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2023 Trafficking in Persons Report: Jordan

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

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The Government of Jordan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Jordan remained on Tier 2. These efforts included increasing convictions and applying adequate prison terms to convicted traffickers, identifying more victims and potential victims, providing shelter and assistance to more victims, and approving shelter bylaws to improve access to services for potential victims identified outside of law enforcement actions. However, the government did not meet the minimum standards in several key areas. Jordan's visa sponsorship system, which placed a significant amount of power in the hands of employers of foreign workers, continued to create vulnerabilities for the exploitation of migrant workers and remained a significant impediment to authorities identifying and protecting trafficking victims. Authorities continued to penalize victims of trafficking for immigration offenses committed as a direct result of being trafficked. Shelter and services outside of Amman remained insufficient.

PRIORITIZED RECOMMENDATIONS:

Reform the visa sponsorship system by enforcing labor law protections for all workers in Jordan, including domestic workers, and allow workers to freely change employers.

Enact other preventative measures to protect migrant domestic workers including ensuring contracts are in a language the worker understands, establishing arrival orientation trainings for migrant workers, and ensuring bilateral labor MOUs are comprehensive and include pre-departure trainings.

Increase efforts to proactively screen for and identify trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, refugees, children who experienced homelessness or used the streets as a source of livelihood, and persons in commercial sex.

Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked, such as immigration or prostitution violations or leaving an abusive employer.

Continue allocating adequate funding for operation of the government's trafficking shelter, train shelter staff to identify and provide specialized care to victims, and provide financial or in-kind support to NGO partners providing shelter and services to victims.

Continue increasing efforts to investigate, prosecute, and convict sex trafficking and labor trafficking crimes; and seek adequate penalties for convicted traffickers, which should involve significant prison terms.

Continue to train law enforcement officers, judges, prison officials, and labor inspectors throughout the country to screen for, identify, and refer to protection services trafficking victims, including among vulnerable populations such as foreign workers and refugees.

Regulate and investigate fraudulent labor and recruitment practices and permanently blacklist employers and recruitment agencies violating workers' rights.

Increase survivor input when forming policies, programs, and trainings.

Investigate and punish individuals for withholding workers' passports under Jordan's passport law.

PROSECUTION

The government increased law enforcement efforts. The 2009 Law on the Prevention of Trafficking in Human Beings criminalized sex trafficking and labor trafficking. As amended, the law prescribed penalties of imprisonment and a fine between 3,000 (\$4,240) and 10,000

(\$14,120) Jordanian dinars for adult labor trafficking. The amended law did not provide a range for the sentence of imprisonment, but in such cases the penal code provided a default sentence of between three and 15 years' imprisonment. The amended law prescribed penalties of at least seven years' imprisonment, and a fine between 5,000 (\$7,060) and 20,000 (\$28,250) Jordanian dinars for adult and child sex trafficking and child labor trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as kidnapping.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint counter-trafficking unit (CTU) remained the national lead on anti-trafficking investigations and continued to investigate potential trafficking crimes. During the reporting period, CTU investigated 158 potential trafficking cases, compared with 214 investigations of potential trafficking crimes in 2021. Of the 158 potential cases, CTU determined 36 cases involving 71 suspects met the criteria to be classified as trafficking cases for further investigation; 11 of the 36 investigated cases were ongoing from the previous reporting period. During the previous reporting period, CTU determined 36 cases – involving 63 suspects – of the 214 potential trafficking investigations were trafficking cases. The 36 cases from this reporting period included six sex trafficking cases, 17 forced labor cases, one forced begging case, and 12 cases of unspecified forms of trafficking. The Ministry of Justice (MOJ) initiated the prosecution of 26 trafficking cases involving 46 defendants – including 22 labor trafficking defendants – and continued prosecuting 18 cases involving 25 defendants initiated in previous reporting periods; this was an increase compared with 35 defendants (including four labor trafficking defendants) prosecuted in 2021. The government convicted 28 traffickers, including three labor traffickers, under the trafficking law, compared with nine convicted traffickers in 2021. Of the 28 convictions, courts acquitted 11 defendants upon appeal and reported sentences for 12 of the convictions. Sentences ranged from six months' imprisonment and a fine, to temporary labor, seven years' imprisonment and a fine. Eleven of the 12 sentenced traffickers received prison sentences greater than one year; compared with only one of the nine convicted traffickers during the previous reporting period. Courts upheld 13 convictions upon appeal. Legal experts continued to report some judges remained hesitant to convict perpetrators for human trafficking, preferring to pursue other charges such as labor violations that carried lesser penalties, due to the complexity of cases, lack of judicial experience and expertise, and the cultural acceptance of some forms of the crime such as forced labor in domestic work. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking crimes.

The MOJ continued assigning specialized prosecutors and judges to criminal cases, including trafficking; in accordance with the amendments to the anti-trafficking law, the Judicial Council continued to appoint specialized public prosecutors and judges to ensure each governorate had at least one specialized judge and prosecutor, resulting in 75 specialized judiciary officials in the country at the end of 2022. CTU continued implementing new case management procedures to allow its investigators to follow cases through prosecution to improve the prosecutors' classification of trafficking cases rather than other lesser crimes. Although CTU was headquartered in Amman, it used specialized liaison officers in police stations across the country to identify victims outside of the capital and relied on additional liaison officers in Syrian refugee camps. CTU also assigned liaison officers with the Civil Aviation Regulatory Authority; in June 2022, CTU assigned liaison officers to the Amman, Marka, and Aqaba airports. The government – at times in cooperation with international organizations and NGOs – trained law enforcement, prosecutors, judges, labor inspectors, social workers, healthcare providers, provincial and district governors, and other frontline officials on trafficking indicators, victim identification, investigation procedures, and related topics.

PROTECTION

The government increased victim protection efforts. In 2022, CTU identified and officially recognized as victims 37 individuals, a decrease compared with 61 identified victims in 2021. Of the 37 victims, four were victims of sex trafficking, 16 of forced labor, and 17 of an unspecified form of trafficking; 35 were adults and two were children. Of the adults, 17 were male and 18 female; and 22 were foreign citizens and 15 Jordanian. In addition, the Ministry of Social Development (MOSD) identified 86 potential trafficking victims, including six female potential sex trafficking victims and 80 (10 men and 70 women) potential forced labor victims. All victims and potential victims identified by CTU and MOSD received various government services, shelter, and/or placement in a partner NGO shelter. Following a three month trial period, the government approved a new NRM and accompanying victim identification SOPs for victim identification and referral to services in March 2023. During the reporting period, the MOSD anti-vagrancy department continued a campaign, begun in October 2020, to remove vulnerable children, including forced begging victims, from the streets of Amman. Joint patrols by teams of MOSD social workers, PSD investigators, and female police officers screened children for trafficking indicators and referred potential trafficking victims to MOSD juvenile assistance centers to receive medical assistance and social services like family reintegration. In 2022, authorities referred three vulnerable children, including potential trafficking victims, to MOSD shelters.

The government continued to refer identified victims to multiple shelters, including shelters run by an NGO and MOSD, and referred cases to CTU for investigation. MOSD continued to operate and fund the Dar Karama shelter, 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 gendarmerie provided shelter security outside of the shelter, and plainclothes police officers escorted residents needing to leave the shelter. Providing shelter services was not conditional upon a victim's cooperation with law enforcement or judicial authorities and victims could freely and willingly leave the shelter. Victims were allowed to stay at the shelter for as long as two months, but victims' stay in the shelter could be extended through a process requiring MOSD approval. During the reporting period, MOSD approved a shelter bylaw to allow victims to stay the length of an investigation and prosecution without additional approvals. The new bylaws, approved by the National Committee for Countering Human Trafficking (NCCT) in January 2022, also codified the shelter's acceptance of potential victims not officially recognized by CTU and self-referral cases; the bylaws were approved by the Council of Ministers in March 2023 and awaited final appraisal by the Legislation and Opinion Bureau and publication in the Official Gazette at the end of the reporting period. The shelter had the capacity to serve a total of 35 victims, both Jordanian citizens and foreign nationals, with space for 20 women, five children, and 10 men. The shelter was the only one in the country available to men and had a separate wing and entrance for male victims; the shelter assisted 10 male victims. In 2022, the shelter served a total of 97 victims and potential victims, which represented a significant increase compared with 37 victims served in 2021. The government referred 35 identified victims to an NGO shelter, and no identified victims to their respective embassies; no victims declined shelter services. Shelter staff frequently cooperated with foreign victims' home embassies to assist their nationals. The government frequently lacked funds to purchase return flights for foreign trafficking victims who wished to voluntarily return to their home country and did not have regular access to interpretation services for languages other than English, relying at times on embassies, NGOs, and international organizations to provide repatriation and interpretation assistance. However, the government assisted in the voluntary repatriation of 46 victims; the government relied on international organizations, partner embassies, and NGOs for all repatriations in the previous reporting period. In 2022, MOSD also allocated new rooms in two gender-based violence shelters to assist women and children as trafficking victims in Irbid and Aqaba; at the end of the reporting period, the new specialized spaces had not assisted any trafficking victims. The amended anti-trafficking law required creating a donations-based victims' fund, which the government intended to use to finance protection services, plane

tickets for voluntary repatriation, and other underfunded needs; the Council of Ministers approved the fund bylaws in January 2023, but it was pending full legal effect at the end of the reporting period. Because the government shelter was located in Amman, victim services were difficult to access for victims outside of the capital.

The government encouraged victims to assist in the investigation and prosecution of their traffickers; PSD accompanied victims to court and officials assigned all victims a lawyer throughout judicial proceedings to ensure protection of their rights. The 2009 anti-trafficking law, as amended, extended witness protections to trafficking victims, and trafficking victims were able to provide court statements electronically to prevent re-traumatization. Foreign victims also had the option to provide a deposition prior to being repatriated. The amended anti-trafficking law required authorities to provide victims legitimate means to obtain compensation for damages through restitution or civil suits; the MOJ signed an MOU with the Jordanian Bar Association in January 2022 to provide free legal aid to victims seeking compensation from traffickers, but the government reported no victims received restitution or compensation. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. In addition, the new NRM required the government to waive fees and assist foreign victims – who wished to remain in Jordan – with obtaining residency and finding employment; in May 2022, the Ministry of Interior issued a circular automatically expanding residency to all trafficking victims until their case was resolved. The government granted residency permits to 14 forced labor victims. Authorities may have penalized some foreign trafficking victims for immigration offenses committed as a direct result of being trafficked, including fines, arrests, detentions, and deportations; the Chief of Prosecution issued a circular in January 2023 encouraging prosecutors to implement articles of the amended anti-trafficking law granting authorities the ability to stop the prosecution of a person for an offense where trafficking indicators were found as part of the offense. Despite an NGO reporting no potential trafficking victims were detained or charged in criminal cases during the reporting period, NGOs continued to report migrant workers, likely including unidentified trafficking victims, were regularly administratively detained for immigration violations, including for overstaying visas and fleeing abusive employers. However, NGOs reported foreign labor trafficking victims were less likely to report abuses to authorities because of fear of deportation or detention.

PREVENTION

The government maintained prevention efforts. NCCT, chaired by the MOJ and comprising relevant ministries, met regularly, at times with NGO participation. The government

continued to implement its 2019-2022 National Anti-Trafficking Strategy in partnership with NGOs and international organizations. The government continued an evaluation of the 2019-2022 strategy and drafted a 2023-2026 National Anti-Trafficking Strategy in partnership with NGOs. The NCCT published quarterly reports on its efforts. The government continued to raise awareness about trafficking crimes throughout the country through workshops, television broadcasts, and other means. The government continued distributing anti-trafficking information to all foreign migrant workers entering Jordan and at inspected worksites. The government began including trafficking indicators within the computerized labor inspection system and within labor inspectors' checklists; however, the electronic inspection system was not yet fully implemented at the end of the reporting period. The MOL and CTU continued to operate a hotline to receive complaints of labor violations and potential trafficking crimes; the hotline offered interpretation services in some source-country languages. However, due to overall budget shortfalls, the government did not consistently maintain interpreters of some Asian languages at the hotline, which led to challenges in identifying potential trafficking victims and referring them to protection services. The MOL and CTU also operated a joint online complaint mechanism for reporting labor complaints and trafficking cases; as of January 2023, the platform was available in Arabic and English and translation to other languages was underway.

Jordan's visa 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; the government reported granting ad hoc permission to allow domestic workers to change employers but did not report the number of domestic workers it granted such permission. Authorities considered migrant workers, likely including unidentified trafficking victims, who left their place of employment prior to fulfilling their work contract as illegal residents and subjected them to fines, detention, or deportation for their irregular presence in the country; loss of legal status created greater vulnerabilities to trafficking. Additionally, migrant workers could not withdraw their social security contributions without written consent of their employer. Jordan maintained several bilateral labor agreements with other countries detailing recruitment procedures, working conditions, and wages; however, some of the bilateral labor agreements exacerbated vulnerabilities to trafficking. For example, a labor agreement between the Jordanian and Egyptian governments specified that an Egyptian national could not leave Jordan without permission from their employer, even if the employer was convicted of trafficking crimes. The government worked with countries with diplomatic representation in Jordan to verify migrant workers' age, approve work permits, and translate work contracts into workers' native languages.

The government continued implementing 2021 regulations requiring recruitment agencies to provide migrant domestic workers with insurance covering medical care and workplace accidents. The regulations also authorized the MOL to publicly rate recruitment agencies based on compliance with the labor law – including provisions prohibiting fraudulent recruitment practices, worker-paid recruitment fees, and contract switching – and to close and withdraw licenses from poorly ranked agencies; the MOL issued warnings to 30 agencies, suspended 10, closed two, and revoked the license for one agency. Jordanian law prohibited recruitment agencies and employers of foreign workers from charging workers recruitment fees or deducting recruitment costs from wages; however, some Egyptian workers reported being pressured to pay their own recruitment fees. MOL’s digital reporting platform received 9,744 labor complaints in 2022, of which 31 related to confiscation of travel documents, 289 to overtime, and 56 to forced labor; 90 percent of complaints were resolved as labor law violations, and the remaining 10 percent were pending investigation or were outside the MOL’s jurisdiction. Through regular labor inspections, the MOL referred 17 domestic worker complaints to CTU for further investigation; however, CTU determined these cases were administrative labor issues, not trafficking, and they were resolved by the MOL. In June 2022, the MOL amended the criteria for businesses joining the “golden list” of garment sector companies to include forced labor indicators to incentivize compliance with international and Jordanian labor standards; companies on the “golden list” qualify for financial incentives and lower recruiting costs but face financial penalties if found violating the criteria. Jordan’s passport law criminalized the withholding of passports by an employer, carrying penalties of six months to three years’ imprisonment and fines; the government did not report if CTU referred any cases to the MOJ or prosecutions for passport withholding. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism. In 2022, the government continued to take steps to reduce the vulnerability of Syrian refugees to trafficking. The government issued 62,457 work permits to Syrians from host communities and refugee camps in 2022, an increase compared with 59,108 distributed in 2021, which helped reduce this population’s vulnerability to forced labor; however, overall meaningful economic opportunities for Syrian refugees were limited, especially for women, because of the instability of the job market due to the pandemic and because 81 percent of permits were issued to men. The Ministry of Foreign Affairs 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.

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. According to a 2020 study, officials estimate the total number of foreign workers in Jordan could be as high as 1.5 million, while the MOL estimates the number of irregular foreign workers in Jordan to be as high as 500,000. Jordan's visa sponsorship system increases foreign workers' vulnerability to trafficking by preventing them from changing employers without the initial employer's consent. Because work permits are linked to a specific employer, when a worker quits one job before securing another, the worker loses legal status thereby increasing vulnerability to trafficking. Unscrupulous employers exploit the non-transferability of work visas to control or manipulate workers. 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, adults 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 in the construction, service, and agricultural sectors. In 2021, civil society reported an increase in Ethiopian domestic workers exploited in forced labor in Jordan. In 2023, an NGO reported an increase in Ethiopian women from Tigray seeking employment as domestic workers in Jordan. Upon arrival in Jordan, they were exploited in forced labor and unable to leave the homes of their employers; they later reported being transported to the West Bank and Gaza where they experienced further exploitation before seeking assistance in Israel. In 2022, an NGO estimated there were 500,000 domestic workers in Jordan, primarily female and from South and Southeast Asia and East and West Africa, who are highly vulnerable to forced labor.

Refugees from Iraq, the West Bank and Gaza, Syria, and other locations are highly vulnerable to trafficking in Jordan, especially women and children working illegally or informally. Jordan is host to approximately 742,981 UNHCR-registered refugees from more than 55 countries, including 660,892 Syrians. 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; non-Syrian refugees, including refugees from Iraq, Somalia, Sudan, and Yemen, do not have access to the formal labor market or are required to renounce their UNHCR registration to obtain work permits. In 2019, Iraqi refugees reported 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. NGOs reported slow-onset climate change events, such as drought and worsening water scarcity, exacerbated Jordan's refugee population's vulnerability to trafficking. There have been reported cases of Syrian refugee women and girls sold into forced marriages in Jordan. Refugee 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. During the reporting period, the government investigated a case in which a mother allegedly exploited her two Jordanian daughters in sex trafficking to foreign tourists. 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. In 2018, NGOs and an international organization reported 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. Individuals from the Dom community, an Indo-Aryan people also known as the Bani Murra, are also vulnerable to forced labor and forced begging in Jordan due to a lack of access to social and education services and employment opportunities in Jordan.

TAGS

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