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2020 Trafficking in Persons Report: Jordan

JORDAN: Tier 2 Watch List

The Government of Jordan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included devoting resources to and increasing training of law enforcement personnel and victim advocates. The government also maintained a trafficking shelter that offered a wide range of comprehensive services, continued to work in partnership with civil society actors to proactively identify and protect trafficking victims, and conducted anti-trafficking awareness campaigns. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government investigated, prosecuted, and convicted fewer traffickers, and it identified and assisted fewer victims than in the previous reporting period. Authorities continued to arrest, detain, and deport some victims for unlawful acts traffickers compelled them to commit, such as immigration violations and fleeing abusive employers. Under Jordan's anti-trafficking law, penalties for sex trafficking offenses were not commensurate with penalties prescribed for other serious crimes. Therefore Jordan was downgraded to Tier 2 Watch List.

PRIORITIZED RECOMMENDATIONS:

Pass amendments to the anti-trafficking law to ensure penalties for sex trafficking crimes are commensurate with those prescribed for other serious crimes. • Continue to proactively screen for and identify trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, refugees, street children, and persons in commercial sex. • Ensure victims are not inappropriately punished for unlawful acts traffickers compelled them to commit, such as immigration or prostitution violations or escaping from an abusive employer. • Continue to train law enforcement and the joint Counter-Trafficking Unit (CTU) officers, judges, prison officials, and labor inspectors throughout the country to screen for, identify, and refer to protection services trafficking victims. • Finalize and widely distribute to all relevant officials the revised standard operating procedures (SOPs) for the victim referral mechanism. • Increase the number of specialized anti-trafficking “focal point” police officers throughout the country, and adequately train them on victim identification and referral procedures. • Increase efforts to prosecute, convict, and punish sex trafficking and forced labor offenses with significant prison terms. • Investigate and punish individuals for withholding workers’ passports under Jordan’s passport law. • Continue to regularly cooperate with NGOs to identify and refer victims to protection services. • Continue to allocate adequate funding for operation of the government’s trafficking shelter, and train shelter staff to identify and provide specialized care to victims. • Issue (or apply) labor regulations governing work in the agricultural sector, and increase labor inspections in this sector. • Reform the sponsorship system by extending labor law protections to all workers in Jordan, including domestic workers, and allow workers to freely change employers. • Regulate and investigate fraudulent labor and recruitment practices.

PROSECUTION

The government made overall uneven law enforcement efforts. The 2009 Law on the Prevention of Trafficking in Human Beings criminalized sex trafficking and labor trafficking. The law prescribed penalties of a minimum of six months’ imprisonment, a fine of 1,000 to 5,000 dinars (\$1,410 to \$7,060), or both, for trafficking offenses involving an adult victim. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties prescribed for sex trafficking were not commensurate with the penalties prescribed for other serious crimes, such as kidnapping. The law prescribed penalties of up to 10 years’ imprisonment and a fine of 5,000 to 20,000 dinars (\$7,060 to \$28,250) for trafficking offenses involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as kidnapping. Jordan’s passport law criminalized the withholding of passports by an employer, carrying penalties of six months’ to three years’ imprisonment and fines. During the reporting period, the government submitted amendments to the anti-trafficking law to Parliament for final review and approval; although Parliament was scheduled to debate and vote on

the amendments in March 2020, Parliament was effectively suspended at the end of the reporting period. The pending amendments enhanced sentences for trafficking offenses and established a victims’ compensation fund.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint CTU—the national focal point leading anti-trafficking investigations—continued to investigate potential trafficking crimes. In 2019, the CTU reported authorities investigated 205 potential trafficking cases, eight of which involved allegations of forced domestic labor and one of sex trafficking. This represented a significant decrease from 402 investigations of potential trafficking crimes in 2018. The Ministry of Justice (MOJ) reported it initiated the prosecution of 18 trafficking cases and convicted 11 traffickers in 2019, but it did not provide the details of these cases. Of the 11 convictions, five traffickers received sentences of six years’ imprisonment and fines for forcing a group of Bangladeshi women into commercial sex. These statistics also represented an overall decrease from the 54 trafficking prosecutions it initiated and 12 convictions secured in 2018. Legal experts continued to report that judges were hesitant to convict perpetrators for human trafficking, preferring to pursue other charges such as labor violations that carried lesser penalties than the anti-trafficking law. NGOs and foreign embassy representatives continued to report the government preferred to settle potential cases of domestic servitude through mediation, rather than referring them for criminal prosecution. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses during the reporting period.

Jordan’s overcrowded and underfunded judicial system continued to lack a sufficient number of trained judges and prosecutors who could specialize in trafficking cases. However, a specialized court to handle human trafficking cases—established by the MOJ in 2018—continued to receive human trafficking cases during the reporting period. Qualified investigators in the CTU were rotated into other assignments every two years or less, which hindered the work of the unit. According to an international legal rights NGO, the government devoted substantial resources to anti-trafficking trainings during the reporting period. In 2019, the CTU reported conducting 39 training workshops for officials, in coordination with NGOs. The Ministry of Labor partnered with civil society organizations to strengthen the capacity of labor inspectors to identify labor trafficking cases. Personnel from the government-run trafficking shelter also conducted an unspecified number of training sessions in coordination with the CTU—with funding from an NGO—for police and Ministry of Social Development (MOSD) staff.

PROTECTION

The government identified and provided protection services to fewer trafficking victims, and authorities continued to punish victims for unlawful acts traffickers compelled them to commit. In 2019, the government identified nine trafficking victims, which represented a significant decrease from the 40 identified victims in 2018. Despite this decrease, the government continued to utilize formal written procedures to proactively identify trafficking victims, and it continued to receive referrals of potential victims from NGOs, international organizations, and police stations across the country. Although the CTU was headquartered in Amman, it used specialized liaison officers in police stations across the country to identify trafficking victims outside of the capital. The government continued to utilize a national victim referral mechanism—formally instituted in March 2019—to refer identified victims to care, including an NGO-run shelter, and cases to the CTU for investigation. Nevertheless, the government and civil society organizations reported labor inspectors, regular police officers outside of the CTU, and detention center officials lacked the specialized training to proactively identify and refer victims to protection services. To address this gap, the CTU increased the number of government-funded training sessions for law enforcement personnel and victim advocates.

MOSD continued to operate and fund a shelter dedicated to protecting trafficking victims, which provided psycho-social care, medical treatment, legal assistance, vocational training, and specialized services for children. It also continued to offer computer classes, a book club, and religious services for both Muslim and Christian shelter residents. The shelter’s staff included lawyers and specialists in psychology, social work, nursing, and education. The provision of shelter services was not conditional upon a victim’s cooperation with law enforcement or judicial authorities. Victims could freely and willingly leave the shelter and were allowed to stay at the shelter for as long as two months. The shelter had the capacity to serve a total of 40 victims, both Jordanian citizens and foreign nationals, with space for 27 women, three children, and 10 men. The shelter had a separate wing and entrance for male victims, and it was the only shelter in the country available to men; however, the MOSD did not report if any male victims received services at the shelter during the reporting period. In 2019, the shelter served a total of 35 victims, which represented a significant decrease from the 153 victims it served in 2018. The MOSD classified 75 percent of those in the shelter as forced labor victims, six percent were victims of sexual exploitation, and three percent were victims of other crimes; victims were primarily from Bangladesh, Ghana, and Uganda. Shelter staff continued to cooperate with the embassies of Bangladesh, the Philippines, and Sri Lanka to provide assistance to their nationals during the reporting period. The government encouraged victims to assist in the investigation and prosecution of their traffickers; foreign victims also had the

option to provide a deposition prior to being repatriated. However, victims were not able to file civil suits against their traffickers for compensation. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

Authorities continued to punish some foreign trafficking victims for unlawful acts traffickers compelled them to commit—such as immigration violations—including fines, arrest, detention, and deportation if found without valid residence documents. Jordan's sponsorship system continued to prevent foreign workers from switching employers (without a letter of release from their sponsor) or receiving adequate access to legal recourse in response to abuse. Migrant workers, including potential trafficking victims, who left their place of employment prior to fulfilling their work contract, were considered illegal residents and subjected to fines and detention for their irregular presence in the country; loss of legal status also created greater vulnerabilities to trafficking. Furthermore, bureaucratic and financial barriers and detention prevented some victims from repatriation, even if a worker left an employer because it was an exploitative situation. Some foreign workers remained in Jordanian detention, due to pending criminal charges against them or their inability to pay overstay penalties or plane fare home. NGOs reported foreign labor trafficking victims were less likely to report abuses to the authorities due to fear of deportation or detention. Trafficking victims who opted to remain in Jordan for work were required to pay their overstay and lapsed labor permit fines before applying for a new work permit, which was a significant financial burden for victims. During the reporting period, legal experts reported authorities arrested domestic workers—some of whom might have been trafficking victims—for not having travel documents, and authorities ultimately deported some trafficking victims who received assistance at the government-run shelter. However, during the reporting period, some foreign embassies reported they negotiated with the Ministry of Foreign Affairs (MFA) to release their citizens from detention for their repatriation. Additionally, in January 2020, MOL inspectors arrested and deported 105 migrant workers for labor law violations, including working without valid permits or in unauthorized occupations. Most of those arrested were Syrian nationals—a population highly vulnerable to trafficking—but the MOL made no reported efforts to screen for trafficking among those it arrested.

PREVENTION

The government maintained prevention efforts. The government's inter-ministerial anti-trafficking committee continued to meet on an ad hoc basis throughout the reporting period, and the government continued to implement its 2019-2022 national anti-trafficking strategy. The government continued to raise awareness about trafficking crimes throughout the country, including by distributing anti-trafficking information to all foreign migrant workers entering Jordan and at inspected work sites. For example, the CTU coordinated with border guards to place awareness stickers, which included the government's anti-trafficking hotline, in the passports of all foreign workers entering the country. In partnership with an international organization, the CTU conducted 250 lectures throughout the country to increase awareness of trafficking indicators. An NGO continued to report that government-conducted awareness campaigns contributed to an increase in victim referrals from the general public. The MOL and CTU continued to operate a hotline to receive complaints of labor violations and potential trafficking crimes, which offered interpretation services in some source-country languages. However, due to overall budget shortfalls, the government remained unable to consistently maintain interpreters of some Asian languages at the hotline, which led to difficulties identifying potential trafficking victims and referring them to protection services. Jordan maintained several bilateral labor agreements with other countries, some of which created greater vulnerabilities to trafficking. For example, a labor agreement between the Jordanian and Egyptian governments specified that an Egyptian national cannot leave Jordan without permission from his or her employer, even if the employer was convicted of trafficking crimes. Similarly, though the Ugandan government signed a labor agreement with Jordan, there was no Ugandan embassy or diplomatic representation in Jordan for Ugandan nationals, including potential trafficking victims, to seek assistance. However, NGOs reported a bilateral labor agreement between the Jordanian and Philippine governments strengthened protections and led to improved working conditions for Filipino migrant workers.

The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism. The MOL continued to implement regulations that required labor recruitment companies to maintain insurance policies for workers, which provided repatriation costs, health care, and death benefits. The government also continued to cooperate with an international organization to eliminate recruitment fees for workers in Jordan's garment sector, where some workers are vulnerable to trafficking. In 2019, the government continued to take measures to reduce the vulnerability of Syrian refugees to trafficking. The government continued to formalize access to the labor market for 200,000 Syrians from host communities and refugee camps, which helped to reduce this population's vulnerability to forced labor. The government continued to issue a flexible work permit to Syrians in the construction and agriculture sectors; the permit legalized the status of the workers in these sectors and allowed Syrians to work for multiple employers in these sectors in a 12-month period. More than 30,000 work permits for Syrian refugees remained active in 2019. The Ministry of Education also continued to allow Syrian refugee children access to public education, with more than 134,000 refugee students enrolled in schools through September 2019. The

government did not provide specific anti-trafficking training for its diplomatic personnel. The MFA continued to report its finance department directly paid locally hired domestic staff of Jordanian diplomats posted abroad, in accordance with labor laws and wage rates in the host country. The Jordanian Armed Forces continued to provide specific anti-trafficking training to peacekeepers before their deployment abroad.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Jordan, and traffickers exploit victims from Jordan abroad. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. In 2018, an NGO reported a large increase in Ugandan trafficking victims following the implementation of a 2016 bilateral labor agreement between the Ugandan and Jordanian governments. Jordan relies on foreign migrant workers—many of whom are undocumented—in several sectors, including construction, agriculture, textiles, and domestic work; according to an NGO in 2018, workers in these sectors are the most vulnerable to trafficking because of informal work agreements and frequently changing employers. Some recruitment agencies fraudulently recruit victims from labor-source countries to Jordan, using false promises of money or other benefits. Forced labor victims in Jordan experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, unsafe living conditions, long hours without rest, isolation, and verbal and physical abuse. For example, men and women from South and East Asia migrate to work in factories in Jordan's garment industry, some of whom experience withholding of passports, restricted movement, and unsafe living conditions. Traffickers exploit some migrant workers from Egypt—the largest source of foreign labor in Jordan—in forced labor specifically in the construction, service, and agricultural sectors. In 2017, the government estimated there were 82,643 foreign female domestic workers in Jordan, primarily from South and Southeast Asia and East Africa, who are highly vulnerable to forced labor. Some out-of-status domestic workers from Bangladesh, Indonesia, the Philippines, and Sri Lanka have been reportedly exploited in sex trafficking while looking for an employer or after fleeing their previous employers.

Refugees from Iraq, the Palestinian Territories, Syria, and other countries are highly vulnerable to trafficking in Jordan, especially women and children working illegally or informally. Jordan is host to approximately 741,000 UNHCR-registered refugees from more than 55 countries, including 650,000 Syrians and 67,000 Iraqis. Non-Syrian and non-Palestinian refugees are vulnerable to labor exploitation due to the Jordanian government's restrictions on their ability to work in most formal employment sectors. In 2019, Iraqi refugees reported that they are vulnerable to exploitation in the informal sector because employers pay them below-market wages and expect them to work excessively long hours. NGOs continue to observe an increase in child labor and potential forced child labor among Syrian refugee children working alongside their families in the agricultural and service industries, as well as peddling goods and begging. There have been reported cases of Syrian refugee women and girls sold into forced marriages in Jordan. Syrian boys and young men, in particular, often work illegally and informally in the Jordanian economy, which puts them at risk of trafficking.

Some Jordanian and Syrian girls are forced to drop out of compulsory school to perform domestic service in their families' homes; some of these girls are vulnerable to trafficking. Jordanian boys employed within the country in the service industry, agricultural sector, and as mechanics, street vendors and beggars may be victims of forced labor. NGOs and an international organization reported, in 2018, an estimated 3,000 children begging in the streets in Jordan, some of whom are highly vulnerable to trafficking. Traffickers exploit Lebanese, North African, and Eastern European women in sex trafficking who have migrated to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be exploited in sex trafficking. As reported by an NGO in 2016, some Egyptian women are exploited in forced begging or sex trafficking by their Jordanian husbands.

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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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