



# Submission to the Office of the High Commissioner on Human Rights

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**Jordan**  
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## Submitted by: Dibeem for Environmental Development

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## Dibeem for Environmental Development

Dibeem for Environmental Development is a non-governmental non-for-profit independent organization concerned with general environmental and social interests. The organization, established in 2010, is comprised of a group of environmental and social activists, and works to promote environmental rights and justice in the Arab region. Dibeem is a member of many regional and media networks and alliances that work for environmental, social and economic rights including International Union for Conservation of Nature (IUCN), Climate Action Network (CAN-AW) and Economic, Social and Cultural Rights Network (ESCR)

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## Arab NGO Network for Development (ANND)

ANND is an independent, democratic and civil network, established in 1997, aimed at strengthening and empowering civil society and promoting the values of democracy, respect for human rights and sustainable development in Arab countries. ANND consists of 9 national networks and 23 NGOs operating in 12 Arab countries. ANND's work is organized according to three main areas: strengthening the capacity and the role of CSOs in advocacy and lobbying in the field of economic and social policy-making in the Arab region; strengthening the spaces available for CSOs' participation in economic and social policy-making at the national, regional, and international levels; promoting and developing the knowledge materials available in the Arab region related to the role of civil society.

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## Habitat International Coalition (HIC)

## Housing and Land Rights Network (HLRN)

Housing and Land Rights Network is part of Habitat International Coalition, an independent international nonprofit collective of organizations and individuals working in the field of human settlements. HIC members include some 350 non-governmental and community-based organizations, academic and research institutions, social movements and like-minded individuals from over 80 countries in both North and South. Their binding commitment is expressed in a shared set of objectives that shape HIC's dedication to communities working to realize their human right to adequate housing and improve their habitat conditions. HIC-HLRN is dedicated to creating knowledge and developing HIC Member and ally capacities to apply and further develop international habitat-related human rights norms in their local, regional and global forums to promote remedies applying the human right to adequate housing and human rights-based methods to issues affecting the human habitat.

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For more information see <https://www.hlrn.org/>, <https://www.hic-mena.org> and <https://www.hic-net.org/>.

## Overview of the legislative and institutional framework on the right to healthy environment in Jordan

1. Jordan recognizes the importance of working on environmental rights through its ratification of the International Covenant on Economic, Social and Cultural Rights on 3 April 1976, which guarantees the rights to work, education, health, housing and a decent life within which environmental rights are included<sup>1</sup>.
2. Jordan had a positive stance on voting on the decisions of the Human Rights Council, including Resolution No. 13/48 of 2021, which aims to recognize that enjoying a clean, healthy and sustainable environment is a human right<sup>2</sup>.
3. The Ministry of Environment was established in 2003 under the temporary Environmental Protection Law No. (1) of 2003. The law was approved by the Parliament, to become the Environment Protection Law No. (52) of 2006, and amended later as the Environment Protection Law No. 6 of 2017. Jordan also approved, for the first time in its history, a law for sustainable waste management under the name of the Waste Management Framework Law No. 16 of 2020.
4. Although the Ministry of Environment, through its Law No. 6 of 2017 in Article 4, was granted the capacity to supervise and control the rest of the work of other ministries concerned with preserving and protecting the environment and protecting the rights of citizens, the existence of different ministries and the follow-up, evaluation and enforcement of laws to be between these bodies according to their specialization creates an overlapping, conflicted powers and lack of clarity.
5. For instance conflicting powers and lack of clarity, specifically in the management and use of land, in the preservation and sustainability of forests, and in protecting the environment from pollution. The solid and hazardous waste file is also subordinated to the management of several agencies, including the Ministry of Local Administration and the Ministry of Health.

### Recommendation to Jordan

6. Set mechanisms and instructions to activate Article No. (4) of the Environmental Protection Law of 2017 to ensure that the Ministry of Environment plays its role in monitoring the components of the environment in Jordan, ensuring that they are not imbalanced, managing available resources more efficiently, reducing pollution rates and preventing encroachments.
7. Ensure coordination between different ministries related to the right to healthy environment to ensure efficient work and coordination at the highest level, to preserve the environment to ensure the human right to enjoy it in a healthy, sound, fair, equitable and sustainable way, with an emphasis on the principle of involving local communities in managing their environment and resources and taking all means to achieve this based on the principles of human rights.

## 1. Right to clean and safe water and safe sanitation

8. Jordan is classified as the poorest country in the world in terms of water resources, and with the population increasing naturally or for reasons related to the refugee situation in Jordan, which has increased with the state of instability in the region as a result of the successive revolutions in the Arab countries especially Syria, the crisis has become deeper and the per capita share of water decreased from 135 cubic meters (m<sup>3</sup>) in the years 2013-2016 to 73 m<sup>3</sup> in 2017 and to 61 m<sup>3</sup> in 2023<sup>3</sup>.
9. The World Bank confirms that the water poverty limit is 1000 m<sup>3</sup> per person per year, meaning that Jordan is 8 times lower than the absolute poverty line, or what is called absolute scarcity, which is less than 500 m<sup>3</sup> per year per person<sup>4</sup>.
10. The National Adaptation Plan identified a number of scenarios for successive droughts in the Kingdom and the possibility of a decrease in rainfall by a rate ranging from 20% to 35% at most until the year 2100. This signals major challenge related to the water supply for all sectors with the steady increase in the number of the population, and this will greatly affect the rights of citizens to water, food, a decent standard of living, and the right to work, specifically in the agricultural, tourism and industrial sectors, which may be affected by the scarcity of associated resources. climatic changes, droughts and heat waves<sup>5</sup>,
11. The availability of water for personal and domestic use, and the quality of water, specifically groundwater, and the Covid-19 pandemic created an increasing demand for water, estimated at 10% of the total demand for water. This demand increase prompted the Ministry of Water to search for non-traditional sources through the Water Strategy 2022-2040. However this new strategy is not built on a human rights approach that recognizes the rights of citizens and their right to participate in water decisions and to address the water challenge through the tools of democratic participation. Furthermore, the strategy is completely devoid of any mention of community partnership or civil society in contrast to the previous one, which set clear frameworks for cooperation with civil society.
12. The sewage services to date cover only 68 percent of urban areas, and the rest of the areas depend on traditional use represented by cesspits that affect the health, water and economic status of the citizen, especially in rural and agricultural areas. UNICEF reports have determined that only a third of Jordan's schools are connected to sewage services which makes the subject more difficult for children and violates their health rights<sup>6</sup>.

### Recommendations to Jordan

13. Introduce a water law to seek to increase the per capita share of water and ensure fair distribution of water in implementation of the right to clean water and safe sanitation.



## 2. Right to land and ensuring its sustainable use

14. There is no law specialized in land management in Jordan. There is a system for regulating land use and its amendments No. 6 of 2007 issued under Article No. 6 of the Cities, Villages and Buildings Regulation Law and its amendments No. 79 of the year 1966, and it is a temporary law since it was issued nearly 60 years ago.
15. Compliance with the system is still very weak, in addition to the fact that the land use map, which is the core of the system, has not yet been updated.<sup>7</sup>
16. The Ministry of Agriculture is still not represented in the Supreme Organization Council, which was entrusted with the responsibility of implementing the system, in clear violation of the text of Article 57 of the Jordanian Agriculture Law, which gives the Ministry authority in this matter. Neither does the Ministry of Environment, which also within its law in Article 4 grants the status of control and follow-up, specifically on lands that enjoy important environmental systems.
17. As a clear example of this infringement, in July 2019, the Council of Ministers approved changing the status of the lands located within the borders of the organization along the Jordan Valley region from agricultural lands to commercial lands, with a depth of 40 meters from both sides of the main street, east and west, in addition to the encroachments that affected the reserves, such as the encroachment Fifa Reserve at the beginning of 2020, what will be attached to the Dana Reserve, as a result of the approval of mining activities in 2022.

## 3. Sustainable Waste Management

18. The legislative environment for solid waste in Jordan has developed during the past recent years. The first framework law for waste management No. 16 of 2020 was issued, which can be seen as a law that precedes the Environmental Protection Law and is based on the principle of prevention, the pollutant pays, the principle of prevention, the principle of precaution, and the principle of extended liability.
19. The Ministry of Environment (MoEnv) concerned with the regulatory and policy aspects as well as monitoring of enforcement and compliance with these regulations and Ministry of Local Administration (MOLA) is responsible for the supervision of the municipal functions and providing them with financial support.
20. Up to 90% of the solid waste generated in Jordan (approximately 2.1 million tons) is disposed of at one of the existing 17 operating landfills<sup>8</sup>. The Ghabawi landfill is the only landfill in Jordan that meets international best practices.
21. The proximity of waste dumps to the lands and residences of citizens often causes major violations of health rights resulting from the gases emitted from the burning process, unpleasant odors from waste collection, and the spread of rodents and insects, so that the living space becomes unfit in terms of the requirements that meet environmental and health rights.
22. The solid waste recycling rate stands at 7% and is lower low compared to the average of 10% in the Gulf Cooperation Council (GCC) countries. Other waste types, such as agricultural waste, hazardous waste, medical waste, construction and demolition waste, and electronic waste are

also generated in increasing volumes in Jordan yet with insufficient means of treatment and disposal.

23. In terms of environmental impact, landfill waste is an important component of Jordan's greenhouse gas emissions profile. It contributes 10% of the country's total greenhouse gas emissions.
24. Medical waste or waste generated from health care facilities is also one of the most prominent challenges facing the health and environmental system in Jordan, as these wastes of different types and classifications cause serious dangers to health and the environment, and may sometimes lead to a direct threat to human life, as they may be sharp or polluted materials by virus or bacteria that may be infectious or radioactive and may be remnants of infected or sick human body parts. During Corona pandemic the lack of preparedness for medical waste was evident as this waste doubled during that period to 10 times the daily rate for each patient as well as many cases of the presence of medical waste, consumables, and medical needles in household waste containers or in agricultural and forest lands.

### **Recommendations to Jordan**

25. Establish a control system over the various medical and drug inputs to medical and health facilities and limiting them to records that are updated periodically to estimate the amount of waste generated during a certain period as a matter of control and to ensure that hazardous medical waste is not destroyed as non-hazardous or household waste.
26. Establish preventive procedures to address the problem of the presence of medical or hazardous waste in a household waste container or on land adjacent to the residences alongside corrective measures and remedial actions for violations

## **4. Climate justice**

27. The issue of climate change, which is, as expressed by the Intergovernmental Panel on Climate Change (IPCC)<sup>9</sup>, an inevitability of occurrence and its continuation cannot be stopped, but work must be done to achieve the goal of the Paris Agreement and to stand at a height of 1.5 above pre-industrial levels.
28. Jordan, like the world, lives under great changes in the climate, and in Jordan these changes are represented by temperatures and amounts of precipitation, which constitutes an imminent danger to the natural and human systems in the Kingdom, due to exposure to extreme temperatures, drought, floods, storms and landslides, and these risks are increasing in terms of frequency and the severity over the years due to climate change.
29. Jordan has been affected during the past five years by a number of extreme climatic phenomena and events that affected the human right to life, the right to housing and the human right to adequate food and decent working conditions.
30. At the end of 2018, Jordan was subjected to unexpected flash rains that led to the formation of torrential rains that left behind the death of 21 children. Two female teachers who were swept away by torrential rains in a tourist area during a school trip.

31. Unexpected floods in Amman caused material losses of property estimated at millions in the main commercial market in late February 2019. Recently, torrential rains as a result of monsoon rains on April 10, 2023 claimed the life of a man. The torrential rains swept him hundreds of kilometres away from Wadi Araba, and the search for him continued for eleven days.
32. In a study conducted by the Dibeen Association for Environmental Development on climate change impacts, 28 cases were recorded in which direct losses affected the population greatly, including, for example, a family living in Beit Shaar (Traditional Bedouin tents). Although compensation was provided to the families by the Ministry of Social Development it remained limited given severe flooding events lead to severe damage including affecting the local economy, disrupting transportation, damaging infrastructure, and affecting the agricultural sector.

### **Recommendations to Jordan**

33. Upgrade the climate change system to become a law that guarantees more coordination between all actors and reduces the conflict of powers in order to protect the rights of local communities from the existing consequences of climate change.
34. Use international best practices as a specific standard in order to increase the capacity of the local communities most at risk of torrential rains and floods by creating an early warning system and introducing the necessary improvements to the infrastructure.
35. Improve the legal framework for disaster risk reduction through the creation of an independent fund (for risks) by the government, whose mission is to face climate-related risks, and to compensate for losses and damages. It has direct impacts on the agricultural, tourism and development sectors, and contributes to enhancing the ability to maintain immunity and recovery.
36. Revisit compensation measures provided to populations affected by environmental disasters taking into consideration the economic effects resulting from floods and torrents that exacerbates marginalization, poverty and poor living conditions
37. Establish a system for torrential and flood compensation by the Ministry of Agriculture in compensating farmers addressing the legislative gap that prevents farmers affected by the torrents from obtaining any compensation from the Agricultural Risk Management Fund, which was approved by “Agricultural Risk Management Fund Law No. 5 of 2009”
38. Consider climate justice and impacts of the climate change at the core of addressing economic and social rights and improving living conditions, achieving sustainable human development
39. Prepare a comprehensive local climate action plan for preparedness, confrontation, response to climate change impacts
40. Amend the environmental classification and licensing system and its amendments No. 69 of 2020 to ensure the dissemination of information on project licenses and environmental and social impact assessment studies, ensuring the right to obtain information

## Endnotes

- 1 General Assembly, A/RES/76/300 voting record, <https://digitallibrary.un.org/record/3982659?ln=en>.
- 2 Human Rights Council, The human right to a clean, healthy and sustainable environment, A/HRC/RES/48/13, 18 October 2021, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/289/50/PDF/G2128950.pdf?OpenElement>; UN General Assembly, The human right to a clean, healthy and sustainable environment, A/RES/76/300, 1 August 2022, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/442/77/PDF/N2244277.pdf?OpenElement>.
- 3 according to statements by officials of the Ministry of Water and Irrigation
- 4 According to Falkenmark Index.
- 5 The National Climate Change Adaptation Plan of 2021
- 6 Drinking Water, Sanitation and Hygiene in Schools Global Baseline Report 2018
- 7 State of the Country Report 2019
- 8 <https://www.mdpi.com/2071-1050/14/1/480>
- 9 IPCC, Climate Change 2023: Synthesis Report, <http://www.ipcc.ch/report/ar6/syr/>.