**Mid-term report on Jordan's Commitment to Implement the Recommendations of the Universal Periodic Review for Human Rights (UPR)**

**Submitted by Civil Society Organizations**

**Jordan 2021**

**Table of Contents**

|  |  |
| --- | --- |
| · Introduction | 3 |
| · First: The National Human Rights Plan of Action and National Mechanisms | 4 |
| · Second: Civil liberties and political rights | 5 |
| · Third: Combating torture, detention guarantees, and judicial independence | 8 |
| · Fourth: Migrant labor rights and human trafficking | 10 |
| · Fifth: The right in work, health and education | 12 |
| · Sixth: Women's rights | 15 |
| · Seventh: Children's Rights | 17 |
| · Eighth: Rights of Persons with Disabilities | 26 |
|  |  |  |

**Introduction**

Jordan submitted its third report within the universal periodic review mechanism for human rights in November 2018, and the report submitted by the concerned team on the universal periodic review for Jordan was approved in March of 2019. The result of the review was Jordan’s acceptance of 149 recommendations, while 77 recommendations were not accepted. The percentage of accepted recommendations was 66% of all recommendations submitted.

After discussing Jordan’s report in the Human Rights Council, the Jordanian civil society organizations issued a position paper that they submitted to the Prime Minister in December 2018, in which they clarified all their observations regarding the workflow of the government in dealing with civil society within the UPR mechanism, and they also showed the extent of the defect in the weak coordination associated with the team of the government coordinator for human rights in the Prime Ministry with civil society, starting from the preparatory work to forming delegations, to cooperation during the discussions in Geneva, and finally in following up on the recommendations. The Civil Society Coordinating Committee "Himam" also submitted to the Prime Minister in January 2019 a proposal to establish a national mechanism for reporting and follow-up on the international, regional, and national human rights mechanism, but the government did not provide an official response or answer despite holding limited meetings that discussed this idea.

An oversight report was issued within the "Taghyeer" project implemented by The Center for Defending Freedom of Journalists (CDFJ) at the end of 2020 entitled "Obligations Awaiting Implementation" on the state of government implementation of the recommendations of the Universal Periodic Review of Human Rights. It concluded that the recommendations that were implemented amounted to (3) recommendations out of (149) Recommendations accepted with a percentage of (2%), recommendations that were not implemented reached (45) recommendations with a percentage of (30.2%), and as for recommendations being implemented, their number reached (101) with a percentage of (67.7%).

Accordingly, Jordanian civil society institutions submitted a mid-term report to the Human Rights Council on the extent of Jordan's commitment to the Council's recommendations issued in 2018, and the civil society institutions that participated in its preparation are:

1. Tamkeen for Legal Aid and Human Rights.

2. The Center for Defending Freedom of Journalists (CDFJ)

3. East and West Center for Sustainable Development

4. Adaleh Center for Human Rights Studies

5. Justice Center for Legal Aid

The institutions chose a specific set of recommendations, in which 55 out of 149 recommendations were accepted by Jordan, in order to provide information about whether progress has been made and the challenges they faced in implementing them. The 55 recommendations were chosen as they were direct, disciplined, and measurable, while the rest of the 94 recommendations were either general and/or repetitive.

The most prominent observations on the government's implementation of some recommendations, which were characterized as direct and disciplined recommendations, and therefore measurable, can be summarized as follows:

**First: The National Human Rights Plan of action and National Mechanisms**

**Recommendations (135-1,135-11, 135-20,136-3,135-41)**

Al-Hayat Center-RASED (The Monitor), at the request of the Jordanian government, conducted an evaluation of the extent to which the comprehensive national plan for human rights is being implemented. The results of the evaluation of the comprehensive national plan for rights 2016-2025, which was presented at the beginning of 2020, showed that the percentage of government enforcement in the plan dealt with Civil liberties and political rights with an indication that what is being done reached 58%, and that the percentage of enforcement in the economic, social and cultural rights axis reached 72% in the same context, and that 67% of the axis of the rights of the groups most vulnerable to violation within the framework of what has been accomplished and what has been started.

It should be noted that the comprehensive national plan for human rights needs to be reviewed in the methodologies and work mechanisms on which it was built, as it did not take into account the recommendations issued by the United Nations mechanisms in a special axis, and that some rights were absent from the axes of the plan, and some were not covered in all aspects.

The committee for drafting the national human rights plan was also reconstituted, but the mechanisms or outputs of the committee’s work were not revealed in the light of the evaluation report. It is worth noting that the committee did not include in its membership representatives of civil society, and the government did not allocate any budgets to work on implementing the plan.

The Civil Society Coordination Committee “Himam” (which includes 15 Jordanian civil society organizations) submitted to the Prime Minister in January 2019 a proposal to establish a national mechanism for reporting and follow-up on international, regional, and national human rights mechanisms, but the government did not provide a response and did not make any effort to work on it or talk about it.

Civil society also submitted a human rights priority plan to Jordan in light of the recommendations of The Universal Periodic Review of Human Rights (UPR) and the recommendations of the National Human Rights Plan in May 2020, but the government did not respond or make any efforts in this regard either.

Although the National Center for Human Rights still enjoys legal and financial independence, its reports do not receive sufficient attention from the government and parliament, as there is a gap between its recommendations and government policies, and its financial budget is still limited and needs to be increased in order to be able to expand its business and activities, increase its staff, and open branches in the governorates.

**Second: Civil liberties and political rights**

**Recommendations (136-18, 136-17, 136-14, 136-13, 136-5, 135-72, 135-72, 135-71, 135-9)**

There has been no change in the legislation regarding freedom of opinion and expression or peaceful assembly, although it includes many restrictions, and it is noted that the authorities continue to use laws as a tool to restrict freedom of expression, media, and peaceful assembly, and their use has been repeated in 2020, most notably in the defense orders issued under Defense Law No. (13) for the year 1992 with the aim of combating the “COVID-19 pandemic”, where it made the penalties for those accused of spreading rumors harsher, which put unprecedented pressure on the media, and the state adopted a policy of issuing prohibitions, like the one regarding any publication dealing with the teachers’ union, while the cybercrime law continued to allow the arrest and imprisonment of journalists, opinion activists and users of social media. Mandatory membership in the Journalists Syndicate also posed a challenge to free media work, especially with regard to the procedures for granting curfew permits during times of quarantine to combat “COVID-19”, and the restrictions imposed under the Penal Code, which include broad and loose articles such as “exposing the Kingdom to the risk of hostilities, and disrupting its relationship with a foreign country, or exposing Jordanians to reprisals against them or their money.” The government continued to use the Prevention of Terrorism Law in crimes related to freedom of opinion and expression, which led to the arrest and prosecution of a number of journalists based on these legislations.

Article (11) of the Cybercrime Law allows for the arrest and imprisonment of journalists, opinion activists, and users of social media, and stipulates the punishment of any person who intentionally sends, resends or publishes data or information via the information network, website, or any information system that includes defamation or slander or insults any individual by imprisonment for a period of no less than three months and a fine of no less than one hundred JOD and not more than two thousand JOD. This worked to add more restrictions on freedom of expression and the media and allowed it to be widely used to arrest male and female media professionals, and free speech activists, which constitutes as prior punishment, in addition to the fact that it restricts freedom of expression, and imposes increased self-censorship. Reports from The Center for Defending Freedom of Journalists (CDFJ) indicated that self-censorship is on the rise, and successive opinion polls have revealed that it is more than 90%.

The government submitted a draft law amending the cybercrime law, by which it abolished Article 11, which used to allow the arrest of journalists and social media activists, but instead introduced Article No. 10 related to hate speech that allowed the arrest penalty to be reinstated. Although the new draft law is better than the law in force, however, it was rejected by the House of Representatives, and the draft law was referred to the Senate, which later on referred it to the National Steering and Information Committee, and remained in its list without taking a decision to approve or reject it. Later, the government of Dr. Al-Khasawneh promised to restore the law and return it to the government, and has not yet presented an alternative project, which means that the old law in force still imposes restrictions on freedom of expression and the media, and allows the arrest and imprisonment of male and female media professionals, and users of social media.

The government decided to withdraw the draft law guaranteeing the right to access information that has been in the House of Representatives since 2012 and formed a committee comprising of experts to work on a conception of a new draft law that contributes to enforcing the right to information. After long discussions, the committee agreed on a draft law that is more advanced than the current law, but the government and the Legislation and Opinion Bureau made amendments to the draft law that affected the principles guaranteeing the enshrinement of the right to information, and it was sent to the House of Representatives, but it has not been discussed so far.

No legislative measures have been taken on the Public Meetings Law No. (7) of 2004, although some of the legal texts it contains are not in line with international standards, and some restrictive practices have taken place on freedom of opinion and expression under it, and the Crime Prevention Law has been repeatedly used to arrest journalists and participants in marches and protests, or by arresting citizens in cases related to crimes of publication via electronic means in accordance with the administrative jurisdiction, in addition to the fact that the Communications Law still requires telecom service providers to take appropriate measures to enable tracking of user communications based on a judicial or administrative order, and there are many legal restrictions that limit the access of information and Internet freedom, while the government has not worked to end the policy of impunity for those who commit violations against journalists and activists.

There are no transparent and announced policies in Jordan, or a clear strategy in the authorities’ handling of issues related to freedom of opinion and expression and peaceful assembly, therefore Jordan witnessed a continuation in the arrests of journalists and activists on social media, in addition to the arrest of peaceful demonstrators. These practices have contributed to strengthening the "self-censorship" that journalists exercise over themselves for fear of arrest and in order to preserve their job security.

The right to peaceful assembly suffers from multiple distortions, as the Public Meetings Law contains vague language that provides the government with the power to disperse public gatherings and to punish the participants in the assembly. The administrator is given the authority to disperse any gathering or prevent a demonstration in the manner he deems appropriate if the objectives of the assembly or demonstration change and this language gives wide authority to the government and its agencies to disperse public gatherings in the name of the law, which also states that anyone who violates “public security and order and/or causes harm to others or to public and private funds, may be liable both civilly and criminally,” as the vagueness of these provisions expands the authority of the administrator to break up public meetings, protests, and demonstrations.

Many Jordanians practice freedom of peaceful assembly, but many violations were recorded by the authorities, most notably the government’s restriction of the teachers’ strike in 2019, as their protest was forcibly dispersed in September 2019. The Jordanian government decided to close the teachers’ union and all its branches in the governorates of the Kingdom for a period of two years. The police also raided the headquarters of the Jordanian Teachers’ Syndicate in Amman, and a group of its offices throughout the kingdom, and closed them. The police arrested all thirteen members of the union’s council, and a court decision was issued in 2021 to dissolve the union.

In addition to the restrictions imposed on some parties and activists in exercising their rights, especially during the pandemic, and the parliamentary elections. This necessitates a review of the Public Meetings Law so as to allow for actual freedom, and the commitment of the authorities and the judiciary to that.

As for Freedom to form associations, unions, and political parties, many laws and regulations have restricted the freedom to form associations, unions, and parties, and these laws are represented by (the Associations Law, the Labor Law, the Companies Law, the Parties Law, and other special laws), while civil society organizations do not have the area of freedom that they should have in accordance with the International Bill of Human Rights, especially the right of peaceful assembly, and freedom of opinion and expression. In the first quarter of 2021, the government formed a government committee to study and review the Associations Law for the purposes of amendment and development, but the committee’s output is still not known.

The government’s negative attitude towards civil society organizations and accusing them of corruption, capital possession, providing a base for hostile foreign parties, and creating social problems, is one of the most important reasons that hinder the effective work of civil society organizations. In addition, the government requires associations to obtain foreign funding and the approval of the Council of Ministers through the Foreign Funding Committee in accordance with special instructions. In many cases, prior approvals are used to restrict the work of organizations and the implementation of their activities.

**Third: Combating torture, detention guarantees, and judicial independence**

**Recommendations (135-13, 135-22, 135-29, 135-52, 135-56, 135-61, 135-64, 135-100, 136-1, 136-8, 136-10)**

Despite the amendments made to Article 208 of the Penal Code in 2017 that deals with combating torture, in which the minimum sentence was raised from 6 months to a year, however, this provision is still not sufficient to prevent torture, and this crime is still a misdemeanor, and it is subject to the statute of limitations, and general and special amnesty.

The challenge of continuing impunity - whether by law or through practical practices - has emerged, including not excluding the punishment of torture from the general amnesty, as the amnesty laws protect those responsible for torture, exempt them from punishment and end any pending trials against them. This in turn leads to the contributing of the dissemination of a culture of impunity, which in itself constitutes as a violation of international law. The year 2019 witnessed the issuance of the General Amnesty Law No. 5 of 2019 and the crime of torture stipulated in Article 208 of the Jordanian Penal Code was not excluded. Among its provisions, the Jordanian Civil Code did not provide for a special and explicit provision for the compensation of victims of torture. There are many indications of impunity in Jordan, and national legislation does not recognize the accompanying responsibility of the state for acts of torture and ill-treatment, in addition to the fact that Jordanian law includes a number of obstacles that prevent victims of torture from accessing means and methods of redress, and a lawsuit against the government isn’t a valid basis for recourse against the state and does not allow for demanding compensation.

50 complaints of torture were made to the Public Prosecution during the period from 1/1/2018 to 10/23/2019.

No amendments have been made to the article that deals with equality before the courts and tribunals and to a fair trial in the State Security Court, the Police Court, and the courts-martial, including the General Intelligence Court, which are considered special courts in accordance with national legislation, and many questions have been raised about the independence of these special courts, and the extent to which they meet the standards of a fair trial, especially whether they are subject to executive orders or not.

 Ensuring judicial independence needs to be developed in several aspects and some of these aspects include ensuring the independence of the judiciary as a facility, the independence of judges as individuals in terms of financial and administrative independence of the judiciary, the judge’s immunity, and job security, the governance of the judicial administration, controlling the powers of transfer and delegation, as well as creating a representative entity for judges, providing them with promotion, and adequate health and medical care.

On the legislative level, the law of the Magistrates’ Courts, the Code of Civil Procedure, and the Code of Criminal Procedure need to be reconsidered due to the fact that they shortened judicial procedures in a way that violates the rights of litigants, and to the fact that the Judicial Institute is not independent and needs to be developed. Therefore, work must be done to restore jurisdiction over defenses of the constitutionality of laws to the regular courts and under the supervision of the Constitutional Court.

On the other hand, administrative detention based on the Crime Prevention Law is a clear infringement on the judiciary and its independence, and no amendments have been made to the law, despite the fact that its implementation is on the rise, as the number of administrative detainees is very large, where the number of administrative detainees in 2019 reached (37,853) inmates compared to (37,683) in 2018, while the number of judicial detainees reached (45,516). This is an assault on the separation of powers, and a violation of human freedom. It also contradicts fair trial guarantees, and this requires either repealing the law or amending it so that it does not allow the use of administrative detention to disrupt the protection system. It also requires activating the Domestic Violence Protection Act. Also, the administrative detention that affects foreigners who violated the labor law should be through the judiciary, and the issuing of high financial guarantees on the individual in administrative detention without relying on a specific text in the legislation, exceeding the periods of detention specified by law, and weak judicial oversight over the decisions of administrative judges are all reasons that necessitate a review of the law or its abolition.

With regard to alternative penalties, amendments have been made to the Code of Criminal Procedure by establishing alternatives to arrest in misdemeanor cases, specifying the period of arrest for misdemeanors, in addition to launching the national plan to support the capabilities of Jordanian reform and rehabilitation centers, which would establish alternatives to arrest, where Article (1/25) bis of the Penal Code stipulates (community service: unpaid work, intended to be of social use, that an offender is required to do for a period determined by the court, not less than (40) hours and not more than (200) hours, provided that the work is carried out within a period that does not exceed one year).

Approximately 300 convicts for minor misdemeanors managed to leave the liberty-depriving cell, preserve their source of livelihood and stay with their families, after the court decided to replace the imprisonment sentence with community service in a number of state institutions. However, since the issuance of these amendments in 2017, we found that the numbers benefiting from them are not large or sufficient.

With regard to juveniles, the Director of the Juvenile and Community Security Directorate at the Ministry of Social Development indicated that 55 sentenced juveniles were under the supervision of the probation officer in the Ministry for various periods determined by the judiciary. He added that 22 others were subjected to peremptory rulings, in which they were obligated to provide public benefit services through institutions approved by the ministry as an alternative to their detention in juvenile homes, and there are 16 juveniles who benefited from alternative penalties, in which they were obligated to stay in their places of residence while being supervised by the juvenile police. This brings the number of those who benefited from alternative sanctions to nearly 90 juveniles during the first half of 2019.

However, this approach requires strengthening and improving the capabilities of all judges in all courts, in addition to enhancing the capabilities of the Department Of Alternative Sentencing in the Ministry of Justice, establishing joint coordination among all concerned parties, and a review of professions in which alternative sentencing may be imposed according to clear instructions in this regard.

As for legal aid, the legal aid system was issued on 1/11/2018, and a directorate specialized in legal aid was established with the aim of providing legal aid to groups entitled to it in the Ministry of Justice, but the reality is that some groups that need assistance from some civil society organizations face several obstacles, most notably: The absence of comprehensive legislation regulating the process, and also that the Bar Association claims its right to limit the legal aid to it, while it has no clear and announced statistics on their role in providing this service. Not only that, but the bar association pursues lawyers who strive to provide legal aid through civil society institutions and refer them to discipline, which poses a challenge to these institutions, and the services that they aim to provide to vulnerable groups, the most important of which are women.

**Fourth: Migrant labor rights and human trafficking**

**Recommendations (135-17, 135-18, 135-19, 135-80, 135-85, 135-129, 135-131, 136-20, 137-20)**

The problems facing migrant workers are still persistent, despite the issuance of a system made especially for domestic workers, and the issuance of a system for workers in agriculture, but there are still some challenges regarding the system for agricultural workers, that was issued in 2021, due to the fact that some of its texts are incomplete, and do not lead to achieving the goal of providing protection to workers in agriculture by addressing the practical imbalances experienced by workers in this sector, taking into account the specificity of the working conditions, it also did not regulate employment contracts, and it did not state the implications, rights, and provisions of the contractual relationship.

Although many decisions were taken to raise the minimum wage of workers, however, migrant workers are always excluded from those decisions, not only that but domestic workers are also deprived of the right to participate in social security, Syrian workers who have a work permit are also deprived of their inclusion in the social security system, and migrant workers are still subjected to many forms of verbal, physical, and sexual abuse by some employers.

Deportation decisions are issued against migrant workers in an arbitrary and random manner. The deportation decision has become automatically and routinely issued, as it is recommended to deport any migrant worker who is arrested by the concerned authorities, and he is deported whether he has a residence permit or not, despite that the employer alone is the one who has the right to confiscate a work or residence permit. In addition, there are many common practices that the public authorities in Jordan carry out in their relations with migrant workers, which are their administrative detention in an arbitrary manner, without informing them of their legal rights or the reason for their arrest. It has been noted that there is a systematic pattern followed by the public authorities; In particular, the administrator, in coordination with the Public Security Directorate, detain migrant workers administratively in violation of Jordanian law and human rights conventions, and litigation takes long periods that may extend for years, and qualified translators are not available in the courts, while some civil society organizations provide legal assistance to migrant workers.

Migrant workers in Jordan are one of the groups most affected by poor occupational health and safety conditions, especially in light of the conditions that the COVID-19 pandemic imposed, as they suffer from unhealthy working and living conditions dominated by overcrowding in workplaces and housing that lack basic services such as water and food, with limited or no access to health services. Domestic workers suffer from violations, most notably the confiscation of their passports, deprivation of official holidays and rest periods, non-receipt of wages on a regular basis, and their exposure to many forms of psychological and physical violence. Many citizens use hate speech against migrant workers, and civil society organizations have monitored many publications that encourage racism against refugees and consider that they rob citizens of job opportunities, and hold them responsible for the decline in the level of services provided to citizens, in addition to an increase in crimes, therefore they demand that refugees not be accepted into Jordan.

In general, the children of migrant workers enjoy their right to education. UNHCR pays for the prices of books for the children of Syrian refugees, while Jordan has contained more than 136,000 of them. As for the children of Egyptian workers and the people of Gaza, they receive the same education as the Jordanian child in terms of fees, in which the student pays for the books granted that his father has a legal residence permit. As for the children of other nationalities, they are required to enter school to provide residence for their father, pay the book, and school fees.

Jordanian legislation still fails to limit forced labor and human trafficking, as the law does not criminalize forced labor unless it rises to the level of human trafficking. Despite the issuance of the Human Trafficking Prevention Law in 2009, judicial enforcement is still modest, except in the case of organ trafficking.

The Human Trafficking Prevention Law was amended in 2021, but there are still some issues regarding it, as it had to address issues such as: Focusing and expanding the concepts of human trafficking, such as beggary, forced labor, or servitude, and did not include a specific definition for the term “human trafficking” like laws in other countries. This creates a distraction in defining the forms of human trafficking that these amendments did not address and expands the concept of "transnational human trafficking" stipulated.

With regard to refugees, Jordan has not ratified the 1951 United Nations Convention relating to the Status of Refugees and the Additional Protocol of 1967. Nevertheless, Jordan has embraced refugees for decades, and despite what the constitutional text guarantees in Article 21: “Political refugees cannot be extradited because of their political principles or their defense of freedom”, however, national legislation does not mention the legal status of a refugee, except for what is stipulated in the memorandum of understanding concluded between the Ministry of Interior and UNHCR, but this memorandum is tainted by weakness in terms of its legal value, as it did not pass its constitutional procedures, and there is no accurate information about the cases of refugees who were forcibly returned during the past two years. Therefore, the need to adhere to the principle of non-refoulement, to give refugees a real opportunity to challenge any decision involving their deportation, to ensure that they do not face the risk of torture or serious harm, and to give them a fair opportunity to demonstrate their need for protection is extremely important.

**Fifth: The right in work, health and education**

**Recommendations (135-12, 135-16, 135-86, 135-88)**

The labor law currently in force still does not meet many of the basic rights and principles of the right to work, and it continues to restrict the freedom to form trade unions, in contravention of the freedom of association recognized in the International Bill of Human Rights and the conventions of the International Labor Organization, and also in contravention of the Jordanian Constitution. The Jordanian Labor Law has restricted workers’ from forming unions by allowing the formation of 17 general unions for decades that formed a union with the force of law. Not only that but it also deprives government employees of the right to form trade unions.

Amendments were made in 2019 to the labor law that were not in line with international standards, as workers were denied the use of labor dispute resolution tools, workers without a union were denied the right to collective bargaining, the freedom to form new trade unions was restricted, and the Minister of Labor was given additional powers to dissolve Any union that violates the provisions of the Labor Law, in addition to other violating provisions: such as the requirement that the founders of trade unions be Jordanians, the failure to guarantee union pluralism, the requirements for licensing the union, and others.

These amendments were a step back in regards to exercising the right to work, and the government’s priority should have been to make amendments that constitute loopholes in the Jordanian labor law, including the amendment of Article 40 related to the duration of the collective agreement so that it becomes two years instead of three years since three years is a long period of time. There is a need to amend paragraph (e) of Article 98, which requires that the founders of trade unions be Jordanians. This is considered exclusion against migrant workers in accordance with international labor standards, and Article 100 of the Labor Law should be amended, which gives the General Federation of Trade Unions the right to unify the internal system of all unions, and this contradicts best practices of the right to work, and Article 103 contradicts the independence of unions recognized in the International standards, which requires the Federation and trade unions to ratify any amendments to their bylaws by the Registrar of Trade Unions and Employers Unions in the Ministry.

Although the government referred new amendments to the Labor Law to the House of Representatives in 2021, it was devoid of any proposal for special amendments to the right of trade union organization in accordance with international standards.

The flexible work system, issued by the government in 2017, did not include provisions that obligate employers to employ a worker in accordance with it in the case he met the permissible standards for flexible work. However, its application was mainly linked to the approval of the employer, in addition to the fact that the system did not provide any incentives for business owners to implement it; which in turn limits its applicability.

The labor market suffers from low wage levels and high unemployment rates, especially in light of the COVID-19 pandemic, in which the procedures related to the regulation of remote work issued under defense orders had negative consequences, where a number of violations were taken against workers as a result of government closures and complete lockdowns since March 2020 and its aftermath. These violations were represented by hundreds of complaints, including those related to salaries, in addition to the deduction of holidays announced by the government from workers' salaries.

The COVID-19 pandemic revealed the shortcomings regarding occupational safety and health standards in Jordan, as there are no official statistical databases on work accidents, injuries, and occupation-related diseases, in addition to a clear deficiency in the labor immigration control processes in medium and small business establishments.

There is still a shortcoming in the employment of individuals with disabilities in the public and private sectors, in a way that does not comply with the percentage of employment of this category in the Labor Law and the Law on the Rights of Persons with Disabilities, in addition to the difficult working conditions experienced by individuals with disabilities.

During the COVID-19 pandemic, there was a noticeable increase in the number of children involved in the labor market, especially in light of the school closures and the increase in the unemployment rate, in addition to the increased suffering of Jordanian working women as a result of working amid the “Remote Learning” system, and the decision issued by the government to close nurseries, which they later retracted.

The Jordanian constitution guarantees the right to primary education, but it is noted that there are no texts related to higher or university education, and despite the horizontal expansion in the number of students and schools in Jordan, many schools suffer, in different regions of the country, from a shortage of male and female teachers, and from the lack of some books or their late arrival, and from overcrowding in classes, due to the double-shift system and poor infrastructure.

It was also noted that there is a decline in the content of education, which led to the weakening of reading and writing skills, in addition to the fact that human rights education is not up to the desired level. The COVID-19 pandemic and the decisions to close schools and instead use online learning had a negative impact on the right to education, as students’ follow-up to the educational platform is limited, in addition to the fact that it was not a sufficient substitute for school, in which parents, especially mothers, held the responsibility of educating their children. Add to that the weak technological capabilities of the students, the parents' lack of teaching skills necessary to follow up with the teaching process between the student and the educational system, and the poor training of the educational staff in dealing with modern technological means.

While higher education faces a number of challenges that include exceptions to university admissions, restrictions on academic freedoms in scientific research and poor funding and government intervention, high university fees, growing university violence, the absence of a union for university professors or employees, a decline in the knowledge and skill level of graduates, and the expansion of academic education at the expense of vocational education. The COVID-19 pandemic also had a negative impact on higher education similar to what students faced in schools from the weakness of technological capabilities, and the need for some disciplines of an applied nature for practical and other forms of education.

The right to health is not explicitly mentioned in the Jordanian constitution and health insurance is still not comprehensive for all Jordanians, in addition to a constant discrepancy over the years in the rates announced for the number of those covered by health insurance by the Ministry of Health, where the Ministry says that approximately 30% is not covered by health insurance services.

The report followed the government's policy in combating the COVID-19 virus, which showed the weak ability of hospitals to deal with the increasing numbers of “emerging” COVID-19 virus infections, after the outbreak of the pandemic. This prompted the government to issue quarantine orders, without guaranteeing and controlling the implementation of these instructions, in addition to the fact that government hospitals suffer from a shortage of cadres and medical supplies, especially in the Pulmonology department, as well as a shortage in beds and respirators.

In light of the spread of the virus in society, the ability of the Outbreak Investigation Team to reach all contacts declined, which led to the neglect of many suspected cases, which made the possibility of spreading the infection greater, and a state of leniency emerged in the supervision of the application of procedures related to safety instructions to prevent the spread of the virus, from wearing masks and social distancing, which led to recording violations by citizens in this regard.

**Sixth: Women's rights**

**Recommendations (135-14, 135-27, 135-28, 135-28, 135-35, 135-93, 135-94, 135-102,136-9)**

Although the constitution guarantees the principle of equality for all Jordanians, it does not explicitly guarantee it to women, similar to cases of societal diversity based on race, language, or religion. For example, in the last parliamentary elections of 2020, the women candidates were limited only to the quota seats; which constituted a negative indicator of women’s political participation. Women candidates were subjected to bullying during their electoral campaigns and even after the results were announced, while women’s participation in political parties is still below the desired level, both in terms of the number of female members, or in terms of assuming leadership positions in political parties.

The issue of sexual harassment is still a problem that requires amending the legislations, especially the penal code, the labor law, the civil service system, and education laws; there is also an urgent need to amend the penal code to allow abortion in the event that the woman became pregnant as a result of incest or rape.

The opening of “Amneh house” in 2018 constituted a positive point in the cases of administrative detention of women at risk in the former Juwaideh prison, on the grounds that they were victims and that joining these services should be voluntary, and in order to provide them with protection instead of pretrial detention. However, no appropriate solutions were found to reduce the administrative detention of abused women, whose number reached 344 in 2019, nor were they able to grant them freedom or place them in homes.

Despite the important steps taken in the last years to implement the system of shelters for women at risk in 2016, and the executive instructions that emerged as a result of it in 2018, and then the opening of “Amneh house, there are still many obstacles in implementing the best practices in real life, most notably: the separation of women from their children in government shelters if they are over 6 years old, which makes many women withdraw from the idea of seeking protection in those homes, in addition to treating women at risk as detainees seeing to the fact that they cannot leave the shelter and return to it. This makes it especially difficult for females who have their own businesses, or the ones who are university students, or any other matter that may require them to leave the home. Therefore, providing them with protection to meet their needs, and not abandoning them should be the priority.

Work is currently underway in the Ministry of Social Development to review the legislation regulating the work of these homes, and committees have been formed that include in its membership multiple bodies to ensure that various points of view are taken to develop the legislations, protection mechanisms, and services provided to women. The proposed amendments also included raising the age of male children accompanying their mothers to 9 years.

There is still no mechanism implemented to deal with the issue of females absent from their homes, which requires verification of the submission of a report of absence, a previous review of the reasons and motives for absenteeism to prevent a recurrence, and the development of a clear plan to address the legislative shortcomings in regulating this issue. Systematic services should be put in place for those at risk, and victims of violence, who are reported as absent, often by the abusers. In many cases, he is aware of the whereabouts of the woman or girl, but the existence of family disputes makes him submit a report of absence to force her to return and submit to a reality she refuses.

In addition, the failure to issue a system for the purpose of taking the necessary measures to protect whistleblowers and witnesses, as stipulated in Article 6/b/5 of the Family Violence Protection Act of 2017 contributes to increasing the reluctance of the complainants to testify for fear of getting harmed by the abuser.

In the case of there being a written commitment by the abuser or the risk factor, it is necessary to consider the importance of effectively activating protection orders in accordance with what is stipulated in Article 16 of the Domestic Violence Protection Law, which grants the court power to make decisions according to the protection orders to protect the victim or any members of their family at the request of either of them. The article specifies a set of orders that can be taken - by way of example, but not limited to - and this confirms that paragraph (e) of the article, which expanded the powers of the court and gave it the right to make any decision that would provide effective protection for the victim, or any person that may get harmed as a result of the relation between them.

On the other hand, it is necessary to work on the need to find mechanisms that enable women to integrate into society after providing them with protection, by empowering them psychologically, socially, and also economically, so that work is done to activate their role in society as a survivor rather than a victim, and the need to activate aftercare programs as well.

There are several challenges that impede women’s access to justice. First, they suffer from a stereotypical image if they resort to the courts, and the image is more discriminatory if the woman is divorced, and the challenges are magnified by the weak ability of some women to pay the cost of litigation fees and attorneys’ fees in criminal cases, especially those related to violence against women, or personal status cases. Women who resort to the judiciary for cases of domestic violence are subjected to pressure, which often leads to them giving up their claim, or accepting reconciliation in a way that does not guarantee justice. The problems do not end there but also extend to the application of the Crime Prevention Law of 1954 on administrative detention and its use as a “protective” measure for women at risk of being killed by family members, at a time when the law on Domestic Violence Protection lacks activation. We also found many aspects of discrimination when reviewing the Personal Status Law, especially with regard to the guardianship of children. Work must be done to review the Civil Retirement Law, the Social Security Law, the Labor Law, and the Civil Service System to remove discrimination against women related to their social status.

**Seventh: Children's Rights**

**Recommendations (135-78, 135-110, 135-111, 135-115)**

Jordanian Nationality Law still does not allow children of Jordanian women to acquire the nationality of their mothers if they are married to a non-Jordanian, which results in children not receiving their rights, such as education, subsidized health care, and others.

The report monitored an increase in the percentage of male and female children who have been subjected to violence in recent years, for example, in 2018, an increase of 19.4% was recorded, as the number of cases reached 6,708 cases, compared to 5,617 cases during 2017, and children in schools were subjected to corporal punishment in varying levels, including slight and moderate. It may reach the degree of seriousness in some cases, except for students being subjected to verbal and moral abuse and ill-treatment, which is a form of degrading, and it is the most common type of violence in schools.

Despite the amendment to the Personal Status Law, child marriage is still continuing and on the rise, and in accordance with Article 10 of the current Personal Status Law No. 15 of 2019, the minimum age for marriage is 18 years, but Sharia court judges can exclude some “special cases” for children between 16 and 18 years if “[marriage is a necessity] dictated by interest, and whoever gets married accordingly acquires full capacity in everything related to marriage...” According to the amendments, the new minimum age for marriage becomes 16 years taken that a judge grants an exception.

Civil society monitors the continuation of the phenomenon of the marriage of minor girls in Jordan, including those under sixteen, every year as a result of the excessive resort to exceptions to the minimum age of marriage, and the wide discretionary power granted to the chief justice and legal guardians in that regard.

According to the annual statistical report issued by (the Judges’ Department for the year 2020), the total number of marriages in the Kingdom amounted to 67,389 cases, including 7,964 marriages to minors aged between 16-18 years.

In addition to the fact that children are victims of family disintegration to the point where about 75% of children are in care homes. One-third of illiterate children over 13 years old are disabled, while the Ministry’s data for 2018 indicated that 92% of children with disabilities do not receive education in the Kingdom.

Despite the importance of the texts contained in the Juvenile Law, they do not guarantee the creation of a comprehensive specialized judicial system, except that the Narcotics and Psychotropic Substances Law stipulates that “despite what is stated in the Juvenile Law, the State Security Court convenes as a juvenile court to consider crimes committed by juveniles and is stipulated in this law”, which constitutes the lack of actual guarantees to protect the rights of juveniles. Work has not been done to expand the use of measures that do not deprive the freedom of the youth category. Not only that, but the absence of legal assistance in the preliminary investigation stage (inquiry and inference) makes expanding it necessary need, and not to forget the need to rehabilitate the infrastructure of the juveniles’ homes, as they are old buildings, in addition to the need to activate parenting, care and aftercare programs for juveniles.

Although the Jordanian Labor Law prohibits child labor and imposes penalties and fines on employers, the number of children involved in the labor market is increasing, and there are no comprehensive periodic studies that monitor the exact numbers of child labor cases in Jordan, and/or provide viable solutions that can be implemented in real life. There is no national updated database monitoring children labor cases, and a study conducted by the Tamkeen Center for Legal Aid revealed that most working children aged 16 years and older work in illegal and inappropriate conditions, in addition to the fact that there are children aged between 5-15 years in the labor market and face poor working conditions.

The study showed that the number of working males exceeds the number of female workers, but females are subjected to more violations than males, and working children are deprived of a fair wage, as the working Jordanian child receives 190 JOD, while an immigrant child receives 150, in addition to the long working hours that children are exposed to. Children are forced to accept these unfair conditions because of their difficult circumstances as a result of poverty, and the poor conditions of their families, especially refugee and immigrant children.

Since the start of the remote learning system as a result of the novel coronavirus, the number of children involved in the labor market has increased significantly, due to the bad economic situation as a result of the pandemic on poor families, and the closing of schools, as some estimates indicate that the number of children under the age of 16 in labor is approximately 70,000 children.

The Jordanian government opened schools to Syrian students regardless of whether they possess identification documents that were previously a requirement to accept students in schools, which allowed many Syrian students to enroll. In a report in which the Arab Renaissance Organization participated and prepared in coalition with “Jonaf” and “Jeff”, entitled (Words to Deeds: The Jordan Charter), the report shows that the number of Syrian children enrolled in Jordanian schools reached 136,437, with the extension of the exemption from submitting the necessary documents for registration for the academic year 2018-2019.

**Eighth: Rights of Persons with Disabilities**

**Recommendations (135-50, 135-120, 135-121, 135-123, 135-127, 135-128)**

The COVID-19 pandemic revealed an imbalance in the comprehensiveness of government procedures for the rights of persons with disabilities, whether applied before the pandemic, or the measures implemented in response to the pandemic, for example:

1. The decision to close all special education centers and institutions without taking into account the privacy of these centers and institutions, especially that the number of students with disabilities in them is few so that their number does not exceed (6-7) in the classroom, and therefore public safety measures can be taken into account, but all schools and centers have been closed. This reflected negatively on students with disabilities enrolled in centers, institutions, or schools because they have special needs and need to follow home programs and support services such as rehabilitation, speech, physical and occupational therapy, especially for children diagnosed with autism, as they depend on a routine when practicing their daily activities, but they have become practicing undesirable behaviors as a result of not leaving the house and joining the centers, and this resulted in aggressive behaviors. The supportive programs that deal with such cases, like psychological and social support/others did not provide persons with disabilities and their families with training on how to go about dealing with the measures that have been taken. Also, the awareness programs that were implemented, especially at the beginning of the pandemic, did not take into account the rights of people with disabilities, such as not using sign language translation, and providing things that are not readable for blind people, especially posters.

2. As for students with disabilities studying in inclusive schools, students with learning difficulties were not included in remote learning programs, and their requirements were not taken into account, and supportive strategies were not provided for them. Accordingly, the Supreme Council for the Rights of Persons with Disabilities has repeatedly called for opening their ranks for the purpose of providing support programs for those in need. At first, the response was met, but with the increase in COVID-19 cases, this decision was suspended.

3. The requirements of students with disabilities, in general, were not included in the remote learning programs within their platforms to facilitate access and use by students with disabilities, such as blind students who need supportive programs and strategies through the use of the electronic speaking program, and sign language translation was not provided for deaf students.

4. The emergency response plan launched by the Ministry of Education did not include provisions related to the rights of students with disabilities, as the Supreme Council for the Rights of Persons with Disabilities reviewed it, and demanded the addition of many items related to students with disabilities by supporting them in technology, and facilitating their access to remote learning programs.

Despite the launch of the inclusive education strategy (2019-2029), which aims to develop an inclusive and secure educational system to ensure that all children with disabilities are granted their right to education, in addition to increasing the number of students with disabilities enrolled in regular schools to reach 10% of the total number of students with disabilities of school age, it was noted that the authorities responsible did not have financial allocations to implement accessibility for people with disabilities. In addition to the need to work on building the capacity of engineers in the field of coding construction requirements for people with disabilities, and during the COVID-19 pandemic, there was a weakness in communication and coordination mechanisms with the concerned authorities to provide access requirements for people with disabilities.

The struggle that people with disabilities face stood out showing that they had little access to health services and medical supplies, in addition to the lack of awareness regarding prevention and public safety measures against the COVID-19 virus. As for reliability, there is a challenge that lies in expanding the scope of the concept of dependency in the social sector, especially in the field of disability, in addition to providing the necessary financial resources to raise the competencies of institutions and their employees in accordance with the standards issued by the Supreme Council.

There is still a need to amend the medical committee system so as to abolish the health fitness requirement for persons with disabilities for their appointment in the public sector, provide reasonable accommodation for all institutions in the public and private sectors, and issue an operating system for persons with disabilities taking into account the Labor Law, in addition to amending the Labor Law so that it requires the availability of reasonable accommodation for people with disabilities in their work environment.