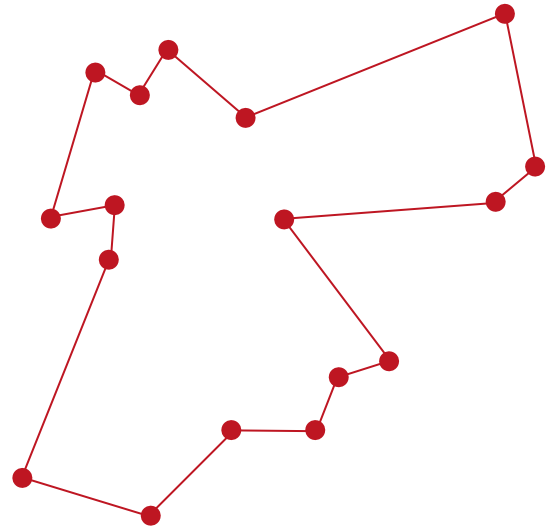


# COUNTRY STUDY



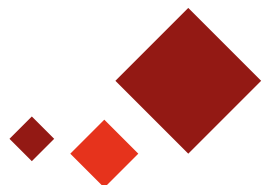
## JORDAN Social Rights Monitor

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The EU-Jordan Partnership should

- Promote sustainable socio-economic policies and strengthens social and economic inclusion and local sustainable development;
- Recognise and enhance the Jordan's vibrant civil society by giving them a voice and enhancing an enabling environment through structured dialogue, transparent and inclusive consultation processes for all issues of concern, rather than security and stability only.
- Aim at achieving a human-rights based approach to social protection and universal coverage to all people by appropriate and effective social protection mechanisms.
- Aim towards a comprehensive approach to growth; one that is rights based and sustainable, job generating, inclusive and re-distributive.
- Ensure that private sector development within the partnership has a clear mandate to enhance productivity and improve productive sectors with added-value production while fighting corruption, informality, tax havens and illicit financial flows.



## Introduction

The European Union (EU) and Jordan partnership within the European Neighbourhood Policy (ENP) dates back to 2002 when the two signed the Association Agreement. Following the revision of the ENP, in December 2016 they adopted the EU-Jordan Partnership Priorities and the EU-Jordan Compact 2016-2018. Through the Partnership Priorities, the EU and Jordan have confirmed their ambition to further strengthen their engagement towards each other, setting a strategic agenda around three themes. These include i) strengthening cooperation on regional stability and security, including counter-terrorism, ii) strengthening Jordan's macro-economic stability and to enhance Jordan's social and economic development iii) supporting efforts to strengthen governance, the rule of law, democratic reform and respect for human rights.

This report aims to assess the overall situation in terms of social protection, decent work and civil society space in Jordan. In particular, it aims to track the progress made since the implementation of the ENP. In order to evaluate the situation, consultations have been conducted with civil society representatives and human rights activists within the seven countries covered by the project 'Decent Work, Social Protection and Freedom of Association in the Middle East and North Africa: Mobilizing for Social Justice by strengthening and promoting civil society organisations (CSOs), social movements and independent trade unions' role in reforms and democratic changes', including Jordan. Qualitative feedback was collected on the basis of a questionnaire the Social Rights Monitoring Tool, (hereinafter the SRM tool) that included options for defining the context as well as open questions, offering room to provide direct input.

This report summarizes the results and feedback received based on which a set of recommendations has been formulated in the conclusion section.

## Report

### Social Protection

Social protection can be defined as a set of public measures, policies and programmes that are designed to protect, prevent and "transform" poverty and vulnerability across the life cycle<sup>1</sup>. It seeks to guarantee 'access to essential goods and services, promote active socio-economic security and advance individual and social potentials for poverty reduction and sustainable development'<sup>2</sup>. The international labour organisation (ILO) has now established the notion of social protection floors, which aims to promote access to services and goods that meets the criteria of availability, accessibility, acceptability and quality, ensure income security for children, persons in active age and persons in old age while ensuring the progressive achievement of higher levels of protection (increasing social potential and opportunities while reducing poverty). The latter criteria were used to assess social protection in Jordan. The following issues were reported by the respondents to the social rights monitor.

Whereas the National Report of Jordan for the Sustainable Development Report Voluntary National Review refers to "significant achievements over the past decades... and that developments have translated into tangible improvements in education and health, and the availability of comprehensive quality infrastructure and services covering transportation, electricity, communications, water supply security and municipal services"<sup>3</sup>, respondents to the SRM tool stress the lack of universal access to essential services. The quality of services varies as well between public and private providers (i.e. health) the latter's affordability being problematic for many. In this respect, one of the most vulnerable groups in Jordan remains the refugees and migrants. Jordan continues to host a high number of Syrian refugees and according to UNHCR, as of 18 December 2017, there were 3.7% older Syrian persons, 45% Syrian adults and 50.9% Syrian children or youth under the age of 17 years<sup>4</sup>.

1. <http://www.ilo.org/public/english/protection/download/lifecycle/lifecycle.pdf> (pp. 13-14); <http://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54887>;

2. <http://www.ilo.org/public/english/protection/download/lifecycle/lifecycle.pdf> (p. 22)

3. <https://sustainabledevelopment.un.org/content/documents/16289Jordan.pdf>

4. <http://data.unhcr.org/syrianrefugees/country.php?id=107>

As reported by Phenix Center, “despite the numerous amendments made to the Jordanian Social Security Law throughout the years, only about half of the national workforce is currently covered by social security – a phenomenon largely owed to the expansion of the informal sector. Currently, only approximately 1.22 million active workers in Jordan are covered by social security, and even when accounting for those workers covered by civilian and military pensions, large swathes of the workforce remain unprotected”<sup>5</sup>. In addition, income security remains insufficient. Thus vulnerability against shocks and risks is high. Only registered workers with more than five years in the social security system are entitled to unemployment compensation for six months, to be restored after returning to work. The elderly remain vulnerable as well; given that a pension is available to social security subscribers, but the amount received by the majority of them is not sufficient and does not provide them with a decent retirement due to the constant increase in the cost of living in Jordan, and the spike in the price of services and commodities.

In light of this information, the contribution of social protection to poverty reduction and to advancing social potentials/opportunities is considered only partial. Despite specific government programmes to enhance social protection for poor people, or for specific groups like the disabled or women (including direct financial support), their results are only limited owing to worsening economic conditions, the high inflation rate and the high cost of living in the country. Social protection and the related challenges to its universality, coverage and affordability and quality of healthcare services are perceived to remain, as the social and economic policies implemented have not been revised. Indeed, government policy such as the increase of indirect taxes on all commodities, and stopping subsidies (i.e. bread) reflects the lack of sustainable programmes in the country.

## Decent Work

Decent work, as defined by the ILO involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men. In other words, decent work is the converging focus of all its four strategic objectives: the promotion of rights at work; employment; social protection; and social dialogue. Based on these four objectives, the following issues were highlighted:

Labour Law No. 8 governs the minimum wage in Jordan and was amended in 2017, raising the minimum wage to 220 dinars (± 250 EUR) (previously 190 dinars - ± 216 EUR). Nevertheless, the minimum wage scheme remains insufficient, it applies only to Jordanians, yet it should be noted that there are approximately one million non-Jordanian workers, especially Egyptians and Syrians in the country. In addition overall wage levels are generally too low to ensure an adequate standard of living. About 48.5% earn an average monthly salary of 400 dinars (± 455 EUR) or less, close to the absolute poverty line of the standard family. Furthermore, discrimination against women in the form of wage gaps persists in the country.

Working conditions are also questionable. The environment can be unsafe as safety and health at work is not always well protected. Working hours are long and rest periods insufficient. Employer-employee relations are weighted in favour of the employers' interests. In this regard, a recent report by the Tamkeen Centre in Jordan documents several human rights violations against workers, for instance in the al Hassan Industrial Zone. The violations include the physical assault of women workers by the owner of the factory, delays in paying the salaries of workers for ten days after the due date, an unhealthy housing environment, with eight workers living in one room, poor ventilation; bad and



5. Retrieved from <http://www.phenixcenter.net/en/paper/180>

unsanitary bathrooms; the forbidding of sick leave whatever the case, and in the case of the absence of any of the workers, deduction from his/her salary.<sup>6</sup>

In terms of social dialogue, Jordan has ratified the ILO Convention on collective bargaining but several restrictions still remain. Only the state-related union has leverage in collective bargaining while independent trade unions are hardly consulted. Indeed, as the European Commission research notes, in Jordan “social dialogue has not played a major role to date. It has a limited impact and role, to a certain extent because the concern for stability and central control may have inspired suspicion towards civil society, on the degree of freedom for social dialogue, and the degree of involvement of social dialogue in solving labour issues”<sup>7</sup>.

The overall unemployment situation is bleak, and rising; unemployment reached 18.2% during the first quarter of 2017, rising by 3.6% compared with the same period last year<sup>8</sup>. Labour policies do not address structural problems, and the national economy does not generate enough jobs. For several years labour policy has concentrated only on the replacement of migrant labour by Jordanian labour; youth and women’s unemployment remains unaddressed. Nevertheless, as noted by the Phenix Center, the increase in unemployment is not caused by the Syrian influx, but by government policies which have hit productive sectors, such as agriculture, industry and manufacturing. Tax policies have had a similarly negative impact on labour and investment opportunities, as high taxes have resulted in thousands of companies not renewing licences, and investors preferring Egypt and Turkey for business.

In short, civil society does not see a positive future for labour conditions. In light of the scarcity of job opportunities, low wages, the existence of violations and the lack of employment generating opportunities, labour market employment and working conditions may even deteriorate.

## Enabling Environment

The Office of the United Nations High Commissioner for Human Rights (OHCHR)<sup>9</sup> has identified five ingredients essential to creating and maintaining an enabling environment for civil society: a robust legal framework compliant with international standards and a strong national human rights protection system that safeguards public freedoms and effective access to justice; a political environment conducive to civil society work; access to information; avenues for participation by civil society in policy development and decision-making processes; and long-term support and resources for civil society.

Jordan has an active civil society yet challenges remain. Respondents to the SRM tool note that despite Constitutional recognition of the right to associate, organize and freedom of assembly the practices on the ground reflect a restrictive reality. In addition extrajudicial measures continue to be practiced by security institutions on civil society. For instance, the Centre for the Freedom and Protection of Journalists has been subjected to defamation, as well as the Phenix Center for Economic and Informatics Studies. The latter had to stop one of its projects during its implementation and faced a ban on many of its activities. There is also the absence of a recognized independent, democratic, and effective trade union movement in Jordan. The Phenix Center identifies this as “the main reason behind the spread of workers’ rights violations in the country”<sup>10</sup>.

With regard to the freedom of peaceful assembly, denials of permission and the excessive use of force by law enforcement agencies continue to violate and restrict civic space. Respondents to the SRM tool noted incidents of many peaceful events and gatherings being banned, and permission to hold seminars being denied despite prior notice given.

6. <http://tamkeen-jo.org/workers-in-a-clothing-factory-at-al-hassan-industrial-zone/>

7. Social dialogue in Morocco, Tunisia and Jordan, available online [here](http://www.jordantimes.com/news/local/unemployment-highest-rate-25-years-%E2%80%94dos)

8. <http://www.jordantimes.com/news/local/unemployment-highest-rate-25-years-%E2%80%94dos>

9. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/073/52/PDF/G1607352.pdf?OpenElement>

10. <http://www.phenixcenter.net/en/paper/180>



The dismissal of a student from the Hashemite University following his participation in an open student sit-in organized to reject a set of financial regulations and decisions set by the university was one example provided to demonstrate the violations.

Access to information and media freedom is restricted given that media outlets and internet activism is heavily monitored. Draft amendments to the Electronic Crimes Law were announced on 25 September 2017 that increase the penalties for various electronic crimes in the original law; they propose an added definition of hate speech, a penalty for hate speech of “imprisonment for not less than a year and not more than three years and a fine of not less than 5,000 JOD (± 5,688 EUR) and not more than 10,000 JOD (± 11,376 EUR) for anyone who publishes or republishes what is considered hate speech via the internet, website or data systems<sup>11</sup>”. National Human Rights Centre Commissioner General Musa Breizat acknowledges persistent restrictions, noting that there are restrictions on the freedom of speech in more than five articles of the Penal Code, Cyber Crimes Law and Anti-Terrorism Law, that require the creation of criteria outlining what is considered as “a threat to the state’s security” or a “harmful criticism of public figures or public institutions”.<sup>12</sup> Civil society remains concerned that the main goal of the new amendments proposed (i.e. hate speech etc.) is to gag and prevent people from expressing their opinions on social media.

The future of civil society is rather bleak, remaining more or less the same. The lack of government policy to improve legislation and its implementation is expected to persist. Nevertheless, civil society is committed to promoting and protecting human rights, providing alternatives and resisting the restrictions imposed. In this regard, it is important to note the recent withdrawal of amendments proposed to Penal Code 183<sup>13</sup>. Restrictive draft proposals in Penal Code Article 183 were considered a potential obstacle to the efficacy of trade unions in Jordan and would effectively ban sit-ins and labour strikes. Given the high unemployment rate in Jordan, the proposed laws were broadly viewed as an infringement of the right to freedom

of association. In response to the proposed laws, the Jordanian trade union movement and other civil society groups pressured the authorities to rescind the amendments. On 2 August 2017, the authorities responded by revoking the proposals. As stated by the Phenix Center “if enacted, these amendments to the Penal Code would deprive large segments of Jordan’s population of their fundamental human rights, and bring about dire socio-economic consequences. The rights to freedom of expression, freedom of assembly, and the right to strike are all closely interlinked. If the purpose of social, political and economic reform is to broaden the array of rights enjoyed by citizens, these amendments would undeniably represent a step back in the country’s development”<sup>14</sup>.

11. <http://www.icnl.org/research/monitor/jordan.html>

12. <http://www.jordantimes.com/news/local/concerns-persist-despite-progress-human-rights-system%E2%80%99>

13. Covered as well by CIVICUS Monitor, <https://monitor.civicus.org/news-feed/2017/08/08/restrictive-laws-revoked-jordan/>

14. Read more at <http://www.phenixcenter.net/en/paper/196>





## Recommendations

The overall perception of the respondents to EU-Jordan relations is positive, recognizing that there are several projects implemented with EU support in the country. The respondents actively follow bilateral relations and have been consulted by the EU delegations at national level. Nevertheless, they note the sporadic nature of these consultations and that the focus remains on security, stability and refugees on the ground.

- Given that the EU-Jordan partnership framework is based as well on the promotion of human rights, prosperity in the country and the partnership envisages assistance for the implementation of political and economic reforms, it is important that the partnership promotes sustainable socio-economic policies and strengthens social and economic inclusion and local sustainable development<sup>15</sup>.
- The role of civil society within the implementation of the partnership is key, as well as the financial assistance provided by the EU. EU recognition of Jordan's vibrant civil society should be further enhanced by giving them a voice and enhancing an enabling environment through structured dialogue, transparent and inclusive consultation processes for all issues of concern, rather than security and stability only. The EU should enhance its dialogue with the Jordanian authorities on an enabling environment by promoting international human rights standards, and the fundamental freedoms of association, assembly and expression.
- ENP implementation should contribute to achieving a human-rights based approach to social protection and universal coverage to all people by appropriate and effective social protection mechanisms. Assistance provided to the Jordanian government should also prioritize undertaking reforms at the level of social protection; aim at expanding social protection coverage and develop a comprehensive database of work-related accidents, injuries, and illnesses<sup>16</sup>.

- Whereas the 2017 report on EU-Jordan relations within the framework of the ENP<sup>17</sup> continues to refer to numeric figures of GDP growth, the respondents to the SRM tool highlight the need for revising this approach towards a comprehensive approach to growth; one that is rights based and sustainable, job generating, inclusive and re-distributive.
- Bearing in mind working conditions in particular, private sector development within the partnership should have a clear mandate to enhance productivity and improve productive sectors with added-value production. Furthermore, the implementation of the ENP, while encouraging private sector engagement should also aim to fight corruption, informality, tax havens and illicit financial flows.

15. See section on Jordan by Phenix Center at <http://www.ald-europe.eu/public/doc/eu-as-a-neighbour-views.pdf>

16. Retrieved from <http://www.phenixcenter.net/en/paper/192>

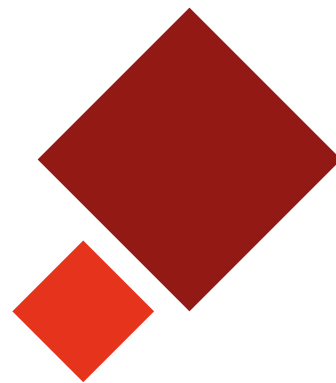
17. [https://eeas.europa.eu/sites/eeas/files/2017\\_report\\_on\\_eu-jordan\\_relations\\_2015-2017.pdf](https://eeas.europa.eu/sites/eeas/files/2017_report_on_eu-jordan_relations_2015-2017.pdf)



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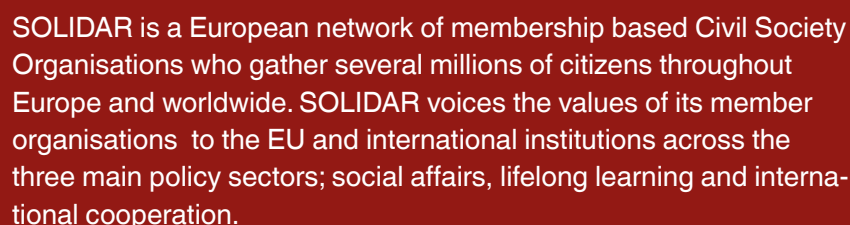
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The Social Rights Monitor is a tool developed by SOLIDAR members and partners to allow partner organizations and allies based in the country to assess the situations in terms of social protection, decent work and an enabling environment and track the progress made since the implementation of the European Neighbourhood Policy and the partnership priorities established with the EU. This report has been developed in the framework of a regional programme “Mobilizing for Social Justice: Decent Work, Social Protection and Freedom of Association in the Middle East and North Africa region” led by SOLIDAR.

SOLIDAR is a European network of membership based Civil Society Organizations who gather several millions of citizens throughout Europe and worldwide. SOLIDAR voices the values of its member organizations to the EU and international institutions across the three main policy sectors: social affairs, lifelong learning and international cooperation.

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\*If your organization has contributed to the report and is not listed here, contact the SOLIDAR offices to edit the report.



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