



Third Periodic Report on the Conditions of Correctional and Rehabilitation Centers

(2019–2020)

**The National Centre for Human Rights
Hashemite Kingdom of Jordan**

EXECUTIVE SUMMARY

The Third Periodic Report on the conditions of correctional and rehabilitation centres in Jordan (2019–2020) is issued within the framework of the sustained efforts of the National Centre for Human Rights to monitor and document the conditions of this group within society and to submit the requisite recommendations.

At the outset, and in presenting its Third Periodic Report on the Conditions of Correctional and Rehabilitation Centers, the Centre extends its thanks and appreciation to the Public Security Directorate, and in particular to the Office of Transparency and Human Rights, for its continuous cooperation and coordination, which enabled the visits to be conducted smoothly and with the necessary expedition, and which ensured the provision of the information required by the Centre in accordance with the National Centre for Human Rights Law No. (51) of 2006 and its amendments.

The significance of this Report derives, on the one hand, from its legal analysis of the national legislation governing the rights of inmates of correction and rehabilitation centres and its comparison with the international human rights standards, with a view to determining the extent of its conformity with those standards; and, on the other hand, from its assessment of the conditions of the inmates of these centres through the unannounced periodic monitoring visits carried out by the National Centre pursuant to its legal mandate under Law No. (51) of 2006 and its amendments. The Report acquires particular importance in light of the COVID-19 pandemic and its impact upon the rights of inmates of correction and rehabilitation centres.

In addition, the Report identifies the deficiencies and challenges in this field, so as to enable future action to remedy shortcomings, whether these relate to legislation or to the material conditions surrounding inmates. The Report is thus intended to support the efforts undertaken in Jordan by the competent authorities to develop correction and rehabilitation centres, to raise the standard of the services provided, and to give practical effect to the philosophy of correction and rehabilitation of inmates.

Methodology

In pursuit of the objectives of this Report, the following methodology was adopted in collecting, analysing and examining the data relating to its subject matter, in order to arrive at direct, specific and implementable findings and recommendations:

- Analysis of the national legislation governing the rights of inmates of correction and rehabilitation centres and its comparison with the international standards in this field, in order to determine the extent of its consistency with those standards.
- Analysis of the findings of the unannounced field monitoring visits to correction and rehabilitation centres, together with the individual personal interviews conducted with inmates during the periodic visits or during dedicated visits to a large number of inmates. In this connection, the Centre carried out ninety (90) field visits in 2019 and approximately fifty (50) visits in 2020, comprising both periodic visits to correction and rehabilitation centres and visits undertaken to verify complaints received by the Centre from inmates or their relatives.

Scope of the Report

The Report addressed a number of themes for the purpose of assessing the conditions of inmates of correction and rehabilitation centres, as follows:

- The rights of inmates of correction and rehabilitation centres under national law and their comparison with the international standards.
- The conditions of inmates of correction and rehabilitation centres, covering the infrastructure and the surrounding conditions, the rights of inmates and their care, and the rehabilitation programmes.
- The principal complaints received by the Centre.
- Inmates of correction and rehabilitation centres in light of the COVID-19 pandemic.
- The positive developments relating to correction and rehabilitation centres, which the Centre also monitored in accordance with the comprehensive and objective approach it pursues.

Principal Observations

The principal observations recorded by the Centre's team, and through the complaints received, are as follows:

- A substantial increase in the number of inmates of correction and rehabilitation centres, exceeding their designed capacity. The actual number of inmates held in these centres in 2020 stood at approximately (17,708), compared with (19,965) inmates in 2019, whereas the capacity of these centres is (13,352) inmates.
- Natural lighting and ventilation are inadequate in a number of correction and rehabilitation centres.

- There is pressure upon the sanitary facilities, which are insufficient in a number of correction and rehabilitation centres.
- The classification of inmates of correction and rehabilitation centres faces two principal obstacles that preclude its proper implementation. The first is overcrowding and the increase in the number of inmates beyond the capacity of most centres. The second lies in the wish of both pretrial detainees and sentenced inmates to be accommodated in correction and rehabilitation centres situated in, or close to, the governorates in which their families reside — a factor that has made it difficult to designate certain centres exclusively for detainees and others exclusively for sentenced inmates. As a result, the full classification process required by the Correction and Rehabilitation Centres Law and consistent with the international human rights standards has not been achieved.
- Most complaints of inmates concerning health care related to the mechanism for transferring inmates from correction and rehabilitation centres to hospitals, since inmates being transferred to hospitals are conveyed together with inmates being transferred to courts, which causes inmates to miss their scheduled hospital appointments and necessitates the scheduling of new ones.
- Most physicians in the clinics attached to correction and rehabilitation centres complained of shortages of staff and equipment and of the high number of patients seeking treatment.
- As regards mental health care, such care is confined to a weekly visit by the specialist physician, during which he examines inmates and prescribes the psychotropic medication dispensed to inmates at the clinic under the supervision of the nurses stationed there.
- The areas designated for lawyers' visits were found not to afford the requisite privacy and confidentiality.
- While affirming the importance of the efforts made to implement rehabilitation and education programmes, the Centre considers that education and rehabilitation must be extended to all correction and rehabilitation centres and must cover pretrial detainees as well as sentenced inmates, and that rehabilitation and education should be delivered through mechanisms ensuring the inmate's engagement in the process from the moment of admission until release.

Measures Taken in Response to the COVID-19 Pandemic

The Centre observed that the administration of correction and rehabilitation centres adopted a series of measures from the outset of the COVID-19 pandemic, the most significant of which were:

- Adoption of a protection protocol to limit the spread of the coronavirus among inmates of correction and rehabilitation centres.

- Designation of four correction and rehabilitation centres for newly admitted inmates within the geographic regions of the Kingdom, following their equipment and enablement to carry out testing and medical isolation, namely: Marka, Irbid, Bireen and Tafileh Correction and Rehabilitation Centres.
- Designation of Balqa Correction and Rehabilitation Centre and of the medical isolation wing within Muwaqqar (1) Correction and Rehabilitation Centre, with a capacity of (250) beds, for the isolation of persons confirmed to be infected with the coronavirus.
- Designation of the smaller hospital within the Al-Bashir Hospital Complex for infected inmates whose condition requires hospital admission.
- Permitting family visits twice weekly instead of three times, in addition to telephone contact.
- Continued disinfection of correction and rehabilitation centres and provision of disinfection materials and general safety supplies.
- Adoption of a mechanism with the catering company operating in the centres for the testing of its employees and the application of health requirements during the preparation of meals.
- Provision of a number of travel tickets, on more than one occasion, for female foreign inmates subject to deportation.
- Screening of awareness-raising material for inmates on general safety precautions relating to the coronavirus.

Number of Inmates Infected with COVID-19

The total number of inmates confirmed to have been infected with the coronavirus from the beginning of the pandemic until 22 March 2021, including those who had recovered, reached (2,224) inmates.

Complaints Received During the Comprehensive Lockdown

The principal complaints received by the Centre during the comprehensive lockdown related to the inability of certain inmates to obtain legal assistance owing to the inability of lawyers to reach them, and, in other instances, to delays in the submission and processing of bail applications.

Disinfection materials and face masks were not available in sufficient quantities to inmates of correction and rehabilitation centres at the beginning of the pandemic; the Centre's subsequent monitoring, however, established that these difficulties had been overcome through the provision of adequate supplies to meet general safety requirements.

Principal Complaints of Inmates of Correction and Rehabilitation Centres

The Centre received a number of recurring complaints from inmates during the field monitoring team's periodic and dedicated visits, or from inmates' relatives, whether by direct complaint or through the hotline, the most significant of which were:

- Certain inmates complained of being held in correction and rehabilitation centres far from their places of residence. During the periodic visits and the dedicated visits to certain inmates, the monitoring team recorded the presence of inmates from the southern governorates — in particular administrative detainees — in correction and rehabilitation centres located in the north of the Kingdom.
- The Centre received numerous complaints concerning the transfer of inmates to hospitals for treatment and to courts for the purpose of attending trial, relating to the conditions of transfer and to the failure to separate inmates transferred to hospitals from those transferred for the purpose of attending trial.
- Numerous administrative detainees complained of the prolonged duration of their detention and of its being coupled with requirements to furnish high bail as a condition of their release.
- The Centre received numerous complaints concerning the limited number and short duration of telephone calls, and the short duration of visits.
- Inmates on hunger strike complained of being placed in solitary confinement and of the difficult conditions of such confinement, both from a psychological standpoint and in terms of the conditions of detention. In this connection, the Centre finds that these practices are not grounded in clear legal provisions or standards governing full and partial hunger strikes and setting out the procedures to be followed in such cases.

Developments in Correction and Rehabilitation Centres

The most significant developments witnessed by correction and rehabilitation centres, as monitored by the Centre's team during the field visits and as reflected in the information provided by the Public Security Directorate, are as follows:

- Completion of the maintenance of Qafqafa Correction and Rehabilitation Centre and its reactivation.
- Renovation of the women's detention section at Umm al-Lulu Correction and Rehabilitation Centre and its reactivation.
- Establishment of a bakery within Rumaimin Correction and Rehabilitation Centre, in partnership and cooperation with a private food company, operated and supervised entirely by inmates of the Centre. The project provided approximately (20) employment opportunities for

inmates, generating financial benefit that assists them in supporting themselves and their families and enabling them to acquire vocational skills that facilitate their integration into the labour market upon release.

- Equipping of the sewing workshops existing in a number of correction and rehabilitation centres for the manufacture of medical face masks and their distribution to inmates and to staff working in the centres.
- Equipping of a workshop at Swaqa Correction and Rehabilitation Centre for the manufacture and maintenance of disinfection gates.
- Development of the system for submitting inmate visit applications so as to render it electronic.
- Expansion of the remote-trial system in cooperation with the Ministry of Justice.
- Establishment of a handicrafts workshop at Juwaideh Correction and Rehabilitation Centre.
- Establishment of a sewing workshop at Zarqa Correction and Rehabilitation Centre.
- The “Iftar with My Family” initiative: certain correction and rehabilitation centres, including Juwaideh, organised an initiative during the holy month of Ramadan aimed at bringing inmates together with their families around a single iftar table.
- The Inmates’ Council: an initiative was introduced at Juwaideh Correction and Rehabilitation Centre (men) providing for meetings with representatives of the inmates in order to hear their demands and needs.

Recommendations

In concluding this specialised periodic report on the conditions of correction and rehabilitation centres, the Centre affirms that responsibility for promoting and protecting the rights of inmates of correction and rehabilitation centres is shared among a number of entities, as indicated by the Correction and Rehabilitation Centres Law No. (9) of 2004 and its amendments. Accordingly, the Centre sets out its recommendations within the framework of this comprehensive approach, founded upon the concept of the Jordanian State as a State based upon the rule of law and upon the mutual support of its institutions for the advancement of human rights generally, and of the rights of inmates of correction and rehabilitation centres in particular. The following are the principal recommendations, responsibility for the implementation of which rests with more than one institution and authority:

1. Amending the Correction and Rehabilitation Centres Law No. (9) of 2004 and its amendments so as to ensure a review of the categories of disciplinary offences set out therein, and to provide expressly for the prohibition of the imposition of two disciplinary penalties for the

same act; and undertaking a comprehensive review of the Law so as to remedy the difficulties identified in the chapter of this specialised report devoted to national legislation.

2. The necessity of enshrining the rights of inmates of correction and rehabilitation centres in the Correction and Rehabilitation Centres Law itself, or in a separate law drawing upon the international standards governing the treatment of inmates and their rights, rather than in the Instructions on the Administration of Correction and Rehabilitation Centres, the Custody of Inmates and their Rights of 2001 — given the position of such instructions within the hierarchy of legislation and their character as mere administrative regulatory decisions readily susceptible to amendment and change, and given that these rights constitute fundamental matters which must be regulated by law in accordance with the intent and philosophy of the constitutional legislator under Chapter Two of the Constitution.
3. Extending the duration of the special visit provided for in the Instructions on Special Visits for Inmates of Correction and Rehabilitation Centres issued pursuant to the Correction and Rehabilitation Centers Law in force.
4. Amending the legislation so as to regulate the searching of inmates, by issuing clear instructions on searches in places of detention which specify the procedures to be followed and their forms, and which identify the circumstances in which an ordinary search and an intrusive body search may be conducted, together with the requirement that electronic devices and scanning equipment be used in the search process in a manner that safeguards and respects the dignity of individuals.
5. Limiting recourse to short custodial sentences and replacing them with alternative penalties, and activating the alternatives to pretrial detention provided for in the Criminal Procedure Law No. (9) of 1961 and its amendments, with a view to alleviating overcrowding within correction and rehabilitation centres.
6. The necessity of complying with the procedures and criteria for the classification of inmates, as the first step in the correction and rehabilitation process and as a means of preventing, or limiting, criminal contamination.
7. Ensuring that the conditions under which inmates are transferred to courts or hospitals respect human dignity and safeguard the safety of inmates, as regards the suitability of the transport vehicles, the number of detainees per vehicle, and the ventilation and temperature of the vehicles, with each category of inmates being transported in a separate vehicle according to the nature of the transfer, whether to hospitals or to courts.
8. Supplying correction and rehabilitation centres, through the competent Ministry, with the medical equipment necessary to reduce the referral of inmates to hospitals.

9. Increasing the number of visits by psychiatrists from the Ministry of Health to correction and rehabilitation centres, and devoting particular attention to the mental health care of inmates.
 10. The necessity of devoting particular attention to persons addicted to, or using, narcotic drugs and psychotropic substances, and of placing them in specialised centres for the treatment of the symptoms they suffer as a result of their state of health.
 11. Establishing clear legal standards governing full and partial hunger strikes by inmates and setting out the procedures to be followed in such cases.
 12. Ensuring that inmates are placed in correction and rehabilitation centres close to the places of residence of their relatives, so as to enable them to receive visits readily and to reduce the financial burden borne by their families in transport costs incurred in reaching those centres.
 13. Supplying correction and rehabilitation centres with sufficient quantities of disinfectants and general safety supplies for so long as the COVID-19 pandemic continues.
 14. Expanding the rehabilitation programmes that enable inmates to acquire skills contributing to their economic empowerment following release, and increasing the involvement of the Vocational Training Corporation in the implementation of such programmes.
 15. Broadening the scope of remote trials, given the savings in effort and time they afford and their contribution to resolving the difficulties associated with the transfer of inmates.
 16. Providing effective and continuous aftercare for inmates following their release, together with follow-up care programmes, and institutionalising this process, which should be entrusted principally to the Ministry of Social Development, as provided for in the Correction and Rehabilitation Centres Law.
 17. Raising awareness among the business sector of the concept of social responsibility and encouraging it to play a pivotal role in the provision of aftercare to inmates, in particular as regards the provision of employment opportunities for them.
 18. Raising public awareness of the importance of assisting individuals, in the period following their release from correction and rehabilitation centres, to return to and integrate into society, and affirming that the aftercare of inmates is the responsibility of society as a whole and is not confined to any single authority or institution.
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