to those over eighty does not provide comprehensive health protection for older persons, and the Centre hopes that adequate health care will be provided to older persons and that those who have reached (60) years of age or over will be exempted in full from the individual subscriber’s health insurance fee, with the fee covered from public expenditure. (2) The lack of health and social services for older persons in remote areas, and the difficulty faced by older persons living in

³⁰⁴ Assessing the Current and Future Reality of Elderly Care and Identifying Their Future Needs, Economic and Social Council, July 2016. For further information, please refer to the following link: <http://www.esc.jo/NewsViewerar.aspx?NewsId=207#.WL6UX9KsVe9>

³⁰⁵ Through field visits to remote areas deprived of services and meetings with older persons in villages and governorates during 2016.

³⁰⁶ The Instructions were published in Official Gazette issue (5428), page (5608), dated 16/10/2016.

³⁰⁷ Article Three, Paragraph (d) of the amending Instructions.

³⁰⁸ Article Two, Paragraph (c) of the same amending Instructions. # Annex: Analysis of Complaints and Requests for Assistance

villages and remote areas in obtaining medicines, which are often not available under government insurance coverage, and their inability to purchase them on the local market owing to their high prices. (3) The absence of a unified and special law protecting the rights of this group of society, and the absence of legal provisions criminalising or holding accountable children who fail in their duties towards their parents, particularly in cases of abandonment and neglect of parents. (4) The notable shortage of medical specialisations concerned with older persons, such as geriatric medicine and geriatric nursing, in addition to the absence of free home health care. (5) The shortage of financial allocations earmarked in the budgets of the bodies concerned with older persons. (6) Weakness in the provision of data specific to older persons showing their numbers, marital status, sources of income and classifications. (7) The poor availability of assistive facilities in public and recreational amenities, such as crossings or bridges adapted for their use, which impedes their mobility and their participation in society in a manner befitting their social standing as pioneers for future generations. (8) The lack of day clubs for spending leisure time in most governorates of the Kingdom, with the northern and southern regions being devoid of day clubs. (9) The role of the media being confined to visiting homes for the elderly on occasions and holidays, with no awareness-raising role for society in making known and defending their health, social and cultural rights and their social insurance. (10) The weak role of professional institutions and associations, such as the Jordan Medical Association, the Jordan Dental Association, the Nurses' Association, the Pharmacists' Association and other relevant professional associations, in providing support to this group and protecting and promoting its rights.

Recommendations

1. Enacting a special law to protect older persons in their old age in all respects, whether economic, social, cultural or health-related.
2. Raising awareness and implementing specialised programmes by the relevant government institutions, in addition to civil society organisations working in the field of human rights, for the purpose of supporting the rights of older persons set out in international instruments and in the divine laws.
3. Adopting comprehensive programmes at the official or societal level to integrate older persons into social and cultural life, and promoting a culture of volunteer work to serve older persons or to benefit from their expertise, as well as liaising with the deanships of student affairs at universities to encourage students to engage in such noble programmes.
4. Strengthening oversight of homes for the elderly, taking the necessary measures against violators, and following up on the rectification of situations relating to older persons.
5. Criminalising and holding accountable those who fail in their duties towards their parents through abandonment and neglect, by means of the Penal Code, rather than confining this to what is provided for in the law.
6. Providing employment opportunities for older persons who are able and willing to continue working, through flexible employment conditions for the period after the age of sixty, and making the greatest possible use of their expertise at all levels.

7. The necessity of compliance with the Building Code by all government institutions and other sectors, such as restaurants, libraries and spaces available for public use.

8. The necessity of increasing and supporting the financial allocations earmarked in the budgets of the bodies concerned with older persons.

9. Providing training and qualification programmes for all workers in homes for the elderly, so as to ensure that older persons receive decent treatment.

Complaints Received by the Centre during 2016

Total number of complaints received by the National Centre for Human Rights, by the rights allegedly violated, for 2016

Right subject of the request	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	No violation established	Non-cooperation of the complainant	Under follow-up
Recognition of legal personality (nationality)	7	1	0	1	0	1	4
The right to freedom of residence and movement	16	3	2	5	0	3	3
The right to obtain identity documents	12	5	0	1	0	0	6
The right to a fair trial	31	2	0	10	0	1	18
The right to liberty and security of person	35	9	0	1	12	1	12
The right to decent humane treatment	2	2	0	0	0	0	0
The right not to be subjected to beating and torture	15	0	0	1	5	3	6
The right to asylum	3	1	1	1	0	0	0
The right to equality and non-discrimination	6	0	0	1	3	1	1
The right to life	10	1	2	1	1	1	4
The right to physical integrity	70	6	0	6	4	10	44
Rights of inmates of Correction and Rehabilitation Centres	11	2	0	0	0	0	9
The right to freedom of opinion and expression	5	1	0	0	0	1	3
The right to vote and to stand for election	3	0	1	0	1	1	0
The right to peaceful assembly	4	1	0	0	1	1	1

Right subject of the request	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	No violation established	Non-cooperation of the complainant	Under follow-up
The right to join political parties and trade unions	2	0	0	0	0	0	2
The right of access to information	1	0	1	0	0	0	0
The right to health	6	0	0	1	0	2	3
The right to work	31	3	2	9	6	5	6
The right to an adequate standard of living	2	0	1	0	0	0	1
The right to freedom of belief	2	0	0	2	0	0	0
The right to education	5	3	1	0	0	0	1
The right to a healthy environment	1	1	0	0	0	0	0
The right to hold public office	1	0	0	0	0	0	1
The right to social security	1	0	0	0	0	0	1
The right to property	2	0	1	0	0	1	0
The right to development	2	0	0	1	1	0	0
The right to compensation	2	0	0	2	0	0	0
Family rights	2	1	0	0	0	0	1
Rights of persons with disabilities	7	0	0	0	0	1	6
Rights of juveniles	1	1	0	0	0	0	0
Older persons	1	1	0	0	0	0	0
Grand total	299	44	12	43	34	33	133
Percentages	100%	14.7%	4%	14.3%	11.3%	11.3%	44.4%

Complaints Received by the Centre during 2016

The number of complaints received by the National Centre in 2016 reached (299) complaints, compared with (287) complaints in 2015; of these, (235) complaints related to civil and political rights and (55) complaints related to economic, social and cultural rights, while the number of complaints relating to the rights of the groups most in need of protection reached only (9) complaints. The outcome of the follow-up of these complaints was as follows:

A satisfactory outcome was achieved in (44) complaints, representing 14.7% of the total number of complaints; (12) complaints were closed without a satisfactory outcome being reached, representing 4% of the total number of complaints; and (43) complaints were also closed as falling outside the Centre's mandate, representing 14.3% of the total number of complaints. Furthermore, (34) complaints were closed because the commission of any violation of human rights was not established, representing 11.3%, and (33) complaints were closed owing to the non-cooperation

of the complainant, i.e. 11%, whereas the number of complaints still under follow-up reached (133) complaints, representing 44.4%.

The high number of complaints still under follow-up with the Centre is attributable to a number of reasons, the most prominent of which are the following:³⁰⁹

- The failure of the competent authorities to respond, the delay in their responses, or the provision of merely formal responses to these complaints, or the failure to provide the Centre with the documents necessary to complete the investigation process in some complaints, particularly complaints of torture and ill-treatment, namely the investigation records and the judgments issued by the Police Court.
- The non-cooperation of complainants in some cases and their apprehension about pursuing their complaints, owing to pressure exerted on them by certain parties.
- The difficulty of proving complaints of torture and ill-treatment, and the absence of a clear national system for the protection of witnesses and the compensation of victims.

Requests for Assistance Received by the Centre during 2016

Total number of requests for assistance received by the National Centre for Human Rights, by the rights allegedly violated, for 2016

Right subject of the request	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	No violation established	Non-cooperation of the complainant	Under follow-up
Recognition of legal personality (nationality)	4	0	2	2	0	0	0
The right to freedom of residence and movement	22	3	2	2	2	3	10
The right to obtain identity documents	17	3	0	1	1	1	11
The right to a fair trial	23	3	1	2	1	3	13
The right to liberty and security of person	20	5	2	2	2	1	8
The right to decent humane treatment	1	0	0	0	0	1	0
The right to asylum	7	1	2	2	1	1	0
The right to life and physical integrity	10	0	0	0	1	2	7
Rights of inmates of Correction and	26	6	0	4	6	0	10

³⁰⁹ The Centre has addressed some of these reasons in its previous annual reports.

Right subject of the request	Number of complaints	Closed with a satisfactory outcome	Closed without a satisfactory outcome	Outside the Centre's mandate	No violation established	Non-cooperation of the complainant	Under follow-up
Rehabilitation Centres							
The right to health	18	2	0	3	1	2	10
The right to work	20	5	1	2	3	4	5
The right to an adequate standard of living	16	2	2	2	3	0	7
The right to freedom of belief	1	0	0	1	0	0	0
Rights of the child	2	2	0	0	0	0	0
The right to education	11	2	2	1	1	1	4
The right to a healthy environment	1	0	0	0	1	0	0
The right to social security	3	0	1	2	0	0	0
The right to property	1	0	0	1	0	0	0
The right to development	1	0	0	0	1	0	0
The right to compensation	2	1	0	1	0	0	0
Family rights	5	1	0	0	0	1	3
Rights of persons with disabilities	5	2	0	1	1	0	1
Trafficking in persons	4	4	0	0	0	0	0
Older persons	1	1	0	0	0	0	0
The right to legal aid	4	4	0	0	0	0	0
Grand total	225	47	15	29	25	20	89
Percentages	100%	20.8%	6.6%	12.8%	11.1%	8.8%	39.5%

Requests for Assistance Received by the Centre during 2016

The total number of requests for assistance received by the Centre in 2016 reached (225) requests, compared with (311) requests in 2015; of these, (135) requests related to civil and political rights and (84) requests related to economic, social and cultural rights, while the number of requests for assistance relating to the rights of the groups most in need of protection reached (6) requests. (47) requests, representing 12.8%, were closed with a satisfactory outcome, and (15) requests were closed without a satisfactory outcome being reached, representing 6.6%, while the number of requests still under follow-up reached (89) requests, representing 39.5%. Furthermore, the Centre received (29) requests falling outside its mandate, representing 12.8%, and (25) requests were closed because the violation was not established, representing 11.1% of the total number of requests for assistance, and (20) requests for assistance were also closed owing to the non-cooperation of the persons submitting them, i.e. 8.8%. The closure of a number of requests for assistance without a satisfactory outcome is attributable to the failure of the authority from which

assistance was requested to respond, or to its provision of merely formal responses that do not lead to the achievement of a satisfactory outcome.

The Centre notes a decrease in requests for assistance relating to the rights of the groups most in need of protection compared with 2015, the Centre having registered (41) requests for assistance in this regard during 2015. The number of requests for assistance relating to economic, social and cultural rights also declined in 2016, to (43) requests.

Chart: Number of Complaints and Requests for Assistance Received by the Centre during 2016

Category	Number
Complaints 2016	299
Requests for assistance 2016	255

Chart: Breakdown of Complaints by Means of Receipt

Means of receipt	Number
In person	205
Email	33
Fax	22
Hotline	22
Monitoring	9
Liaison officer	5
Ordinary mail	3

It should be noted that attendance in person at the Centre was among the most prominent means of receiving complaints, accounting for 68.8% of the total complaints received by the Centre, followed by the receipt of complaints by email, at 11.3% of total complaints. The proportion of complaints and requests for assistance received through the hotline and fax reached 14.7%, whereas the receipt of complaints through press monitoring accounted for 3% of total complaints. It is noted that the receipt of complaints through liaison officers in the governorates and by ordinary mail continued to rank last, at 3.2%.

Chart: Breakdown of Requests for Assistance by Means of Receipt

Means of receipt	Number
In person	188
Fax	13
Hotline	13
Email	6
Monitoring	4
Liaison officer	1

Oral and in-person submission ranked first among the means of receiving requests for assistance, at 83% of total requests; the receipt of requests for assistance by fax and hotline ranked second, at 3.5%, while email ranked third, at 2.6%, and monitoring fourth, at 1.7%. The submission of requests for assistance through liaison officers in the governorates and by ordinary mail ranked last.

Chart: Number of Complaints Received by the Centre, by Governorate

Governorate	Number
Amman	178
Zarqa	34
Irbid	22
Karak	10
Mafraq	9
Balqa	9
Madaba	8
Ma'an	8
Aqaba	7
Outside Jordan	6
Jerash	5
Tafileh	2
Ajloun	1

As regards the distribution of complaints across the various governorates of the Kingdom, the chart shows that the Capital Governorate continued to rank first in the number of complaints received by the Centre, at 77%. This is attributable mainly to the absence of branches of the Centre in the other governorates of the Kingdom, the large population of the Capital Governorate, and the proximity of the Centre to individuals residing in the Capital Governorate. Zarqa Governorate ranked second, at 11.3% of the total number of complaints; Irbid Governorate ranked third, at 7.3% of the total number of complaints; and Karak Governorate ranked fourth, at 3%.

Chart: Number of Requests for Assistance Received by the Centre, by Governorate

Governorate	Number
Amman	152
Zarqa	16
Irbid	13
Karak	11
Mafraq	6
Madaba	5
Balqa	4
Tafileh	5
Ma'an	4
Jerash	3
Aqaba	2
Ajloun	1
Outside Jordan	3

As regards requests for assistance, the Capital Governorate ranked first, at 67.5%; Zarqa Governorate ranked second, at 7.11%; Karak Governorate ranked third, at 5.7%; and Mafraq Governorate ranked fourth, at 2.65%.

Chart: Number of Complaints by Respondent Authority

Respondent authority	Number
Public Security Directorate	133
Ministry of Interior	38
General Intelligence Directorate	35
Individuals	12
Domestic worker recruitment agencies	11
Companies	9
Ministry of Education	8
Ministry of Social Development	6
Judicial Council	4
Ministry of Foreign Affairs	4
Embassies	4
Prime Ministry	3
Independent Election Commission	3
Universities	3
State Security Court	2
Jordan Customs	2
Greater Amman Municipality	2
Civil Service Bureau	2
Ministry of Health	2
Ministry of Water and Irrigation	2
Miyahuna Company	2
Ministry of Labour	1
Ministry of Justice	1
Ministry of Municipal Affairs	1
Ministry of Tourism and Antiquities	1
Ministry of Awqaf and Islamic Affairs and Holy Places	1
Ministry of Political and Parliamentary Affairs	1
Royal Jordanian Geographic Centre	1
Free Zones Corporation	1
Medical Council	1
Jordanian National Party	1
Jordan Food and Drug Administration	1
Higher Council for the Affairs of Persons with Disabilities	1

As regards the respondent authorities, the following chart shows the proportion of complaints by respondent governmental authority. The proportion of complaints received by the Centre against the security authorities reached 68% of the total complaints received by the Centre, of which 44.4% were against the Public Security Directorate, 12.8% against the Ministry of Interior and 11.7% against the General Intelligence Directorate.

During 2016, the Centre also registered (11) complaints relating to domestic worker recruitment agencies, whereas no complaint relating to domestic worker recruitment agencies was registered in 2015. A decrease is also noted in the proportion of complaints submitted against certain ministries, such as the Ministry of Education and the Ministry of Health, compared with 2015.

As regards the authorities from which assistance was requested, the following chart shows that the largest proportion of requests for assistance were directed to the security authorities, amounting to 8.56%. The Ministry of Social Development maintained the number of requests directed to it, at (29) requests this year compared with (29) requests in 2015. It is noted that the Centre did not register any request for assistance directed to the Higher Council for the Affairs of Disabled Persons, compared with 2015, in which the National Centre registered (11) requests. Requests for assistance directed to the Ministry of Health also declined, to (3) requests compared with (15) requests in 2015.

Chart: Number of Requests for Assistance by Respondent Authority

Respondent authority	Number
Public Security Directorate	55
Ministry of Interior	43
General Intelligence Directorate	30
Ministry of Social Development	29
Ministry of Foreign Affairs	9
Ministry of Education	9
Domestic worker recruitment agencies	7
United Nations High Commissioner for Refugees	6
Individuals	3
Judicial Council	4
Embassies	4
Civil Service Bureau	3
Ministry of Health	3
General Command	3
Jordan Customs	2
Civil society organisations	2
Jordan Bar Association	2
Ministry of Higher Education and Scientific Research	1
Ministry of Justice	1
Ministry of Labour	1
Ministry of Finance	1
House of Representatives	1
Universities	2
Foreign authorities	1
Greater Amman Municipality	1
Companies	1
Hashemite Charity Organisation for the Care of the Injured	1

The following chart also shows the numbers of complainants by the nationality of the person submitting the complaint: the number of complainants holding Jordanian nationality accounted for 2.92%, while Palestinian nationality ranked second, at 3.9%, and Kenyan nationality ranked third, at a percentage of 1%.

Chart: Breakdown of Complaints by Nationality

Nationality	Number
Jordanian	278
Palestinian	9
Kenyan	3
Egyptian	2
Sudanese	2
Yemeni	1
British	1
Bangladeshi	1
Nepalese	1
Sri Lankan	1

As regards the nationality of the persons requesting assistance, the following chart shows that the proportion of persons requesting assistance holding Jordanian nationality reached 84.8%, while Palestinian and Iraqi nationalities ranked second, at 11.3% each, and Syrian and Kenyan nationalities ranked third, at 2.6%.

Chart: Breakdown of Requests for Assistance by Nationality

Nationality	Number
Jordanian	191
Palestinian	7
Iraqi	7
Syrian	6
Kenyan	6
Egyptian	5
Saudi	2
Filipino	1

The following two charts show the continued high proportion of complaints submitted by males, which reached 6.73% of complaints; this proportion also rose this year in requests for assistance, reaching 6.70%, compared with 2015. As for the proportion of complaints submitted by females, it was 4.26%, and the proportion of requests for assistance submitted by females decreased this year to 3.29%, compared with 2015, in which it reached 3.57%.

Chart: Breakdown of Complaints by Sex

Sex	Number
Males	224
Females	75

Chart: Breakdown of Requests for Assistance by Sex

Sex	Number
Males	159
Females	66