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## Human Rights Council

Working Group on the Universal Periodic Review

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### Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

#### Jordan\*

The present report is a summary of 11 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translations services.

## **I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles**

### **A. Background and framework**

1. With reference to the Government's support to its own institution, the National Centre for Human Rights (NCHR) stated that, in relation to the base year of 2009, its budget had been frozen in 2010 and 2011 and then reduced by 15 per cent in 2012. This was despite the need for increased capacities and to increase its presence in the regions of the Kingdom.<sup>2</sup>

### **B. Cooperation with human rights mechanisms**

2. The NCHR noted that Jordan had not become a party to the CPED in line with the previous Universal Periodic Review (UPR) recommendation and highlighted its calls for accession to the OP-CAT. It also highlighted its calls for the withdrawal of Jordan's reservations to CEDAW and the CRC.<sup>3 4</sup>

### **C. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

3. The NCHR indicated that amendments to the Constitution in 2011 had included a prohibition of torture or the admission of confessions obtained under torture, but other legislation had not been amended in line with the Constitution or with recommendations under the UPR, of the Human Rights Committee or Committee against Torture. It was concerned at the lack of an independent and transparent mechanism for the investigation of allegations of torture. It noted that no members of the law enforcement agencies had been prosecuted under article 208 of the Penal Code which criminalizes torture.<sup>5</sup>

4. The NCHR had formed a national monitoring team composed of civil society organizations to visit places of detention, inspect their conditions and investigate allegations of torture. The Government continued to allow visits to the correction and rehabilitation centres of the Public Security Directorate as well as the police temporary detention centres. However, the visits had to be announced in advance and access to the temporary detention centres of the General Intelligence Department (GID) was not provided.<sup>6</sup>

5. The Government had prepared draft amendments to the Law on Crime Prevention in response to the UPR recommendation concerning administrative detention, but the draft failed to address all the concerns and had not passed into law.<sup>7</sup>

6. The NCHR welcomed constitutional amendments in 2011 to improve the independence of the judiciary and other measures such as the confirmation of the presumption of innocence before trial. It also welcomed the adoption of the Judicial Strategy for 2012-14. However, it highlighted the need to speed up the process of ensuring that the legislation is in conformity with the Constitution and international standards, particularly in relation to the independence of the judiciary, administratively and financially, and the independence of the judges. It called for the ending of the reliance of the court support staff on the Ministry of Justice. It also highlighted the need to ensure that

civilians are tried in civilian courts; to speed the processing of cases, reduce court fees and activate fair trial guarantees.<sup>8</sup>

7. Despite implementation of the UPR recommendation on judicial training, the NCHR noted that the courts' application of international human rights standards was still limited.<sup>9</sup>

8. The NCHR referred to amendments in 2011 to the Press and Publications Law including the removal of penalties of imprisonment, but noted that further amendments were needed, such as the removal of large fines and the removal of the requirements for permission prior to publication. It also noted the need to amend the legislation to ensure quick and easy access to information.<sup>10</sup>

9. The Law on Societies had not been amended in line with the UPR recommendations and included many restrictions on the right of freedom of association. The NCHR noted that a new Law on Political Parties of 2012 included some restrictions to that right, including supervisory and licensing powers for the Ministry of the Interior and the need for minimum of 5,000 members spread across seven provinces.<sup>11</sup>

10. The NCHR noted the creation in 2011 of a trade union for public school teachers following the constitutional amendments. However, it referred to the need to amend the labour law as it permitted the Tripartite Commission to identify which professions have the right to form unions.<sup>12</sup>

11. The NCHR noted major amendments to the Law on Public Meetings in 2011, including the removal of the need for prior approval from a district governor before holding a meeting. It also noted that there were many meetings which had demanded reform in 2011 and 2012 and the right to peaceful assembly was respected. However, there were harassment of and attacks upon participants in some meetings and the security forces were not well-trained in the gradual use of force and in dealing with journalists present at the protests.<sup>13</sup>

12. The NCHR noted constitutional amendments which removed the right of the King to postpone elections. It also noted changes to the voting system and the passing of a law to create the Independent Electoral Commission.<sup>14</sup>

13. The NCHR highlighted the Jordanian Government's efforts in caring for refugees, but its rejection of recommendations for the creation of a national legal framework and accession to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. It noted the emergence of the wave of refugees from Syria in 2011 and called for concerted international efforts to provide them with care in light of Jordan's scarce resources.<sup>15</sup>

14. Despite the UPR recommendations concerning the right to health, factors such as the low percentage of public spending on health and the inequitable distribution of health centres meant that the quality of healthcare was not improving. The NCHR noted the absence of strategic plans to prevent chronic and communicable diseases and the shortage of staff and equipment in hospitals.<sup>16</sup>

15. The NCHR mentioned the absence of effective policies to eradicate poverty, reduce unemployment and achieve equitable levels of development across different regions. There was a lack of implementation of projects to provide drinking water and adequate irrigation in light of the scarcity of water in Jordan.<sup>17</sup>

16. With reference to migrant workers, the NCHR welcomed the Anti-trafficking Law and action plan as well as noting legislative amendments, including new regulations, requirements to provide translated contracts to workers and measures of protection against sexual harassment or the use of coercion. There were amnesties for fines against foreign workers. It observed that agricultural workers' rights were limited, particularly by their exclusion from the health and social insurance schemes.<sup>18</sup>

17. The NCHR expressed concern about the prevalence of child labour, including the long hours worked by children in hazardous conditions and the absence of social security.<sup>19</sup>

18. Despite increased quotas in 2011 for women's representation in parliament and municipal assemblies, the NCHR considered that Jordan was moving away from the 1995 Beijing Conference recommendation that at least 30 per cent of seats be occupied by women. It noted other concerns relating to the equal treatment of women, including the limited access to employment in the private sector, the continued reservations to CEDAW and the failure to execute awareness campaigns on issues such as women's rights to inheritance, human trafficking and domestic violence.<sup>20</sup>

19. The NCHR noted that the Penal Code had been amended to ensure greater protection of women from violence. It highlighted the need for other measures such as the activation of legislation on domestic violence and the removal of the grounds for mitigating circumstances under article 340 of the code which exempts perpetrators of "honour" crimes from punishment. It also highlighted the need to activate the Anti-Trafficking Law and provide legal aid to victims of violence against women.<sup>21</sup>

20. The NCHR highlighted the need for further action by legislators and policy-makers to properly implement the laws on the rights of persons with disabilities. It noted the need for better legal definition of disabilities and the activation of the law on the rights of persons with disabilities; the inability of existing programmes to remove the stigmatization of children with disabilities in primary schools and; the inadequate support for persons with disabilities. Performing hysterectomies on girls with intellectual disabilities became a widespread phenomenon, despite the dangers to their health.<sup>22</sup>

21. The NCHR noted follow-up to the National Plan for Children. However, it highlighted the reservations to articles 20 and 21 of the CRC; the failure to enact the Law on the Rights of the Child in accordance with international standards; and the need for amendments to the Law on Juveniles. It mentioned the need for more efforts to protect children of unknown parentage, those in care and victims of violence and abuse. Programmes for controlling begging, protection from substance abuse and the reintegration of delinquents were weak or still required.<sup>23</sup>

22. With reference to the recommendations concerning legislation on the prevention of terrorism, NCHR reported that the legislation had not been revised and was inconsistent with international standards on the rights of defendants.<sup>24</sup>

## **II. Information provided by other stakeholders**

### **A. Background and framework**

#### **1. Scope of international obligations**

23. Alkarama stated that although the texts of the ICCPR and CAT were published in the Official Gazette in 2006, and were thus enforceable under national law, the authorities had failed to fully implement their provisions and harmonize national legislation with the international instruments in accordance with the recommendations accepted under the first UPR.<sup>25</sup>

24. The INSAN Coalition (INSAN) welcomed the removal of Jordan's reservation to article 15 of CEDAW.<sup>26</sup> Amnesty International (AI) and INSAN urged removal of the reservations to articles 9 and 16.<sup>27</sup> INSAN urged ratification of the Optional Protocol to CEDAW.<sup>28</sup>

25. Human Rights Watch (HRW) recommended ratification of ILO Convention No. 189 Concerning Decent Work for Domestic Workers.<sup>29</sup> INSAN recommended accession to the ICRMW and ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise.<sup>30</sup>

26. Alkarama recommended ratification of OP-CAT, CPED, the two Optional Protocols to the ICCPR and the making of the declaration under article 22 of CAT.<sup>31</sup>

## **2. Constitutional and legislative framework**

27. Alkarama reported that the King retained the prerogative to appoint and dismiss the Prime Minister, but that he had promised to choose the Prime Minister in consultation with the Parliament starting from the 2013 elections.<sup>32</sup>

28. Alkarama reported that according to the 2012 Elections Law the Chamber of Deputies now has 150 seats with 15 reserved for women. It stated the constituencies are designed to favour the election of monarchy loyalists. Further reform of the Election Law was an opposition demand which led the main opposition forces to boycott the January 2013 elections. These elections were the first to be prepared and overseen by the Independent Election Commission under the 2011 amendments to the Constitution.<sup>33</sup>

29. Joint Submission 3 (JS3) noted that articles 15 and 16 of the Constitution which refer to freedom of expression, association and related rights, gave legislators scope to define restrictions in these spheres. It noted that a number of laws were not within the spirit and intention of articles 19, 21 and 22 of the ICCPR.<sup>34</sup> INSAN recommended amending the Constitution to confirm the supremacy of human rights treaties over national laws.<sup>35</sup>

## **3. Institutional and human rights infrastructure and policy measures**

30. Alkarama noted the continued Government support to the NCHR; that its reports were generally commended and relevant to civil society; but that follow-up was lacking. It indicated that the former positions of some members, as prison directors for example, failed to instil the trust of complainants and cast doubts on the perceptions of its independence.<sup>36</sup>

31. Joint Submission 1 (JS1) noted that the NCHR was dealing with discrimination cases, but that in the absence of an Ombudsman the NCHR was not well equipped to deal with them and it cannot refer cases to the courts.<sup>37</sup>

## **B. Cooperation with human rights mechanisms**

### **1. Cooperation with treaty bodies**

32. Alkarama regretted that the State had not provided follow-up information to the request of the Committee against Torture in December 2011.<sup>38</sup>

### **2. Cooperation with special procedures**

33. Alkarama regretted that Jordan had not provided follow-up information in line with the request of the Special Rapporteur on torture and other cruel, inhuman treatment or punishment in November 2011.<sup>39</sup>

## C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

### 1. Equality and non-discrimination

34. JS1 noted the absence of an articulated state policy on the promotion of equality between women and men.<sup>40</sup>

35. JS1 noted that the Personal Status Law is based on religious rather than civil law. It indicated that the shari'a and religious courts which apply it are not open to women and that this was indicative of their discriminatory character. It stated that this situation perpetuates the inferior status of women in society.<sup>41</sup>

36. JS1 indicated that although women are more accepted in politics, gender stereotypes persist and decisions are taken by men serving predominantly male interests. It noted the absence of women ministers and that a ministry on women's issues was created in a recent cabinet, but had been removed. It referred to growing religious fundamentalist movements as a factor impeding women's participation in politics and public life.<sup>42</sup>

37. JS1 recommended the drafting of a gender equality law including the definition of discrimination from CEDAW.<sup>43</sup> JS1 and INSAN recommended including the word gender within article 6 of the Constitution which refers to the equality of Jordanians.<sup>44</sup>

38. JS1 stated that family allowances and pension payments were automatically paid to men, but were paid to women or their families only in exceptional circumstances.<sup>45</sup>

39. INSAN noted that although Jordan responded positively to the recommendations on freedom of religion and belief in the last UPR, the Personal Status Law continued to discriminate against women in custody rights of children from marriages of Muslim men and Christian women.<sup>46</sup>

### 2 Right to life, liberty and security of the person

40. Alkarama and HRW noted that Jordan accepted recommendations relating to the prevention and eradication of torture in the first UPR cycle. Alkarama indicated that not all the recommendations had been implemented.<sup>47</sup>

41. AI noted that article 8 of the Constitution was amended in 2011 to explicitly provide that detainees are not to be tortured and to invalidate confessions or other statements obtained under duress.<sup>48</sup> Alkarama recommended the absolute prohibition of torture, noting that the 2007 Penal Code only forbids "any form of *unlawful* torture with a view to obtaining a confession to an offence or information thereon."<sup>49</sup>

42. Alkarama stated that reports of torture and ill-treatment are still frequent and that responsibility mainly lay with the GID and Criminal Investigations Directorate (CID).<sup>50</sup> AI, Joint Submission 2 (JS2), JS3, Alkarama and HRW noted that many individuals were arrested, beaten or otherwise ill-treated in 2011 and 2012 while peacefully calling for political and other reform.<sup>51</sup> Alkarama indicated that the GID and the *Darak* were responsible for excessive use of force against the protestors.<sup>52</sup> JS3 also stated that the killing of one protestor in November 2012 was believed to be by the security forces.<sup>53</sup>

43. AI reported the beating and whipping of three men in November 2012 by CID and *Darak* officers after they were arrested for the alleged illegal gathering of olives. The men were said to have been made to sign statements that they had not read.<sup>54</sup>

44. HRW stated that torture was rife in prisons.<sup>55</sup>

45. JS1 referred to legal and social obstacles faced by victims of sexual violence, including the absence of a crime of rape in marriage, the dropping of charges when a rapist

marries his victim and a lack of protection to ensure consent in such a situation. It noted the absence of specific legislation to cover domestic violence and the difficulty in achieving divorce on such grounds in the shari'a courts.<sup>56</sup>

46. JS1 noted that implementation of amendments to laws to penalize sexual harassment in the work place in 2007 and 2008 had been limited. In addition, only harassment by an employer was included.<sup>57</sup>

47. The Global Initiative to End All Corporal Punishment of Children noted that Jordan accepted a recommendation to consider prohibition of corporal punishment, but that there had been no change in the law and corporal punishment remained lawful in the home and in alternative care.<sup>58</sup>

### 3. Administration of justice, including impunity and the rule of law

48. INSAN noted that despite actions to implement recommendations pertaining to the judicial system in the previous UPR, more needed to be done. It recommended, inter alia, placing the Judicial Institute under the Judicial Council, reviewing laws on judicial independence and training judges on the implementation of the international conventions in their judgments.<sup>59</sup>

49. Alkarama, JS2 and JS3 indicated that the State Security Court, which consists of one civilian and two military judges, lacks independence and fails to ensure fair trials.<sup>60</sup> Alkarama and JS2 noted that its competencies had been reduced in reforms in 2011, but it was later used to the detriment of peaceful protestors, media workers and opposition figures.<sup>61</sup> JS3, INSAN and AI recommended that all detainees be brought before judicial authorities independent of the security forces.<sup>62</sup>

50. INSAN noted that the Constitution had been amended to include the presumption of innocence in line with the UPR recommendation. However, it stated that the right of defendants to legal representation was not guaranteed in law except in respect of the most serious charges and the pre-trial procedure was excluded. Some 68 per cent of defendants were not being represented during criminal trials.<sup>63</sup>

51. HRW, Alkarama and the Centre for Defending Freedom of Journalists (CDFJ) indicated that perpetrators of torture enjoyed near total immunity.<sup>64</sup> INSAN and AI had similar information.<sup>65</sup> HRW noted that no investigation took place into police abuses against protestors in 2012, even when at least one protestor was brought into custody after being treated in hospital for injuries sustained from police beatings.<sup>66</sup> CDFJ stated that police, gendarmerie and intelligence officers who have assaulted media workers or civilians did not display any form of identification.<sup>67</sup>

52. Alkarama stated that not all the mechanisms to report transgressions could be considered independent.<sup>68</sup> It noted that officials such as prison directors are not obliged to refer allegations to the competent institutions and may order simple disciplinary measures instead. INSAN noted that, in practice, perpetrators are rarely brought to justice and allegations of torture are investigated, prosecuted and tried before the Police Court and Intelligence Court which are under the umbrella of the public security authorities.<sup>69</sup> Alkarama and CDFJ noted that judges in the Police Court are appointed within the police structures and lack independence.<sup>70</sup> HRW recommended that jurisdiction over criminal matters involving prison abuse be transferred to civilian prosecutors, as well as ensuring that prison medical staff are adequate in number and trained to detect torture and ill-treatment.<sup>71</sup>

53. Alkarama, INSAN, JS2, and AI indicated that administrative detention orders by provincial governors based on the Law on Crime Prevention were the common cause of arbitrary detention.<sup>72</sup> HRW noted that governors, who report to the Ministry of the Interior,

were not required to present evidence of the commission of a crime.<sup>73</sup> JS2 stated that police used their relationships with governors to secure detentions and pursue interrogations.<sup>74</sup> JS2 and INSAN stated that administrative detention was used to override the time limitations on the statutory 24 hours' detention or seven days on state security grounds.<sup>75</sup> Alkarama, HRW and JS2 indicated that the judicial review of governors' decisions on detention was possible, but the grounds were mainly restricted to procedural violations and subject to financial barriers.<sup>76</sup> INSAN and HRW stated that, in spite of Jordan's acceptance of recommendations relating to administrative detention in the last UPR, by 2012 the number of such detainees had reached 11,000 or 12,000.<sup>77</sup>

54. INSAN stated that officials responsible for illegal arrests (without the order of a prosecutor) for more than 24 hours enjoy impunity in practice. It recommended the sanctioning of police officials responsible for detention beyond 24 hours, compensation of victims, as well as review of the legislation so as to improve judicial oversight and limit the authority of prosecutors to order detention.<sup>78</sup>

55. INSAN, JS1 and JS2 noted that governors have authority to order the detention of a woman in a protective custody, including on the grounds of suspicion of her dishonourable conduct (such as an extended absence from a family home); protecting her life and; in cases of "honour" killing.<sup>79</sup> JS1 stated that the suffering of women threatened by male family members can be intensified under such custody orders.<sup>80</sup> JS2 stated that in the latest survey 17 women were held, some of them for up to 10 years.<sup>81</sup>

56. INSAN, HRW and Alkarama noted that recommendations relating to administrative detention under the UPR had not been implemented and Alkarama that proposals from the Interior Ministry in 2011 to restrict it were never submitted to Parliament.<sup>82</sup> HRW recommended establishing or using shelters for victims of domestic violence or honour crimes.<sup>83</sup>

57. INSAN stated that the age of criminal responsibility was low at seven years of age and there was a lack of alternatives to imprisonment. Juveniles who commit a crime together with an adult may be tried before an adult court. The legislation on juvenile justice does not take into account the best interests of the child.<sup>84</sup>

#### **4. Right to marriage and family life**

58. JS1, INSAN and AI noted that Jordanian women were unable to confer their citizenship on foreign spouses and any children they had together.<sup>85</sup> JS1 stated that children without citizenship experienced obstacles in benefiting from social welfare programmes and had to pay higher educational fees.<sup>86</sup> It also indicated that there was a need to acquire statistical data to measure the size of the problem and its effect on husbands with Palestinian origins.<sup>87</sup>

#### **5. Freedom of expression, association and peaceful assembly, and right to participate in public and political life**

59. Alkarama and HRW noted that amendments to the Law on Societies fell short of the recommendations in the previous UPR.<sup>88</sup> INSAN considered that the law remained incompatible with international standards.<sup>89</sup> Alkarama, JS1 and JS3 noted that a prohibition on the pursuit of political aims was overly broad or not further defined.<sup>90</sup> HRW stated that the new law gives the authorities discretionary powers to reject applications or close existing organizations.<sup>91</sup> JS3, HRW and Alkarama noted that foreign funding for civil society organizations must be approved by the cabinet.<sup>92</sup>

60. Reporters Sans Frontières (RSF), AI, JS3, CDFJ, INSAN and JS2 listed concerns relating to freedom of expression arising from the amendment of the Press and Publications Law in 2012.<sup>93</sup> JS3 indicated that the amended law had made the definition of a journalist



very narrow and restricted access to the profession.<sup>94</sup> JS3 and RSF indicated that this law forced journalists to join the Jordan Press Association and noted the lack of independence of the Association from the Government.<sup>95</sup> CDFJ noted that those working in the electronic media were also included under the restrictions.<sup>96</sup>

61. CDFJ, JS2, JS3, HRW, Alkarama and RSF referred to requirements that the online news websites in the country must be licenced by the Government to continue operating and are subject to various obligations.<sup>97</sup> JS3 and RSF indicated that the law meant that websites had been self-censoring their content.<sup>98</sup> HRW stated that there was arbitrary interference in the right to freedom of expression arising from obligations within the law that website managers not publish users' comments whose truth has not been checked.<sup>99</sup>

62. JS3 noted that after the crackdown on websites and online news users moved to social media to express their opinions and organize demonstrations. It stated that the Ministry of the Interior required owners of Internet cafés to provide information on users and to prevent access to specified websites.<sup>100</sup>

63. HRW, JS2 and CDFJ noted that the Penal Code made criticism of the King, religious figures, or Government figures or institutions a criminal offence.<sup>101</sup> HRW stated that some of the penalties relating to defamation of entities such as Government institutions and religions were increased in 2010 and that violations carried a prison term.<sup>102</sup>

64. CDFJ referred to an increase, over the past two years, in the number of journalists and media workers prosecuted at the State Security Court.<sup>103</sup> JS2 noted that tens of people are tried each year in the Security Court or regular courts for opinions they have published.<sup>104</sup>

65. Alkarama and JS2 indicated that compliance with the media laws was closely monitored by the security services.<sup>105</sup> Alkarama stated that under the restrictions, or with incentives, such as privileged access to certain information, direct censorship was rarely necessary. JS2 stated that the security agencies pressurized editors not to publish some materials.<sup>106</sup>

66. CDFJ stated that journalists were at risk of physical abuse as a result of the impunity of the security agencies.<sup>107</sup> It noted that more than 20 journalists were injured when police broke up a demonstration in Palm Yard in July 2011, despite the fact that they were wearing press jackets.<sup>108</sup>

67. JS3, HRW, INSAN and Alkarama noted that amendments to the Law on Public Gatherings in 2011 removed the requirement to obtain a governor's permission before holding a public meeting or demonstration.<sup>109</sup> However, JS3 and HRW indicated that prosecutors began charging protestors with "unlawful gatherings" and other charges under the Penal Code. JS3 noted that in November 2012 at least 107 people, including 9 children, were referred to the State Security Court on such charges following protests against the removal of fuel subsidies.<sup>110</sup> INSAN had similar information.<sup>111</sup>

68. INSAN stated that restrictions were introduced in 2011 and 2012 meaning that gathering of statistical information, including opinion polls, required official approval.<sup>112</sup>

69. JS2 indicated that tribal and rural areas dominated the House of Deputies in the Parliament to the detriment of urban areas which are inhabited by Jordanians of Palestinian origin.<sup>113</sup>

## **6. Right to work and to just and favourable conditions of work**

70. INSAN indicated that child labour rates are high and reported that 50,000 under-16-year-olds were in the labour market.<sup>114</sup>

71. INSAN indicated that a large segment of workers suffered difficult working conditions and violation of international labour standards, including weak application of health and safety standards.<sup>115</sup>

72. INSAN noted that collective bargaining is confined to trade unions recognized under the Law on Labour, but that this covered only 5 per cent of workers and excludes all civil servants. It indicated that there had been 900 strikes in 2012 although the Government acknowledged 47 strikes and 100 labour disputes.<sup>116</sup>

73. JS1 and INSAN indicated that women's participation in the labour market was between 14 per cent and 15 per cent in 2011-2012.<sup>117</sup> JS1 noted that unemployment was 21 per cent among females compared with 11 per cent among males in 2011.<sup>118</sup> JS1 and INSAN referred to discrimination in salaries paid to women with JS1 noting that there was a gender wage gap of 30 per cent in the private sector and a lack of legislation to address it.<sup>119</sup>

#### **7. Right to social security and to an adequate standard of living**

74. INSAN noted that legislation relating to a decent standard of living is weak, but strategies related to fighting poverty existed. It noted that standard of living indicators had shown a decline in recent years with inflation averaging 28 per cent while wages had increased 26.7 per cent. The minimum wage was low and tens of thousands of workers earned below the minimum wage. It stated the poverty rate had increased to 14.4 per cent in 2010 from 13.3 per cent in 2008. Poverty was worse in rural areas where 19 per cent were classified as poor. It recommended employment generation policies revision of wage levels in the private and public sectors and raising the minimum wage above the poverty line.<sup>120</sup>

75. INSAN noted that the coverage of the social services benefits was limited. It recommended expanding the social security scheme to all wage earners and including health insurance in these benefits.<sup>121</sup>

#### **8. Rights to health**

76. INSAN referred to a decline in health spending from 12 per cent to 10 per cent of GDP between 2009 and 2011. Primary health care centres have increased in number, but cannot provide specialized services. Thirty five per cent of citizens do not have any form of medical insurance. It recommended the inclusion of a right to health in the Constitution.<sup>122</sup>

#### **9. Right to education**

77. INSAN noted that education spending reduced from 13 per cent to 9 per cent of public expenditure between 2000 and 2010. The Ministry of Education prevented married girls from returning to school. School drop-out rates were between 4 per cent and 6 per cent and programmes to counter it were weak.<sup>123</sup>

#### **10. Persons with disabilities**

78. INSAN expressed concern that hysterectomies had been carried out on girls with intellectual disabilities justified by fear of rape or because they were unable to manage their menstruation.<sup>124</sup>

#### **11. Minorities**

79. INSAN referred to discrimination against members of the Bahai and other minority faiths, including in the issue of marriage certificates.<sup>125</sup>

## 12. Migrants, refugees and asylum-seekers

80. AI, INSAN and HRW noted improvements since 2009 in the legislation protecting migrant workers.<sup>126</sup> They stated that the amended legislation was not being implemented or was poorly enforced. AI and INSAN noted that migrant workers have been abused, physically, verbally or psychologically and sexually, as well as confined to their employers' homes.<sup>127</sup> INSAN and HRW indicated that domestic workers had to work long hours and were denied time-off.<sup>128</sup> HRW indicated that the Ministry of Labour has only five inspectors for all domestic workers and they have not been using their powers to enter homes to follow up on claims of abuse.<sup>129</sup>

81. INSAN stated that recent increases in minimum wages had not been applied to migrant workers and that the regulations discriminated between migrant workers based on nationality.<sup>130</sup> Workers were unable to leave the country or change employers without the permission of their employer. This led to blackmail and promoted practices of forced labour. INSAN also indicated that deportation of migrant workers has become a common and arbitrary procedure.<sup>131</sup>

82. AI and HRW highlighted Jordan's hospitality towards refugees from Syria.<sup>132</sup> AI referred to the return or denial of access to some individuals seeking refuge in Jordan. It noted that 200 refugees were returned after protests at the al-Zatari camp in August 2012 and that the Government had threatened that the border may be closed in the future.<sup>133</sup> HRW noted that men of military age and both submissions that non-Syrian citizens arriving from Syria, including Palestinians, had been denied protection.<sup>134</sup>

83. JS1 expressed concern about domestic violence, child marriage and sexual violence in the refugee camps. It recommended implementation of UN Security Council Resolutions and other measures to protect women refugees from sexual violence and trafficking in camps.<sup>135</sup>

## 13. Human rights and counter-terrorism

84. Alkarama stated that after March 2011 the authorities resorted to anti-terrorism legislation to try protestors before the State Security Court, thus depriving them of the right to a fair trial.<sup>136</sup>

### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with "A" status)

#### *Civil society:*

##### Individual Submissions

AI	Amnesty International, London (United Kingdom);
Alkarama	Alkarama for Human Rights, Geneva (Switzerland);
CDFJ	Centre for Defending Freedom of Journalists, Amman (Jordan);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom);
HRW	Human Rights Watch, Geneva, (Switzerland);
RSF	Reporters sans frontières, Paris, (France);

##### Joint Submissions

INSAN	INSAN Coalition (joint submission) – by: Phenix Centre for Economic and Informatics Studies, Da'am Centre for Training and Consultancy, Tamkeen for Human Rights and Legal Aid, Justice Centre for Legal Aid, Jordanian Women's Union, Human and Environment Observatory, Jordanian Federation of Independent Trade Unions, Jordanian Labor Watch, Arab NGO Network
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- for Development, Amman (Jordan);
- JS1 Joint Submission 1 – by: A National Coalition led by the Arab Women Organization (AWO, MOSAWA (a network of 86 women CBOs from across Jordan) and members of the campaign “My Mother is Jordanian and Her Nationality is My Right”), Amman (Jordan);
- JS2 Joint Submission 2 – by: Amman Center for Human Rights Studies, Arab Organization for Human Rights in Jordan, Amnesty International – Jordan, Amman Forum Association for Human Rights, Amman, (Jordan);
- JS3 Joint Submission 3 – by: CIVICUS: World Alliance for Citizen Participation, Amman Center for Human Rights Studies, Johannesburg (South Africa);

*National human rights institution*

NCHR The National Centre for Human Rights\*, Amman, Jordan

<sup>2</sup> NCHR, p.10.

<sup>3</sup> The following abbreviations have been used for this document: The International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), the International Convention for the Protection of all Persons from Enforced Disappearance (CPED), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Optional Protocol to the Convention against Torture (OP-CAT), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Optional Protocol of the Convention on the Elimination of All Forms of Discrimination Against Women (OP-CEDAW), the Convention on the Rights of the Child (CRC), and the International Convention on the Elimination of all Forms of Racial Discrimination (CERD).

<sup>4</sup> NCHR, p. 11.

<sup>5</sup> NCHR, p. 2.

<sup>6</sup> NCHR, pp. 2-3.

<sup>7</sup> NCHR, p. 3.

<sup>8</sup> NCHR, pp. 3-4.

<sup>9</sup> NCHR, p. 4.

<sup>10</sup> NCHR, p. 4.

<sup>11</sup> NCHR, pp. 4-5.

<sup>12</sup> NCHR, p. 5.

<sup>13</sup> NCHR, p. 5.

<sup>14</sup> NCHR, p. 6.

<sup>15</sup> NCHR, p. 6.

<sup>16</sup> NCHR, pp. 6-7.

<sup>17</sup> NCHR, p. 7.

<sup>18</sup> NCHR, pp. 7-8.

<sup>19</sup> NCHR, p. 7.

<sup>20</sup> NCHR, pp. 8-9.

<sup>21</sup> NCHR, p. 9.

<sup>22</sup> NCHR, p. 9.

<sup>23</sup> NCHR, pp. 9-10.

<sup>24</sup> NCHR, p. 4.

<sup>25</sup> Alkarama, para. 8.

<sup>26</sup> INSAN, para. 36. Article 15 of CEDAW refers to equality before the law.

<sup>27</sup> AI, p. 5, INSAN, para. 36. Articles 9 and 16 of CEDAW refer to nationality and family relations respectively.

<sup>28</sup> INSAN, para. 36, AI, p. 5.

<sup>29</sup> HRW, p. 5.

<sup>30</sup> INSAN, paras. 86, 101.

<sup>31</sup> Alkarama, para. 21.10. Article 22 of CAT refers to the consideration of individual complaints.

<sup>32</sup> Alkarama, para. 3.

<sup>33</sup> Alkarama, para. 4.

<sup>34</sup> JS3, para. 2.3.

<sup>35</sup> INSAN, para. 46.

- 36 Alkarama, para. 7.  
37 JS1, pp. 6-7.  
38 Alkarama, para. 14.  
39 Alkarama, para. 14.  
40 JS1, p. 3  
41 JS1, p. 4.  
42 JS1, p. 2.  
43 JS1, p. 9.  
44 JS1, p. 9, INSAN, para. 46.  
45 JS1, p. 5.  
46 INSAN, para. 41.  
47 Alkarama, para. 12, HRW, p. 3.  
48 AI, p. 2.  
49 Alkarama, paras 11, 21.4.  
50 Alkarama, para. 12.  
51 AI, p. 1, JS2, paras. 10, 12, JS3, paras. 2.12, 2.13, 3.1, 3.2, Alkarama, para. 12, HRW, p. 3.  
52 Alkarama, para. 12.  
53 JS3, para. 2.12.  
54 AI, p. 2.  
55 HRW, p. 3.  
56 JS1, p. 7.  
57 JS1, p. 6.  
58 GIEACPC, para. 1.3.  
59 INSAN, paras. 20, 24-26.  
60 Alkarama, para. 5, JS2, para 6, JS3, para. 2.14.  
61 JS2, paras 6, 7.  
62 JS3, para. 5.2, INSAN, para. 30, AI, p. 4.  
63 INSAN, paras. 31, 35.  
64 HRW, p. 3, Alkarama, para. 13, CDFJ, paras. 13, 20.  
65 INSAN, para. 13, AI, p. 2.  
66 HRW, p. 3.  
67 CDFJ, para. 13.  
68 Alkarama, para. 13.  
69 INSAN, paras. 13, 14.  
70 Alkarama, para. 13, CDFJ, para. 13.  
71 HRW, p. 3.  
72 Alkarama, paras. 15, INSAN, para. 2, JS2, paras. 2-3, AI, p. 2.  
73 HRW, p. 3.  
74 JS2, para. 3.  
75 JS2, para.2, INSAN, para. 3..  
76 Alkarama, para. 16, HRW p. 3, JS2, para. 2.  
77 INSAN, para. 2, HRW, p. 3.  
78 INSAN, paras. 6-9.  
79 INSAN, para. 2, JS1, p. 7, JS2, para. 4.  
80 JS1, p. 7.  
81 JS2, para. 4.  
82 INSAN, para. 2, HRW, p. 3, Alkarama, para. 17.  
83 HRW, p. 3.  
84 INSAN, para. 135.  
85 JS1, p. 1, INSAN, para. 38, AI, p. 3.  
86 JS1, p. 1.  
87 JS1, p. 2.  
88 Alkarama, para. 20, HRW, p. 2.  
89 INSAN, para. 49.  
90 Alkarama, para. 20, JS1, p. 4, JS3, para. 2.11.  
91 HRW, p. 2.

- 92 JS3, para. 2.10, HRW, p. 2, Alkarama, para. 20.  
93 RSF, p. 2, AI, p. 1, JS3, para. 2.4, CDFJ, paras. 6, 14, INSAN, para. 54, JS2, para.17.  
94 JS3, para. 2.9.  
95 JS3, para. 2.9, RSF, p. 2.  
96 CDFJ, para. 6.  
97 CDFJ, paras. 6, 14, JS2, para.17, JS3, para. 2.5, HRW, p. 1, Alkarama, para. 19, RSF, p. 2.  
98 JS3, para. 2.6, RSF, p. 2.  
99 HRW, p. 1.  
100 JS3, para. 2.7.  
101 HRW, p. 1, JS2, para. 16, CDFJ, para. 5.  
102 HRW, p. 1.  
103 CDFJ, para.15.  
104 JS2, para. 16.  
105 Alkarama, para. 19, JS2, para. 18.  
106 JS2, para. 18.  
107 CDFJ, para. 20.  
108 CDFJ, p. 3.  
109 JS3, para 2.13, HRW, p. 2, INSAN, para. 56, Alkarama, para. 18.  
110 JS3, para 2.13, HRW, p. 2.  
111 INSAN, para. 56.  
112 INSAN, para. 55.  
113 JS2, p. 3.  
114 INSAN, para. 72.  
115 INSAN, para. 75.  
116 INSAN, paras. 87-88.  
117 JS1, p. 4, INSAN, para. 71.  
118 JS1, p. 4.  
119 JS1, p. 5, INSAN, para. 76.  
120 INSAN, paras. 61-64.  
121 INSAN, paras. 80-82.  
122 INSAN, paras. 121, 122, 124, 127.  
123 INSAN, paras. 109-112.  
124 INSAN, para. 125.  
125 INSAN, para. 42.  
126 AI, p. 1, INSAN, para. 93, HRW, p. 5.  
127 AI, p. 4, INSAN, para. 97.  
128 INSAN, para. 97, HRW, p. 5.  
129 HRW, p. 5.  
130 INSAN, paras. 95, 96, 98.  
131 INSAN, para. 98.  
132 AI, p. 3, HRW, p. 4.  
133 AI, p. 3.  
134 HRW, p. 4.  
135 JS1, pp. 8-9.  
136 Alkarama, para. 18.
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