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2021 Trafficking in Persons Report: Jordan

JORDAN: Tier 2

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 to the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Jordan was upgraded to Tier 2. These efforts included referring more domestic servitude cases for prosecution, establishing case management procedures to improve coordination between investigators and prosecutors, and identifying more victims. Parliament approved amendments to the 2009 anti-trafficking law and the government also maintained a trafficking shelter that offered a wide range of comprehensive services. The government launched a campaign to remove vulnerable children, including forced begging victims, from the streets of Amman. However, the government did not meet the minimum standards in several key areas. The government shelter received fewer referrals of victims; NGOs reported issues referring victims to the shelter during the height of pandemic-related lockdowns, when all movement and public facilities were restricted. 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. Jordan's 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.

PRIORITIZED RECOMMENDATIONS:

Increase efforts to prosecute, convict, and punish sex trafficking and forced labor offenses with significant prison terms. • 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, 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. • Fully approve and implement all provisions of the new anti-trafficking law to ensure penalties for sex trafficking crimes are commensurate with those prescribed for other serious crimes. • Train law enforcement officers, judges, prison officials, and labor inspectors throughout the country to screen for, identify, and refer to protection services trafficking victims. • Investigate and punish individuals for withholding workers' passports under Jordan's passport law. • Cooperate regularly with NGOs to identify and refer victims to protection services. • Allocate adequate funding for operation of the government's trafficking shelter, and train shelter staff to identify and provide specialized care to victims. • Issue and fully implement 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 maintained weak law enforcement efforts but made efforts to address structural issues in its law enforcement response to trafficking. 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. In March 2021, Parliament approved amendments to the 2009 anti-trafficking law submitted in 2019; at the end of the reporting period, the amendments were pending the King's signature and publication in the official gazette. The pending amendments would enhance sentences for trafficking offenses, allow prosecutors to seek restitution in trafficking cases, formalize the use of specialized prosecutors and judges, and establish a donations-based victims' compensation fund.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint counter-trafficking unit (CTU)—the national focal point leading anti-trafficking investigations—continued to investigate potential trafficking crimes. In 2020, the CTU reported authorities investigated 206 potential trafficking cases, similar to 205 investigations of potential trafficking crimes in 2019. Of the 206 potential cases, CTU determined 22 cases involving 36 suspects met the criteria to be classified as trafficking cases and referred these to prosecutors. These 22 cases included 20 suspected domestic servitude cases and two sex trafficking cases. In addition, CTU identified an organ trafficking case involving four suspects and referred it to prosecutors. The Ministry of Justice (MOJ) reported it initiated the prosecution of 13 trafficking cases involving 22 defendants; the other 10 cases investigated by CTU and referred for prosecution remained pending charges and under investigation by the office of the public prosecutor at the end of the reporting period. In addition, the MOJ prosecuted and convicted an unreported number of defendants for trafficking crimes under other laws such as passport withholding. The MOJ reported six trafficking judgements were completed in 2020, with a 100 percent conviction rate, resulting in 12 traffickers convicted under the 2009 anti-trafficking law. Of the 12 convictions, eight traffickers received sentences greater than one-years' imprisonment. Penalties ranged from three months' to five years' imprisonment; three convicted traffickers also received fines. The 22 prosecutions initiated demonstrate a slight increase from 18 prosecutions in 2019. The 12 convictions in 2020 was similar to 11 convictions secured in 2019. 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 due to the complexity of trafficking cases, lack of judicial experience and expertise on trafficking, and the cultural acceptance of some forms of trafficking such as forced labor in domestic work. 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; however, CTU officers reported mediation was only used in administrative labor violations, not when indicators of trafficking violations were present. 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, beginning in 2018, the MOJ began assigning specialized prosecutors and judges to criminal cases, including trafficking; pending amendments to the 2009 anti-trafficking law would require the Judicial Council to name specialized prosecutors and judges to every court to handle trafficking cases. Officials reported poor communication between CTU investigators and prosecutors contributed to weak prosecution of trafficking cases; in September 2020, the CTU implemented a new case management procedure to allow CTU investigators to follow trafficking investigations through prosecution to improve the classification of trafficking cases. The government rotated specialized investigators out of the CTU into other assignments every two years or less, which hindered the work of the unit. In 2020, the CTU reported conducting 10 training workshops for officials, in coordination with NGOs and international organizations; due to the pandemic, the government had to postpone 11 planned workshops. In addition, the CTU conducted 31 lectures and six seminars targeting law enforcement, judges, public prosecutors, and relevant ministries in different areas of Jordan on identifying trafficking victims, victim protection issues, and other topics; CTU officials reported 560 officials attended these lectures. The MOL partnered with civil society organizations to strengthen the capacity of labor inspectors to identify labor trafficking cases.

PROTECTION

The government identified more trafficking victims but provided services to fewer trafficking victims, and authorities continued to punish victims for unlawful acts traffickers compelled them to commit. In 2020, the government identified 25 trafficking victims, which represented an increase from the nine identified victims in 2019. 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. During the reporting period, the CTU established additional liaison officers in Syrian refugee camps. In October 2020, the Ministry of Social Development's (MOSD) anti-vagrancy department launched a campaign 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 including family reintegration efforts.

The government continued to utilize a national victim referral mechanism (NRM) to refer identified victims to care, including shelters run by an NGO and MOSD, and cases to the CTU for investigation. 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; the government reviewed, updated, and trained relevant ministry officials on the updated NRM standard operating procedures during the reporting period. MOSD continued to operate and fund the Dar Karama 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; victims' stay in the shelter could be extended through a process requiring MOSD approval. 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 any male victims received services at the shelter during the reporting period. In 2020, the shelter served a total of 14 victims, which represented a decrease from the 35 victims it served in 2019. The government referred the other 11 identified victims to an NGO shelter. Of the 14 victims assisted by the Dar Karama shelter, 12 were adult women and two were girls; 10 were forced labor victims and two were sex trafficking victims. Three victims assisted in the shelter were Jordanian and the rest were from Bangladesh, Uganda, Indonesia, and Tunisia. Shelter staff continued to cooperate with the embassies of Bangladesh, Philippines, and Sri Lanka to provide assistance to their nationals during the reporting period. Although the Dar Karama shelter remained open during the pandemic, NGOs reported issues contacting shelter staff and referring victims during the height of pandemic-related lockdowns in April 2020. The government encouraged victims to assist in the investigation and prosecution of their traffickers; female officers accompanied female victims to court and officials assigned all victims a lawyer throughout judicial proceedings to ensure protection of their rights. 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 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 because of 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. However, due to the pandemic, the MOL waived most fines for migrant workers with expired work or residence permits to allow migrant workers to depart Jordan. In May 2020, the government launched an online platform to assist migrant workers seeking to return to their home countries due to the pandemic. In addition, foreign embassies reported they negotiated with the Ministry of Foreign Affairs (MFA) to release their citizens from detention for repatriation.

PREVENTION

The government maintained prevention efforts. The government's full inter-ministerial anti trafficking committee did not meet during the reporting period due to pandemic-related restrictions on gatherings. However, the inter-ministerial committee held three technical committee meetings and several informal meetings chaired by the Minister of Justice. The government continued to implement its 2019-2022 national anti-trafficking strategy in partnership with NGOs and international organizations. 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 addition, the CTU distributed brochures about workers' rights along with food, sanitizer, and masks as part of its COVID-19 mitigation efforts. An NGO continued to report government-led 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; the hotline 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. In January 2021, authorities deported a Bangladeshi journalist allegedly in relation to an article published in April 2020 critical of conditions for Bangladeshi workers in Jordan. 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 were vulnerable to trafficking. In 2020, 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 192,000 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 28,000 work permits for Syrian refugees remained active in 2020. Due to pandemic mitigation measures such as movement restrictions, the government issued 23,258 work permits to Syrian refugees as of September 2020 compared to 47,766 issued in 2019. The Ministry of Education also continued to allow Syrian refugee children access to public education, with more than 136,000 refugee students enrolled in schools in the 2019-2020 school year. The government did not report 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. In 2020, officials estimated the total number of foreign workers in Jordan could be as high as 1.5 million. The MOL reported issuing 246,646 work permits for foreign workers in 2020 and 425,220 in 2019; officials from foreign embassies report many foreign workers are irregular and working without a visa, residency, or work permit. Jordan's visa sponsorship system increases foreign workers' vulnerability to trafficking by preventing them from switching 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 increasing vulnerability to trafficking. 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 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 West Bank and Gaza, Syria, and other countries are highly vulnerable to trafficking in Jordan, especially women and children working illegally or informally. Jordan is host to approximately 753,282 UNHCR-registered refugees from more than 55 countries, including 664,414 Syrians and 66,760 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 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. 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. 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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