

# COUNTRY REPORT

## IMMIGRATION DETENTION IN

**JORDAN:** DETAINED BY EMPLOYERS,  
LOCKED INSIDE REFUGEE CAMPS,  
PUSHED BACK INTO CONFLICT ZONES

*JULY 2020*



GLOBALDETENTIONPROJECT

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# THE GLOBAL DETENTION PROJECT MISSION

The Global Detention Project (GDP) is a non-profit organisation based in Geneva that promotes the human rights of people who have been detained for reasons related to their non-citizen status. Our mission is:

- To promote the human rights of detained migrants, refugees, and asylum seekers;
- To ensure transparency in the treatment of immigration detainees;
- To reinforce advocacy aimed at reforming detention systems;
- To nurture policy-relevant scholarship on the causes and consequences of migration control policies.

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**Front cover images:** Guards monitor the perimeter fence of Azraq refugee camp, January 2018 © Sueddeutsche Zeitung Photo / Alamy Photo

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## GLOSSARY

<b>CAT</b>	UN Committee against Torture
<b>CRC</b>	UN Committee on the Rights of the Child
<b>GDP</b>	Global Detention Project
<b>GID</b>	General Intelligence Directorate
<b>HRW</b>	Human Rights Watch
<b>IOM</b>	International Organisation for Migration
<b>MOU</b>	Memorandum of Understanding
<b>NCHR</b>	National Centre for Human Rights
<b>PRS</b>	Palestinian refugees from Syria
<b>PSD</b>	Public Security Directorate



## KEY FINDINGS

- Refugees and migrant workers, two significant population groups in Jordan, are vulnerable to various forms of deprivation of liberty, including in secured sections of refugee camps or at the hands of employers.
- Grounds for immigration-related detention in Jordan are framed in law as criminal penalties rather than as administrative proceedings.
- Children of unmarried women migrant workers are not registered with the Civil Status Department, leaving them potentially stateless and without access to health care or education.
- While Jordan has been lauded for receiving large numbers refugees, there are long-standing concerns about the severe restrictions it imposes on thousands of Syrian refugees in camps, which often resemble detention sites, particularly the Azraq camp.
- Like its Arab neighbours, Jordan imposes draconian labour laws that make migrant workers vulnerable to numerous abuses at the hands of their employers, and little access to legal assistance is provided.
- Human rights groups have repeatedly documented arbitrary and punitive treatment of refugees, particularly since 2016, including forced deportations of Syrian refugees into active conflict zones in Syria.
- Observers have described conditions in detention facilities as “generally poor.”



## 1. INTRODUCTION

Throughout its history, the Kingdom of Jordan has witnessed first-hand the impact of successive crises in neighbouring states. Soon after the kingdom's creation in 1921, millions of Palestinians, forcibly displaced from what is now Israel, settled in in the kingdom. More than two million Palestinians continue to reside there—almost 370,000 of whom live in one of 10 recognised Palestinian refugee camps.<sup>1</sup> More recently, new waves of refugees began arriving from Iraq during the Gulf War of 1991 and following the 2003 U.S.-led invasion and occupation of Iraq, as well as Syrians since 2011. Today, the country hosts the second largest population of refugees per capita worldwide.

Although the country has been praised for its role in hosting these waves of refugees, detentions and forced deportations—including into the Syrian conflict zone—as well as poor detention conditions, have been persistent problems, according to human rights groups and refugees. In one report, Human Rights Watch (HRW) documented Jordanian officials summarily expelling Syrians across the border, including collective expulsions of entire families. According to the rights watchdog, those deported were denied the opportunity to challenge their deportation and authorities failed to assess their need for international protection.<sup>2</sup>

Some observers have also argued that conditions in the country's Syrian refugee camps, hastily established to house those fleeing the conflict next door, amount to *de facto* detention due to the restrictions on freedom of movement that are imposed.

Home to more than 76,000 refugees as of January 2020, Zaatari (also Zatari) camp—which opened in July 2012—is one of the largest camps in the Middle East and has become the country's third-largest “city.”<sup>3</sup> When asked if Zaatari should be considered a detention camp, one non-governmental observer told the GDP: “Yes, it's a kind of detention as refugees are not allowed to leave and when they do they are arrested by police and detained in an administrative detention centre before being deported back to the camp.”<sup>4</sup> In 2012, HRW described the facility as a “refugee holding centre without any options for release other than return to Syria,” noting the protection gap between official policies towards Palestinian

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<sup>1</sup> United Nations Relief and Work Agency for Palestine Refugees in the Near East (UNRWA), “Where We Work – Jordan,” <https://www.unrwa.org/where-we-work/jordan>

<sup>2</sup> Human Rights Watch, “Jordan: Syrian Refugees Being Summarily Deported,” 2 October 2017, <https://www.hrw.org/news/2017/10/02/jordan-syrian-refugees-being-summarily-deported>

<sup>3</sup> UN High Commissioner for Refugees (UNHCR), “Jordan – Zaatari Refugee Camp Factsheet, (January 2020),” 31 January 2020, <https://reliefweb.int/report/jordan/zaatari-refugee-camp-factsheet-january-2020>

<sup>4</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

refugees from Syria versus Syrian refugees in Jordan.<sup>5</sup>

To accommodate the growing number of Syrian refugees, a new camp was opened in 2014 in Azraq, some 60 kilometres east of Amman.<sup>6</sup> Mainly housing Syrian refugees who fled the advances of the Islamic State (IS) group in central and eastern Syria after 2013, Azraq is reportedly a highly securitised camp where access is severely restricted due to concerns that it has been infiltrated by Islamic State (IS).<sup>7</sup> Media reports indicate that one part of the camp, called “Village 5,” effectively “locks up” those inside,<sup>8</sup> including children and families. A media account about the camp reported in November 2019: “The camp is split into ‘villages.’ The village-based approach aims to foster a greater sense of ownership and community among residents. But living conditions are tough—temperatures soar to over 40 degrees in the summer and plummet at night. There are no trees, flowers or birds, but rows of temporary metal shelters with only the most basic of facilities. What is meant to be a temporary shelter is becoming the only home ever known for many children living in Village 5.”<sup>9</sup> The economist Richard Davies (*Extreme Economies*, 2020), who has written about the situation in Azraq, compares Village 5 to the restrictive Zaatari camp, saying that “at Zaatari it's kind of young guys with rifles, kind of slung relaxed way around their shoulder. To get into Azraq requires a lot of paperwork; and the guys on the front have got huge kind of submachine-gun, military grade weaponry. So it's not a place you can go for anything more than a short visit.”<sup>10</sup>

Cyber City, another camp near the northern Jordanian city of Ramtha, also resembles a detention facility.<sup>11</sup> While camp residents are granted visits by relatives and NGOs, the only choice to actually permanently leave Cyber City is through returning to Syria. Most of the camp's residents are Palestinian refugees from Syria (PRS), who face legal vulnerabilities as a result of their pre-existing Palestinian refugee status before secondary displacement from Syria after 2011.<sup>12</sup>

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<sup>5</sup> Human Rights Watch (HRW), “Jordan: Bias at the Syrian Border—Palestinians Face Detention, Threat of Forced Return,” 4 July 2012, <https://www.hrw.org/news/2012/07/04/jordan-bias-syrian-border>

<sup>6</sup> P. Beaumont, “Jordan Opens New Syrian Refugee Camp,” *The Guardian*, 30 April 2014, [www.theguardian.com/world/2014/apr/30/jordan-new-syrian-refugee-camp-al-azraq](http://www.theguardian.com/world/2014/apr/30/jordan-new-syrian-refugee-camp-al-azraq)

<sup>7</sup> B. Staton, “Jordan Detains Syrian Refugees in Village 5 Jail,” *The New Humanitarian*, 27 May 2016, <http://www.thenewhumanitarian.org/special-report/2016/05/27/jordan-detains-syrian-refugees-village-5-jail>

<sup>8</sup> Associated Press, “Aid groups: 8,500 Syrians still held in Jordanian no-go camp,” 30 January 2018, <https://apnews.com/5782dcbf32af4fb19f78de317717bd1b>

<sup>9</sup> N. Marris, “Strong Women: ‘We live in a refugee camp and fear for our future – but football gives us hope’,” *Metro.co.uk*, 30 November 2019, <https://metro.co.uk/2019/11/30/strong-women-we-live-in-a-refugee-camp-and-fear-for-our-future-but-football-gives-us-hope-11241375>

<sup>10</sup> EconTalk, “Richard Davies on Extreme Economies,” 9 March 2020, <https://www.econtalk.org/richard-davies-on-extreme-economies/>

<sup>11</sup> R. Eshnaiwer, “Palestinian Refugees from Syria (PRS) in Jordan: The State of Exclusivism, EUI Working Paper RSCAS 2015/91,” *Robert Schumann Centre for Advanced Studies, European University Institute*, November 2015, [http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS\\_2015\\_91.pdf?sequence=1&isAllowed=y](http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS_2015_91.pdf?sequence=1&isAllowed=y)

<sup>12</sup> N. Erekat, “Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement,” *International Journal of Refugee Law* (26), 2014; R. Eshnaiwer, “Palestinian Refugees from Syria (PRS) in Jordan: The State of Exclusivism, EUI Working Paper RSCAS 2015/91,” *Robert Schumann Centre for Advanced Studies, European University Institute*, November 2015, [http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS\\_2015\\_91.pdf?sequence=1&isAllowed=y](http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS_2015_91.pdf?sequence=1&isAllowed=y)



Conditions in these camps—as well as the Palestinian refugee camps established in the wake of 1948 and 1967, which are now dense urban settlements—drew widespread scrutiny during the 2020 Covid-19 crisis. In particular, observers were concerned that their dense living areas would fuel large outbreaks. The lock-down measures that were implemented across the country to contain the virus’s spread were similarly imposed inside the country’s refugee facilities. With no means of leaving the camps, some refugees reported a reduced supply of essential goods and services.<sup>13</sup>

According to UNHCR, as of 31 January 2020, there were 745,673 registered Syrian refugees in the country.<sup>14</sup> Other reports, meanwhile, suggest that the total number of registered and unregistered refugees may be closer to 1.3 million.<sup>15</sup> Sources in Jordan previously said that few Syrians were able to get work permits, with one count placing the number at 6,000 as of 2015.<sup>16</sup> However, more recent reports appear to indicate that the number of Syrians with work permits has grown.<sup>17</sup> Those caught working without authorisation are vulnerable to arrest. EU-Jordanian cooperation designed to support Syrian and vulnerable host communities in Jordan have made some small improvements for Syrian refugees working in the country. However, endemic socio-economic challenges remain that will likely deteriorate as Jordan’s economy continues to struggle—particularly in the wake of the Covid-19 crisis.

Since the 1970s, Jordan has also attracted large numbers of semi-skilled and low-skilled migrant workers filling demand within the agriculture, construction, and service industries. Many of these labourers, particularly those from Asia, are employed in Qualifying Industrial Zones (“QIZ’s”)<sup>18</sup>—large industrial parks operating as special free trade zones in collaboration with Israel that take advantage of the free trade agreements between the United States and Israel.<sup>19</sup> Tens of thousands of foreign nationals—mostly Filipinos, Indonesians, and Sri Lankans—are employed as domestic workers (the government estimates that there are 70,000 migrant domestic workers while non-governmental sources put the number at nearly 100,000).<sup>20</sup> As has been well documented, domestic workers in

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<sup>13</sup> Care International, “Rapid Needs Assessment: Impact of Covid-19 on Vulnerable Populations in Jordan,” 1 April 2020, <https://data2.unhcr.org/en/documents/download/75868>

<sup>14</sup> UN High Commissioner for Refugees (UNHCR), “Operational Update: Jordan, January 2020,” February 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/73847.pdf>

<sup>15</sup> M. Ghazal, “Syrian Refugee Population Increases Slightly Last Year,” *Jordan Times*, 19 February 2018, <http://www.jordantimes.com/news/local/syrian-refugee-population-increases-slightly-last-year>

<sup>16</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

<sup>17</sup> Associated Press, “Aid groups: 8,500 Syrians still held in Jordanian no-go camp,” 30 January 2018, <https://apnews.com/5782dcbf32af4fb19f78de317717bd1b>

<sup>18</sup> A. Al-Wreidat and A. Rababa, “Working Conditions for Migrant Workers in the Qualifying Industrial Zones of the Hashemite Kingdom of Jordan,” *CARIM (Consortium for Applied Research on International Migration)*, October 2011, [cadmus.eui.eu/handle/1814/19884](http://cadmus.eui.eu/handle/1814/19884)

<sup>19</sup> Under the trade agreements with Jordan as laid down by the United States, goods produced in QIZ-notified areas can directly access U.S. markets without tariff or quota restrictions, as long as they contain a small portion of Israeli input. See: A. Al-Wreidat and A. Rababa, “Working Conditions for Migrant Workers in the Qualifying Industrial Zones of the Hashemite Kingdom of Jordan,” *CARIM (Consortium for Applied Research on International Migration)*, October 2011, [cadmus.eui.eu/handle/1814/19884](http://cadmus.eui.eu/handle/1814/19884)

<sup>20</sup> E. Frantz, “Breaking the Isolation: Access to Information and Media among Migrant Domestic Workers in Jordan and Lebanon,” *Open Society Foundations*, 23 February 2014, [www.opensocietyfoundations.org/reports/breaking-isolation](http://www.opensocietyfoundations.org/reports/breaking-isolation)

Jordan, as in neighbouring Gulf states, are a highly exploited social group who face enormous barriers to securing basic rights and are particularly vulnerable to arbitrary arrest and detention stemming from their working environments.<sup>21</sup>

Although the *Kafala* sponsorship system, which binds domestic migrant workers to their designated employers in Gulf states, is not mentioned in Jordanian legislation, in practice the situation does not appear to be significantly different. According to a report on Jordan by the Swiss Agency for Development and Cooperation: “Many migrant workers are subjected to violations of their rights by their employers and recruiters through withholding of passports, restrictions on movement, non-payment of wages, long working hours, unpaid overtime, contract substitution, no days off, threats of imprisonment, and verbal, physical or sexual abuse.”<sup>22</sup>

In addition to authorised workers, Jordan’s Labour Ministry has estimated that several hundred thousand foreigners work in the country without permits.<sup>23</sup> However, such statistics are difficult to verify because reliable data are not maintained regarding foreign workers in the country.<sup>24</sup> Estimates vary wildly, with some reports suggesting that there are as many as 1.5 million foreign workers—both documented and undocumented.<sup>25</sup> This would represent nearly a quarter of Jordan’s total population of 6.5 million.

Not including the country’s “closed” refugee camps, Jordan does not appear to operate specialised immigration detention facilities. Instead, it employs police stations and prisons for such purposes, the conditions of which are reportedly “generally poor.”<sup>26</sup> The number of non-nationals detained in such facilities is also reported to have grown in recent years, particularly in the wake of rising socio-economic demands amongst Jordanian workers and continuing anti-austerity protests. According to one lawyer interviewed by the Global Detention Project, non-Syrian refugees and asylum seekers have been increasingly targeted for working illegally in Jordan since the end of 2018, around the same time as a renewal of anti-austerity protests.<sup>27</sup>

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<sup>21</sup> For more on the situation of domestic workers in Jordan, see: E. Frantz, “Breaking the Isolation: Access to Information and Media among Migrant Domestic Workers in Jordan and Lebanon,” *Open Society Foundations*, 23 February 2014, [www.opensocietyfoundations.org/reports/breaking-isolation](http://www.opensocietyfoundations.org/reports/breaking-isolation); Tamkeen Center for Legal Aid and Human Rights, “Between a Rock and Hard Place: Migrant Workers Caught Between Employers’ Abuse and Poor Implementation of the Law,” October 2012, [http://tamkeen-jo.org/upload/between\\_rock\\_hard\\_place%20\(1\).pdf](http://tamkeen-jo.org/upload/between_rock_hard_place%20(1).pdf)

<sup>22</sup> Swiss Agency for Development and Cooperation (SDC), “Labour Migration in Jordan,” December 2014.

<sup>23</sup> Swiss Agency for Development and Cooperation (SDC), “Labour Migration in Jordan,” December 2014.

<sup>24</sup> See: Tamkeen Center for Legal Aid and Human Rights, “Doubled Alienation: Report on the Migrant Workers Situation in Jordan 2009,” February 2010, [www.tamkeen-jo.org/download/doubled\\_alienation.pdf](http://www.tamkeen-jo.org/download/doubled_alienation.pdf); E. Frantz, “Breaking the Isolation: Access to Information and Media among Migrant Domestic Workers in Jordan and Lebanon,” *Open Society Foundations*, 23 February 2014, [www.opensocietyfoundations.org/reports/breaking-isolation](http://www.opensocietyfoundations.org/reports/breaking-isolation)

<sup>25</sup> Swiss Agency for Development and Cooperation (SDC), “Labour Migration in Jordan,” December 2014.

<sup>26</sup> Freedom House, “Jordan: Profile,” *Freedom in the World 2018*, <https://freedomhouse.org/report/freedom-world/2018/jordan>

<sup>27</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.



## 2. LAWS, POLICIES, PRACTICES

### 2.1 Key norms.

Core pieces of national legislation providing a framework for immigration detention

- Law No. 24 of 1973 on Residence and Foreigners' Affairs
- 1954 Crime Prevention Law

Legal provisions that are relevant to the deprivation of liberty of foreigners for reasons related to their immigration status can be found in two key laws: Law No. 24 of 1973 on Residence and Foreigners' Affairs and the 1954 Crime Prevention Law. In addition, Act No. 9 of 2004 on Prisons and Reinsertion Centres provides some basic procedural guarantees for all prisoners. The Jordanian Constitution also protects individuals on its territory against arbitrary detention and inhuman treatment or torture, equality before the law and non-discrimination as well as personal freedom.<sup>28</sup>

Residency in Jordan is regulated by Law No. 24 of 1973 on Residence and Foreigners' Affairs (last amended by Law. No. 23 of 1987). According to Articles 11 and 12, foreigners entering the kingdom must, within three days of arrival, register with the Directorate of Residence and Foreigners' Affairs, and provide the reason for their presence, the duration of stay, and address (foreigners holding transit and tourist visas are exempted from this requirement), and to notify the authorities of any change in address/residence in the kingdom within 48 hours of such change. Article 15 requires that foreigners submit their passport, equivalent documentation, or any other papers upon request, to the authorities.

### 2.2 Covid-19 response.

Were immigration detainees released during the pandemic?

Unknown

Were prisoners released during the pandemic?

Yes

Soon after the first confirmed case of Covid-19 was announced in Jordan on 2 March 2020, the kingdom introduced strict containment measures to prevent the virus' uncontrolled spread. As well as closing the country's borders, suspending international air travel, and shuttering shops, services, and businesses, authorities introduced a curfew and banned the use of cars (with the exception of health care and essential sector workers.)<sup>29</sup> In the country's densely populated refugee camps—where concerns were high about possible

<sup>28</sup> Articles 8, 6 and 7 of the Hashemite Kingdom of Jordan.

<sup>29</sup> S. Al-Khalidi, "Jordan Lifts Driving Ban as it Eyes Normality After Tight Lockdown," *Reuters*, 29 April 2020, <https://reut.rs/301qY0p>

large-scale outbreaks—temperature screening was introduced at camp entrances, non-food shops were closed, and quarantine and self-isolation units were constructed. Lock-down regulations imposed across the country were similarly applied in the camps, including curfew restrictions and specifications on opening and closing times of essential shops. According to a UNHCR spokesman, electricity supply within Zaatari was increased to allow children to attend online classes.<sup>30</sup>

Amidst concerns that the virus could severely impact people in prison, on 18 March 2020 Jordan's State Security Court released 1,500 pre-trial prisoners who had been arrested for national security offences.<sup>31</sup> Although some Syrian refugees are known to have been arrested and detained on national security grounds (see 2.5 Asylum seekers), the GDP has not been able to determine whether any of those released were people in immigration proceedings. Previously, on 14 March, all visits to prisoners had been suspended until further notice.

As the country began to ease its lockdown in May 2020, authorities announced that they would prioritise the employment of Jordanian citizens. While businesses were given the green light to re-open, according to the country's Labour Minister at least 75 percent of employees of any business wishing to reopen would have to be Jordanian.<sup>32</sup> (In 2019, unemployment in Jordan reached almost 20 percent, and authorities have long sought to protect Jordanian jobs—for instance, by blocking most refugees from working legally.)<sup>33</sup> At the same time, migrant workers in the country were encouraged to leave by 9 May, and told that all fines and fees, including for undocumented migrants, would be waived if they departed in time.<sup>34</sup> This “offer” was again provided by the Ministry of Labour on 25 May, when it urged migrant workers to register for repatriation via a [government website](#).<sup>35</sup> In addition, those that registered were told that they would receive social security payments within 72 hours.<sup>36</sup> The extent to which migrant workers took up this option remained unclear at the time of this report's publication.

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<sup>30</sup> P. Keziah, “Zaatari Camp Quiets Under Curfew as Refugees, Staff Brace for ‘Real Threat’ of COVID-19 Outbreak,” *Jordan Times*, 31 March 2020, <https://bit.ly/3jR59J5>

<sup>31</sup> T. Luck, “Jordan Announces Sweeping New Measures to Combat Coronavirus,” *The National*, 17 March 2020, <https://www.thenational.ae/world/mena/jordan-announces-sweeping-new-measures-to-combat-coronavirus-1.993768>

<sup>32</sup> Roya News, “All Economic Sectors Allowed to Reopen, Even Odd Licence Plate Policy Cancelled Starting Sunday,” 3 May 2020, <https://en.royanews.tv/news/20906/2020-05-03>

<sup>33</sup> M. Vidal, “‘Like a Ship About to Sink’: Refugees in Jordan Voice Pandemic Despair,” *The New Humanitarian*, 14 May 2020, <https://www.thenewhumanitarian.org/feature/2020/05/14/Jordan-coronavirus-refugees>

<sup>34</sup> The New Arab, “Jordan Pressuring Migrants to Leave, Says Post-Coronavirus Jobs will be for ‘Jordanians First,’” 5 May 2020, <https://english.alaraby.co.uk/english/news/2020/5/5/jordan-pressures-migrant-workers-to-leave-amid-coronavirus-pandemic>

<sup>35</sup> Roya News, “For the Second Time, Expatriate Workers in Jordan Allowed to Repatriate with Fees Waived,” 25 May 2020, <https://en.royanews.tv/news/21101/For-the-second-time--expatriate-workers-in-jordan-allowed-to-repatriate-with-fees-waived>

<sup>36</sup> S. Almasri, “Daily-wage Migrant Workers and Government Covid-19 Responses in Jordan,” *Routed Magazine*, 20 June 2020, <https://www.routedmagazine.com/covid-19-jordan>

## 2.3 Grounds for administrative migration-related detention.

Are grounds for administrative migration-related detention provided in law?	No
Are there reports of arbitrary migration-related detention?	Yes

Grounds for migration-related detention in Jordan are framed in law as punitive measures rather than as administrative proceedings. “Administrative immigration detention” is generally understood to be a procedure, prescribed in law, that is intended to ensure the completion of other migration-related objectives like deportation, asylum assessment, prevention of unauthorised entry, among others. In Jordan, however, immigration infractions are penalised by fines and/or prison sentences, potentially making immigration detention outside of a criminal procedure arbitrary in nature (see 2.4 Criminalisation).

Article 31 of the 1973 Residence Law provides for the expulsion (in addition to fines or imprisonment) of any non-citizen who has entered Jordan without a valid passport/visa or illegally entered the country through an unauthorised port of entry (Articles 4-5 of the Residence Law). The law provides that people who have allegedly violated these provisions can be “arrested without further notice and ... be brought before the administrative authority which may either order his expulsion or recommend the Minister to grant him a residence permit or yet refer him to a Justice of the Peace.”

Article 37 of the same law grants the Interior Ministry the authority to expel any foreigner based on the recommendation of the Director of Public Security. A foreigner expelled in this manner may only re-enter the Kingdom if they receive special permission from the Interior Ministry. However, it is unclear whether detention is ordered prior to the expulsion under this provision as the law does not specify this.

Reportedly, most migrant workers are detained because their residency permits have expired. Although the employment contracts of many workers in Jordan are for two years, residency permits are only granted for one year. Thus, if an employer chooses not to renew the residency permit, the worker falls out of status. According to [Tamkeen](#), some employers fail to renew the permit, sometimes to avoid additional fees and bureaucratic hurdles, sometimes as a means of exerting control over the worker. They also note that many domestic workers face confinement in the home as well as poor living conditions.<sup>37</sup> A 2012 Tamkeen report states: “An irregular migrant worker who breaches the Residency Law might be arrested and sent to detention for an extended period of time because of his inability to cover the residency overstay fine. A decision of deportation might be issued against the worker. He might be arrested in the detention centre until carrying out the decision. The worker may be kept in detention for months, and sometimes for more than one year, making it hard to provide these workers with air tickets.”<sup>38</sup>

A more recent Tamkeen report (2019) says many people are also detained after their employers notify authorities that they have left their job, a practice that Tamkeen refers to as

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<sup>37</sup> Linda AlKalash, (Tamkeen), Interview by Parastou Hassouri (Global Detention Project), Amman, Jordan, 2013.

<sup>38</sup> Tamkeen Center for Legal Aid and Human Rights, “Between a Rock and Hard Place: Migrant Workers Caught Between Employers’ Abuse and Poor Implementation of the Law,” October 2012, <https://bit.ly/2P1uemg>



“arbitrary” and which “constitutes an unlawful deprivation of liberty.”<sup>39</sup> This is a long-standing problem in Jordan. In 2013, a lawyer at the Al-Adaleh Center for Human Rights Studies told the Global Detention Project that his organisation had worked on a number of cases in which domestic workers have been detained after an employer filed a report with the police claiming that they had “absconded.”<sup>40</sup> He said that some employers also added theft charges to their reports in order to persuade the police to be more actively involved in their case. However, he said that in his experience many of the charges were found to be spurious. In an “informal” study of cases, the lawyer found that of 38 cases where an employer had accused a worker of theft, 31 employers withdrew charges after the Al-Adaleh Center got involved. He also stated that most of the cases of migration-related detention he had witnessed were for the reason of changing jobs illegally (working for an employer who is not one’s original sponsor) or violating residency status.<sup>41</sup>

## 2.4 Criminalisation.

Does the country impose punitive measures for migration-related violations?	Yes
Can migration-related infractions be penalised with imprisonment?	Yes

Article 5 of the 1973 Residence Law explicitly criminalises irregular entry into Jordan through unauthorised ports of entry. Persons found to have entered irregularly may thus be punished with deportation. Non-nationals may also be criminalised as a result of their status in the country, or because of punitive steps taken by their employer or employment agent. Non-nationals held in detention, for being “without legal work or residency permits, or [after being] charged with other crimes,” are detained alongside citizens in criminal facilities.<sup>42</sup> (See also section 2.3 Grounds for detention.)

Chapter 5 of the 1973 Law on Residence and Foreigners’ Affairs provides criminal penalties for relevant violations of the law. Article 31 states that any person who enters the kingdom in violation of Article 4 (requiring all foreigners to hold valid passports or travel documents and visas) or Article 5 (requiring all foreigners to enter and exit via recognised ports of entry/exit whether by land, sea, or air) shall be arrested, and may be liable to a term of imprisonment between one and six months, or to a fine between 10 and 50 JOD (approximately 13 to 64 EUR)—or to both penalties.<sup>43</sup>

Article 34 of the Residence Law imposes overstay fees on anyone remaining in the kingdom (even if they entered legally). Lastly, a catch-all provision in Article 36 provides that “any violation of the provisions of this Law for which no specific penalty is prescribed shall be

<sup>39</sup> See: Tamkeen, “Access to Justice for Refugee and Migrant Workers,” 2019, [http://tamkeen-jo.org/upload/access\\_to\\_justice.pdf](http://tamkeen-jo.org/upload/access_to_justice.pdf)

<sup>40</sup> Hussein Al-Omari (Al-Adaleh Center for Human Rights Studies), Interview with Parastou Hassouri (Global Detention Project), Amman, Jordan, 25 November 2013.

<sup>41</sup> Hussein Al-Omari (Al-Adaleh Center for Human Rights Studies), Interview with Parastou Hassouri (Global Detention Project), Amman, Jordan, 25 November 2013.

<sup>42</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>43</sup> Article 153 of Jordan’s Penal Law No. 16 of 1960, Article 153, also provides imprisonment for a minimum of three months for illegal entry/exit to/from Jordan.

punished by imprisonment for a term of between one week and one month or by a fine of not less than 10 dinars, or by both penalties.”

The Crime Prevention Law provides that authorities can order the detention of an individual if they have sufficient reason to believe that the person has committed a crime or is planning to commit a crime. In practice, this means that individuals who cannot be removed from Jordan due to outstanding visa overstay fees, a lack of diplomatic relations with the sending country, or the refusal of return to the sending country, may be detained indefinitely.

Reports from nearly a decade ago indicate that the application of punitive measures can be waived at the discretion of the executive. According to a 2012 U.S. State Department report: “In 2012 the prime minister authorized the government to temporarily lift fines and other legal barriers that had prevented migrant domestic workers sheltering at their embassies and in detention centres from returning to their countries of origin. On July 11, the Ministry of Interior issued instructions to facilitate the repatriation of domestic workers. Authorities repatriated approximately 1,500 domestic workers, many of whom were judged by local and international human rights organizations to have been working under conditions indicative of forced labour.”<sup>44</sup>

## 2.5 Asylum seekers.

Is the right to asylum enshrined in domestic law?	No
Is UNHCR permitted to operate in the country?	Yes
Are there reports of refugees and asylum seekers being detained?	Yes
Are there reports of refugees and asylum seekers being denied entry to the country?	Yes

Jordan is not a signatory to the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol, and there is no domestic legislation or a formal system of granting asylum and providing protection to refugees. However, by virtue of a 1998 Memorandum of Understanding (MoU), UNHCR operates in Jordan and Jordanian authorities respect UNHCR eligibility determinations regarding asylum seekers.

Recognised refugees are granted six-month residency permits, which are renewable. In theory, however, and pursuant to the MoU, UNHCR should find a durable situation for each refugee within six months of their recognition. Registration does not, however, provide refugees with the right to employment, and most refugees do not apply for work permits due to bureaucratic hurdles and the expense involved, or because they fear it may impact their registration status with UNHCR.<sup>45</sup> Although the government generally tolerates those working in the informal economy without authorisation, refugees without permits can be arrested. Steps have been taken to improve Syrians’ access to work permits, with EU backing. However, Refugees International reported in 2018 that the economic situation for

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<sup>44</sup> U.S. State Department, Bureau of Democracy, Human Rights and Labor, “Country Reports on Human Rights Practices for 2013: Jordan,” [www.state.gov/j/drl/rls/hrrpt/humanrightsreport](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport)

<sup>45</sup> S. Razzaz, “A Challenging Market Becomes More Challenging: Jordanian Workers, Migrant Workers and Refugees in the Jordanian Labour Market,” *International Labour Organization*, 2017, <https://bit.ly/39z4Hdn>

refugees displaced by the Syrian conflict (and other displaced communities in Jordan) was “bleak and in many ways worsening.”<sup>46</sup>

In general, the Jordanian government has not forced recognised refugees to return to countries they have fled (with the exception of those expelled for national security reasons, a practice that—in the case of Syrian refugees—has gone on for years but spiked between 2016 and 2017). There have been several reports of refugees being denied entry at Jordan’s borders, or being turned back after an initial screening, especially Palestinians fleeing Syria for Jordan, single men, and those lacking proper identification documents (again, a practice in contravention to international law principles governing the treatment of refugees).<sup>47</sup> Although the exact numbers of those turned back at the border is not known, it appears to happen regularly.<sup>48</sup> Jordan’s major border crossing with Syria, Jaber-Naseeb, was closed for several years until October 2018.

Given the country’s proximity to the Syrian conflict, as well as a series of IS attacks on Jordanian soil in recent years, Syrians are particularly vulnerable to detention and deportation on supposed national security grounds. Between 2016 and 2017, rights groups, journalists, and activists observed a significant uptick in the number of Syrians being detained and deported—often under the watch of the Jordanian intelligence and under the pretext of “security.” Some deportees, for example, were accused of communicating with IS militants.<sup>49</sup>

Perhaps the most extant documentation of these deportations can be found in HRW’s 2017 report, “‘I Have No Idea Why They Sent Us Back’: Jordanian Deportations and Expulsions of Syrian Refugees,” which found that in the first five months of 2017, “Jordanian authorities were deporting about 400 registered Syrian refugees per month, in addition to about 300 unorganised returns of registered refugees per month that appeared to be voluntary.”<sup>50</sup> A further 500 refugees per month were estimated to be returning, “with little known about the circumstances of their return.” The speed and secrecy with which depositions took place made documenting them harder. According to one Syrian journalist working in Amman, deportations at the time tended to “occur relatively quickly, often less than 24 hours after the person [had been] apprehended.”<sup>51</sup> Deportees would often pass through the Raba a-Serhan transfer facility close to the Syrian-Jordanian border crossing at Jaber-Naseeb before being sent back into Syria.

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<sup>46</sup> I. Leghtas, “Out of Reach: Legal Work Still Inaccessible to Refugees in Jordan,” *Refugees International*, September 2018, <https://bit.ly/2Yt2LOp>

<sup>47</sup> According to a Human Rights Watch submission to Periodic Review in 2013: “Jordanian officials reject asylum seekers and refugees who lack Syrian nationality, such as long-term Palestinian residents of Syria, at the border, as well as almost all single men of military age, in violation of the customary international law principle of *non-refoulement*.” See: Human Rights Watch (HRW), “Jordan: UPR Submission September 2013,” 30 September 2013, <https://www.hrw.org/news/2013/09/30/jordan-upr-submission-september-2013>

<sup>48</sup> Human Rights Watch (HRW), “Jordan: Obama Should Press King on Asylum Seeker Pushbacks,” 21 March 2013, [www.hrw.org/news/2013/03/21/jordan-obama-should-press-king-asylum-seeker-pushbacks](http://www.hrw.org/news/2013/03/21/jordan-obama-should-press-king-asylum-seeker-pushbacks)

<sup>49</sup> A. Su, “Why Jordan is Deporting Syrian Refugees,” *The Atlantic*, 20 October 2017, <https://www.theatlantic.com/international/archive/2017/10/jordan-syrian-refugees-deportation/543057/>

<sup>50</sup> Human Rights Watch (HRW), “‘I Have No Idea Why They Sent Us Back’: Jordanian Deportations and Expulsions of Syrian Refugees,” 2 October 2017, <https://bit.ly/3JK7Me>

<sup>51</sup> P. Molnar, “Discretion to Deport: Intersections between Health and Detention of Syrian Refugees in Jordan,” *Refuge* (33), 2017, <https://refuge.journals.yorku.ca/index.php/refuge/article/viewFile/40401/36454>

The number of deportations appears to have decreased more recently, but they are still ongoing. But fear of forcible returns among Syrian communities in Jordan remains very real—the closure of a school in Zaatari camp, or redundancies in an NGO elsewhere, can be enough to spark rumour and speculation among Syrian refugees that INGOs in Amman are preparing to abandon them.

In recent years, the number of refugees and asylum seekers to be detained has reportedly increased. This uptick has coincided with growing socio-economic frustrations. According to one lawyer, non-Syrian refugees and asylum seekers have been increasingly targeted for working illegally in Jordan since the end of 2018, around the same time as a renewal of anti-austerity protests.<sup>52</sup> Those registered with UNHCR are generally released following coordination between authorities and the UN refugee agency, however migrants and unregistered asylum seekers remain vulnerable to deportation.

## 2.6 Children.

Does migration law provide specific detention measures for children?	No
Are there reports of children being placed in migration detention?	Yes
Number of detained children	Unknown

There are few reports detailing *de facto* migration-related detention of children in Jordan, particularly in refugee camps. Additionally, although unaccompanied and separated minors are registered with UNHCR as “persons of concern,” the refugee agency does not provide statistics on this issue. Nevertheless, it is clear that children and families are deprived of their liberty in places like “Village 5” in the Azraq camp (see the “Introduction” for more details).

According to a 2016 Human Rights Watch report, “Jordanian police have also arrested Syrian refugee children. At one point in 2015, an NGO worker said, a centre for unaccompanied children in one refugee camp had 130 children who had been transferred there without their families for working without permits.”

Despite the lack of information, rights watchdogs have expressed concern regarding the vulnerability of children to forms of immigration detention. For instance, in its 2014 report on Jordan, the UN Committee on the Rights of the Child (CRC) stated that authorities in Jordan acknowledged that child victims of trafficking “might be placed in detention facilities owing to a lack of available shelter.” The CRC urged Jordan to “ensure that no child victims are placed in detention facilities but that they are provided with comprehensive protective and rehabilitation services, including adequate shelter.”<sup>53</sup>

Jordan uses shelters that operate under the auspices of the Ministry of Local Development

<sup>52</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.

<sup>53</sup> UN Committee on the Rights of the Child (CRC), “Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Jordan, CRC/C/JOR/CO/4-5,” 8 July 2014, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/JOR/CO/4-5&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/JOR/CO/4-5&Lang=En)

for detaining minors.<sup>54</sup> The ministry operates separate shelters for boys and girls, under the age of 18.

According to an Amnesty International report, in September 2018, the government cancelled the requirement of five years' interrupted residence for women married to non-Jordanians as a condition for their children to access certain rights and benefits such as, education, health care and employment.<sup>55</sup> However, in another Amnesty International report, the organisation reported that children of unmarried women will not be registered with the Civil Status Department, where parents must go to register their child's birth. An unregistered child will therefore face many barriers to his or her rights in Jordan such as the ability to access health care or education, and once older, will struggle to access jobs. In effect, the child will also be left stateless.<sup>56</sup>

## 2.7 Other vulnerable groups.

Does migration law provide specific detention measures for other vulnerable groups?	Yes
Are there reports of vulnerable groups being placed in migration detention?	Yes

**2.7a Victims of trafficking.** In 2009, the Jordanian government outlawed trafficking when it introduced its Anti-Trafficking Law — Article 12 of which proscribes protection from “criminalization of trafficked persons for offences committed in relation to or induced by their status as victims of trafficking.”<sup>57</sup> However, a lack of sufficient resources and training has hindered identification, and many victims of trafficking have thus remained vulnerable to detention for acts committed as a direct result of their being trafficked.<sup>58</sup> According to the U.S. State Department's 2018 Trafficking in Persons Report (“TIP Report”) on Jordan: “Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. 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.”<sup>59</sup>

In early 2016 the Special Rapporteur on trafficking in persons, especially women and children, visited Jordan in order to “examine the prevalent forms of trafficking in persons in

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<sup>54</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.

<sup>55</sup> Amnesty International, “Human Rights in the Middle East and North Africa: Review of 2018: Jordan,” 26 February 2019, <https://bit.ly/335aW7T>

<sup>56</sup> Amnesty International, “Imprisoned Women, Stolen Children: Policing Sex, Marriage and Pregnancy in Jordan,” 2019, <https://bit.ly/335aW7T>

<sup>57</sup> UN Human Rights Council (HRC), “Report of the Special Rapporteur Trafficking in Persons, Especially Women and Children, on her Mission to Jordan, A/HRC/32/41/Add.1,” 8 June 2016, <https://reliefweb.int/report/jordan/report-special-rapporteur-trafficking-persons-especially-women-and-children-her>

<sup>58</sup> U.S. State Department, “Jordan: 2018 Trafficking in Persons Report,” <https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>

<sup>59</sup> U.S. State Department, “Jordan: 2018 Trafficking in Persons Report,” <https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>



the country and to assess the effectiveness of measures taken.”<sup>60</sup> Her subsequent report raised various concerns, such as the fact that the criminalisation of victims remained a significant issue, and impacted victims’ willingness to report trafficking crimes in Jordan. She also drew particular attention to government-administered shelters for victims of trafficking, including the [Karama shelter](#) (in eastern Amman), where victims have restricted freedom of movement and can only leave the shelters if they are accompanied by police officers. The Special Rapporteur stated that “in effect, such shelters are equivalent to detention centres and protection measures result in further violations of victims’ human rights.”<sup>61</sup> A lawyer speaking to the GDP, however, argued otherwise, explaining that such restrictions were designed to provide “security protection” for victims of trafficking (or women fleeing domestic violence, for example) from perpetrators, “which is the need for these cases.”<sup>62</sup>

**2.7b Migrant workers.** Jordan relies upon large numbers of migrant workers, many of whom are employed in construction, agriculture, textiles, and domestic work. Many are, however, undocumented. According to observers, there are no reliable statistics on foreign workers in the country,<sup>63</sup> and some reports estimate that there are as many as 1.5 million foreign workers—both documented and undocumented—in the country.<sup>64</sup>

Although Jordanian legislation does not speak of the *Kafala* system, in practice the situation does not appear to be significantly different. A sponsorship system (codified in Law No. 24 on Residence and Foreigners’ Affairs) binds foreign workers to their designated employers, denying workers the ability to change their job without explicit written permission from their employer.

According to a 2019 Tamkeen report, there are factors that may result in workers becoming irregular in the Jordanian market such as the non-renewal of residency permits by employers. In 2017, 99 workers submitted complaints about this particular violation. Permits are usually issued on an annual basis for migrant workers, whereas most employment contracts last two years. In effect, this means that many workers shift from having a regular status to having an irregular status, especially in cases where employers neglect or refuse to renew permits.<sup>65</sup>

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<sup>60</sup> UN Human Rights Council (HRC), “Report of the Special Rapporteur Trafficking in Persons, Especially Women and Children, on her Mission to Jordan, A/HRC/32/41/Add.1,” 8 June 2016, <https://reliefweb.int/report/jordan/report-special-rapporteur-trafficking-persons-especially-women-and-children-her>

<sup>61</sup> UN Human Rights Council (HRC), “Report of the Special Rapporteur Trafficking in Persons, Especially Women and Children, on her Mission to Jordan, A/HRC/32/41/Add.1,” 8 June 2016, <https://reliefweb.int/report/jordan/report-special-rapporteur-trafficking-persons-especially-women-and-children-her>

<sup>62</sup> Souzan Mohareb (ARDD), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.

<sup>63</sup> See: Tamkeen Center for Legal Aid and Human Rights, “Doubled Alienation: Report on the Migrant Workers Situation in Jordan 2009,” February 2010, [www.tamkeen-jo.org/download/doubled\\_alienation.pdf](http://www.tamkeen-jo.org/download/doubled_alienation.pdf); E. Frantz, “Breaking the Isolation: Access to Information and Media among Migrant Domestic Workers in Jordan and Lebanon,” *Open Society Foundations*, 23 February 2014, [www.opensocietyfoundations.org/reports/breaking-isolation](http://www.opensocietyfoundations.org/reports/breaking-isolation)

<sup>64</sup> Swiss Agency for Development and Cooperation (SDC), “Labour Migration in Jordan,” December 2014; Jordan Times, “Million Illegal Guest Workers in Jordan — Ministry,” 5 February 2017, <http://www.jordantimes.com/news/local/million-illegal-guest-workers-jordan-%E2%80%94-ministry>; S. Razzaz, “A Challenging Market Becomes More Challenging: Jordanian Workers, Migrant Workers and Refugees in the Jordanian Labour Market,” *International Labour Organization*, 2017, [https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_556931.pdf](https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_556931.pdf)

<sup>65</sup> Tamkeen, “Access to Justice for Refugee and Migrant Workers,” 2019, p.102, [http://tamkeen-jo.org/upload/access\\_to\\_justice.pdf](http://tamkeen-jo.org/upload/access_to_justice.pdf).

Previously, in 2012 Tamkeen, in its publication *Between a Rock and Hard Place: Migrant Workers Caught Between Employers Abuse and Poor Implementation of the Law*, reported: “The Police Station will detain any migrant worker whose employer has reported that he has left the work. This practice is an arbitrary and illegal deprivation of liberty. Having the worker leave the work before the end of the agreed contractual period is not a crime, and the migrant worker should not be detained.”<sup>66</sup>

The sponsorship system also leaves foreign workers confronting detention and deportation if their employer files a complaint against them (even if the complaint is false),<sup>67</sup> and facing inadequate access to legal recourse when they encounter abuse, thereby placing a significant amount of power in the hands of employers and recruitment agencies.

In 2016, the UN Special Rapporteur on trafficking commented that the sponsorship system actually contributed to people trafficking by “binding migrant workers to their employers through residency and work permits for legal stay in Jordan.”<sup>68</sup> Similarly, according to the UN Committee on the Elimination of Racial Discrimination (CERD), this “excessive control over foreign migrant workers” leaves workers “vulnerable to trafficking, abuse and exploitative working conditions, with little recourse.”<sup>69</sup>

Jordan has purportedly taken some positive steps with the aim to “combat human trafficking and improve occupational safety,” however these have done little to better protect migrant workers in the country.<sup>70</sup> Despite these changes, migrant workers “continued to be inadequately protected from abuse by their employers and agents, and remained at risk of arbitrary detention by the state.”<sup>71</sup>

Reportedly, Egyptian migrant workers—of which there are large numbers working in construction and agriculture—face particular vulnerabilities in Jordan. Indeed, according to Tamkeen, they are frequently detained as a result of contractual disputes with their employers, which can lead to the loss of permission to reside in Jordan and thus a form of immigration-related detention: “When an Egyptian worker is found working in a profession or for an employer other than the one mentioned in his work permit, or working without a work

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<sup>66</sup> Tamkeen Center for Legal Aid and Human Rights, “Between a Rock and Hard Place: Migrant Workers Caught Between Employers’ Abuse and Poor Implementation of the Law,” October 2012, [http://tamkeen-jo.org/upload/between\\_rock\\_hard\\_place%20\(1\).pdf](http://tamkeen-jo.org/upload/between_rock_hard_place%20(1).pdf)

<sup>67</sup> Tamkeen Center for Legal Aid and Human Rights, “Between a Rock and Hard Place: Migrant Workers Caught Between Employers’ Abuse and Poor Implementation of the Law,” October 2012, [http://tamkeen-jo.org/upload/between\\_rock\\_hard\\_place%20\(1\).pdf](http://tamkeen-jo.org/upload/between_rock_hard_place%20(1).pdf)

<sup>68</sup> UN Human Rights Council (HRC), “Report of the Special Rapporteur Trafficking in Persons, Especially Women and Children, on her Mission to Jordan, A/HRC/32/41/Add.1,” 8 June 2016, <https://reliefweb.int/report/jordan/report-special-rapporteur-trafficking-persons-especially-women-and-children-her>

<sup>69</sup> UN Committee on the Elimination of Racial Discrimination (CERD), “Concluding Observations on the Combined Eighteenth to Twentieth Periodic Reports of Jordan, CERD/C/JOR/CO/18-20,” 26 December 2017, <https://bit.ly/2RoYycS>

<sup>70</sup> Amnesty International (AI), “Human Rights in the Middle East and North Africa: Review of 2018—Jordan, MDE16/9908/2019,” 26 February 2019, <https://www.amnesty.org/download/Documents/MDE1699082019ENGLISH.pdf>; U.S. State Department, “2017 Trafficking in Persons Report - Jordan,” 27 June 2017, <https://www.refworld.org/docid/5959eca.html>

<sup>71</sup> Amnesty International (AI), “Human Rights in the Middle East and North Africa: Review of 2018—Jordan,” MDE16/9908/2019, 26 February 2019, <https://www.amnesty.org/download/Documents/MDE1699082019ENGLISH.pdf>

permit, he is detained until the issuance of a deportation decision. After the issuance of the deportation decision, the worker is kept under detention until the decision is carried out.”<sup>72</sup> After a deportation decision has been issued, Egyptian migrant workers due to be deported are usually removed from Jordan on a public ferry from the southern port city of Aqaba, across the Red Sea to Egypt.

In November 2014, a Magistrates Court Judge in Amman ruled that an Egyptian guest worker whose permit had been terminated by his employer had been wrongfully placed in immigration detention and must be compensated for financial and psychological damages. The worker had been locked up in a detention cell at the South Amman Police Station for 70 days and then placed in the Jweideh Prison for an additional 13 months as he awaited deportation. According to the Jordan Times, he was only released after going on a hunger strike.<sup>73</sup>

In her ground-breaking ruling, which was later upheld in an early 2015 ruling by the Court of Appeals, the judge found that the guest worker had been arbitrarily detained and that his treatment violated the [International Covenant on Civil and Political Rights \(ICCPR\)](#) and the [UN Convention against Torture](#). Commenting on the ruling, the director of the [Tamkeen for Legal Aid and Human Rights](#), which had represented the guest worker, said: “This verdict is the first of its kind in the region, not just Jordan.”<sup>74</sup>

Egyptians working in construction are among the most vulnerable of Egyptian migrants in Jordan, “with the least job and wage security,” meaning that it can be hard to afford (and therefore renew) work permits necessary to remain legally in Jordan.<sup>75</sup> This again leaves them vulnerable to deprivation of liberty and possible deportation. Many others, meanwhile, face insecure—and often unsafe—working conditions: reports of Egyptian workers being injured at work (or even dying) and facing discrimination or abuse at the hands of Jordanian employers are not uncommon.<sup>76</sup> In 2015, a video emerged of a Jordanian MP’s staff beating an Egyptian waiter in a restaurant, seemingly illustrating the challenged Egyptian workers face in Jordan.<sup>77</sup>

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<sup>72</sup> Tamkeen Center for Legal Aid and Human Rights, “Between a Rock and Hard Place: Migrant Workers Caught Between Employers’ Abuse and Poor Implementation of the Law,” October 2012, [http://tamkeen-jo.org/upload/between\\_rock\\_hard\\_place%20\(1\).pdf](http://tamkeen-jo.org/upload/between_rock_hard_place%20(1).pdf)

<sup>73</sup> L. Azzeh, “Egyptian Guest Worker Wins Lawsuit Against Public Institutions for ‘Arbitrary Detention’,” *Jordan Times*, 2 November 2014, [jordantimes.com/egyptian-guest-worker-wins-lawsuit-against-public-institutions-for-arbitrary-detention](http://jordantimes.com/egyptian-guest-worker-wins-lawsuit-against-public-institutions-for-arbitrary-detention)

<sup>74</sup> L. Azzeh, “Egyptian Guest Worker Wins Lawsuit Against Public Institutions for ‘Arbitrary Detention’,” *Jordan Times*, 2 November 2014, [jordantimes.com/egyptian-guest-worker-wins-lawsuit-against-public-institutions-for-arbitrary-detention](http://jordantimes.com/egyptian-guest-worker-wins-lawsuit-against-public-institutions-for-arbitrary-detention)

<sup>75</sup> A. Al-Shuqairi, “What Egyptian Day Workers in Jordan Face, Just to Make a Living,” *7iber*, 6 May 2019, <https://www.7iber.com/society/what-egyptian-day-workers-face-just-to-make-a-living/>

<sup>76</sup> Ammon News, “الشمالية الاغوار في آخر واصابة مصري عامل وفاة,” 31 January 2018, <http://www.ammonnews.net/article/353413>; E. Al-Natour, “The Inhumane Conditions Egyptian Workers Experience in Jordan,” *Raseef22*, 18 February 2018, <https://raseef22.com/article/1071348-the-inhumane-conditions-egyptian-workers-experience-in-jordan>

<sup>77</sup> O. Obeidat and M. Ghazal, “Jordanians React with Anger as MP’s Escorts Assault of Egyptian Worker Caught on Video,” *Jordan Times*, 5 October 2015, <http://www.jordantimes.com/news/local/jordanians-react-anger-mp%E2%80%99s-escorts-assault-egyptian-worker-caught-video>; E. Meerman, “Video of Jordanian MP Beating an Egyptian Waiter in Aqaba Stirs Outrage,” *Egyptian Streets*, 5 October 2015, <https://egyptianstreets.com/2015/10/05/video-of-jordanian-mp-beating-an-egyptian-waiter-in-aqaba-stirs-outrage/>

In 2016, the Labour Ministry estimated that 170,000 Egyptian migrants were working legally in Jordan, with most working in either agriculture or construction.<sup>78</sup> According to Jordan's Labour Ministry, by the end of 2014, there were nearly 325,000 migrant workers with labour permits, 62 percent of whom were Egyptian.<sup>79</sup> Many send home what they can from meagre pay packets to support their families back in Egypt.<sup>80</sup>

Migrant domestic workers, many of whom originate from the Philippines, [Indonesia](#), and Sri Lanka, are also particularly vulnerable in Jordan. The Special Rapporteur on violence against women highlighted the connection between the inability to pay return tickets and extended stays in detention in 2012: "For the women, obstacles to their return include having to pay over-stay fines for each day they remained in the country without residency status, and securing funds to pay for their return flight. Although they are entitled to a ticket paid by their employers, this is only the case after they complete two years of service, and even in those cases, employers do not always comply with this responsibility. When the Special Rapporteur visited the Juweidah Centre, there were 77 foreign women in detention, most of them domestic workers who had fled their jobs, whose employers were refusing to pay for their return home, and whose embassies were reluctant to assist."<sup>81</sup>

In 2017, the UN Committee on the Elimination of Discrimination against Women reiterated the concerns about the continued confiscation of passports, stating: "The Committee welcomes the measures adopted by the State party to protect the rights of women migrant domestic workers, such as issuing unified standard contracts, placing such workers under the provisions of the Labour Code. ... The Committee is concerned, however, about the fact that these measures have proved insufficient to ensure respect for the human rights of women migrant domestic workers, as evidenced by their high exposure to economic and physical abuse and exploitation and the persistence of practices such as the confiscation of passports by employers and the maintenance of the kafalah system, which further increase their risk of exploitation and make it difficult for them to leave abusive employers."<sup>82</sup>

Also in 2017, the UN Human Rights Committee reported that it "remains concerned about allegations that employers withhold passports and salaries and restrict the freedoms of employees and that the authorities detain undocumented migrant workers for prolonged periods before bringing them before a competent judicial authority."<sup>83</sup>

According to a 2019 Amnesty International report, women in Jordan may be imprisoned for a

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<sup>78</sup> Ministry of Labour, "Annual Report 2016," <http://www.mol.gov.jo/Echobusv3.0/SystemAssets/PDFs/AR/Annual%20reports/2016.pdf>; E. Al Nour, "Where Do The Egyptian Workers Live in Jordan?" *Ethical Journalism Network*, 11 February 2018, <https://ethicaljournalismnetwork.org/egyptian-workers-jordan>

<sup>79</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

<sup>80</sup> E. Al-Natour and H. Da'na, "The Makeshift Houses of Egyptian Workers in Jordan," *7iber*, 13 April 2016, <https://www.7iber.com/society/the-makeshift-houses-of-egyptian-laborers-in-jordan/>

<sup>81</sup> UN Special Rapporteur on Violence Against Women, "Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Rashida Manjoo. Addendum. Mission to Jordan, A/HRC/20/16/Add.1," 14 May 2012, [www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx)

<sup>82</sup> UN Committee on the Elimination of Discrimination against Women, "Concluding observations on the sixth periodic report of Jordan," 9 March 2017, <https://www.refworld.org/docid/596f495b4.html>

<sup>83</sup> UN Human Rights Committee (HRC), "Concluding observations on the fifth periodic report of Jordan," 4 December 2017, <https://bit.ly/39viimh>

number of reasons. They found that 12 women in detention in Juweideh prison said they had been detained after they left their homes and their guardians had complained that they were “absent from home” without permission. Ten women said they had had been held for three months, including four who said they had been detained for six months and one woman said she had been detained for four years.<sup>84</sup> Other women at the Juweideh prison were held in detention because they were believed to have run away with a man they were not married to or did not have a guardian’s approval to marry.<sup>85</sup> Jordanian legislation also provides for detention for sexual relations outside marriage. In Jordan, women accused of premarital and extramarital sex are at risk of being prosecuted and detained for the crime of *Zina* under the penal code or placed in detention on the orders of a governor. Amnesty researchers met five women held in Juweideh prison who said they were detained in relation to alleged sex or pregnancy outside marriage. In certain cases, women appeared to be in detention while their male guardian decided whether they wanted to submit a complaint required for authorities to pursue a criminal prosecution.<sup>86</sup> Migrant domestic workers are also at risk of detention for *Zina*. This was the case of a Bangladeshi domestic worker who was held in detention as she was pregnant while working in a household. She was told that she would only be released if the father would marry her.<sup>87</sup>

Access to justice can be limited. The UN Special Rapporteur on trafficking warned in 2016 that domestic workers who become victims of trafficking “report abuse to the police [but] are immediately detained as a result of absconding or [because] employers sometimes lodge false reports of theft as punishment,” meaning that victims are “either returned to their employers or imprisoned and deported rather than being offered protection and alternative employment.”<sup>88</sup>

**2.7c Palestinian refugees from Syria.** Syrian refugees in Jordan face endemic challenges and remain vulnerable to different forms of detention. The estimated 13,000 Palestinian refugees from Syria (PRS), who fled to Jordan after 2011 before the border was closed to them<sup>89</sup> face particular challenges as a result of their pre-existing Palestinian refugee status prior to secondary displacement from Syria.<sup>90</sup> These vulnerabilities are exasperated for

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<sup>84</sup> Amnesty International, “Imprisoned Women, Stolen Children: Policing Sex, Marriage and Pregnancy in Jordan,” 2019, <https://bit.ly/2P3sMzy>

<sup>85</sup> Amnesty International, “Imprisoned Women, Stolen Children: Policing Sex, Marriage and Pregnancy in Jordan,” 2019, <https://bit.ly/2P3sMzy>

<sup>86</sup> Amnesty International, “Imprisoned Women, Stolen Children: Policing Sex, Marriage and Pregnancy in Jordan,” 2019, <https://bit.ly/2P3sMzy>

<sup>87</sup> Amnesty International, “Imprisoned Women, Stolen Children: Policing Sex, Marriage and Pregnancy in Jordan,” 2019, <https://bit.ly/2P3sMzy>

<sup>88</sup> UN Human Rights Council (HRC), “Report of the Special Rapporteur Trafficking in Persons, Especially Women and Children, on her Mission to Jordan, A/HRC/32/41/Add.1,” 8 June 2016, <https://reliefweb.int/report/jordan/report-special-rapporteur-trafficking-persons-especially-women-and-children-her>

<sup>89</sup> UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), “PRS in Jordan,” <https://www.unrwa.org/prs-jordan>

<sup>90</sup> N. Erekat, “Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement,” *International Journal of Refugee Law* (26), 2014; R. Eshnaiwer, “Palestinian Refugees from Syria (PRS) in Jordan: The State of Exclusivism, EUI Working Paper RSCAS 2015/9,” *Robert Schumann Centre for Advanced Studies, European University Institute*, November 2015, [http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS\\_2015\\_91.pdf?sequence=1&isAllowed=y](http://cadmus.eui.eu/bitstream/handle/1814/37967/RSCAS_2015_91.pdf?sequence=1&isAllowed=y)



those PRSs who informally crossed into Jordan after the border was closed in 2013.<sup>91</sup>

Human rights groups and UN agencies have repeatedly drawn attention to their plight in Jordan. Jordanian authorities do not grant PRS the same rights as Syrian refugees, and reports of PRS being refused entry to Jordan and also forcibly deported from Jordanian territory have been frequently documented by NGOs, human rights groups, and UN bodies.<sup>92</sup> Between October 2017 and July 2018, UNRWA (the UN agency for Palestinian refugees) was aware of three cases of refoulement to Syria involving 15 PRS.<sup>93</sup>

## 2.8 Length of detention.

Maximum length of administrative immigration detention	Not Applicable
Maximum length of migration-related imprisonment	Six months
Are there reports of non-nationals experiencing detention that exceeds the maximum length provided in legislation?	Yes

Without any specific legal provisions detailing administrative forms of immigration detention, the length of detention for immigration violations in Jordan is related to criminal penalties. A person who enters Jordan without authorisation is liable to imprisonment of one to six months.

In practice, length of detention varies considerably—lasting anywhere from several hours to several months—depending on the case. Reasons that detention may be prolonged include: if a passport or ID documents are missing and need to be re-issued, if there are no funds for a return ticket home, or if overstay fees are high and are not waived.<sup>94</sup> Even with these factors, detention generally lasts a few months, and is rarely prolonged to a year. In 2017, the Guardian reported: “Of the 281 migrant worker detainees Tamkeen has interviewed, 55% were held between three weeks and four months, 18% for five to 11 months, and 5% for between one and two years.”<sup>95</sup>

In 2014, the IOM in Amman told the GDP that Sri Lankan nationals tended to experience the

<sup>91</sup> UNHCR, “Return and Readmission of Palestinian Refugees from Syria (PRS) to Lebanon and Jordan,” 6 December 2017.

<sup>92</sup> Human Rights Watch (HRW), “Jordan: Bias at the Syrian Border—Palestinians Face Detention, Threat of Forced Return,” 4 July 2012, <https://www.hrw.org/news/2012/07/04/jordan-bias-syrian-border>; Human Rights Watch (HRW), “Not Welcome: Jordan’s Treatment of Palestinians Escaping Syria,” 7 August 2014, <https://www.hrw.org/report/2014/08/07/not-welcome/jordans-treatment-palestinians-escaping-syria>; UN Human Rights Committee (HRC), “Concluding Observations on the Fifth Periodic Report of Jordan, CCPR/C/JOR/CO/5,” 4 December 2017, <https://bit.ly/2DUi3BX>; UN Committee on the Elimination of Racial Discrimination (CERD), “Concluding Observations on the Combined Eighteenth to Twentieth Periodic Reports of Jordan, CERD/C/JOR/CO/18-20,” 26 December 2017, <https://bit.ly/369FW4T>

<sup>93</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>94</sup> Mais Masadeh (IOM Amman), E-mail from Mais Masadeh to Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 27 January 2014.

<sup>95</sup> The Guardian, [asfasdfsdf, https://www.theguardian.com/global-development/2017/mar/27/migrant-domestic-workers-jordan-abuse-jail](https://www.theguardian.com/global-development/2017/mar/27/migrant-domestic-workers-jordan-abuse-jail)

lengthiest detentions, because of the embassy's limited resources to assist nationals in returning home. One Sri Lankan that they assisted had spent a year detained in Juweideh due to the embassy's inability to assist.<sup>96</sup>

## 2.9 Procedural standards.

Does the law provide procedural guarantees for detainees?	Yes
Are there reports of lack of access to legal remedies?	Yes

The Crime Prevention Law grants authorities full discretion in setting bail and accepting or rejecting guarantors. The resultant lack of uniformity or transparency in the decision-making process leaves many immigrants vulnerable to human rights violations and arbitrary detention.<sup>97</sup>

On top of this, according to one expert that the GDP consulted in 2015, the Crime Prevention Law empowers authorities to detain individuals if they have sufficient reason to believe that they have committed a crime or are planning to commit a crime, but no further clarification is provided in the law as to what constitutes sufficient evidence. This leads to individuals being detained despite a lack of evidence against them—violating the person's right to be free from arbitrary detention.<sup>98</sup>

There is no effective mechanism for judicial review, due to the lack of legal rights and protections offered to individuals detained administratively, and the high costs of initiating a review. These costs are often prohibitive for immigrants, so individuals remain in custody despite violations of their rights.<sup>99</sup>

Act No. 9 of 2004 on Prisons and Reinsertion Centres regulates the establishment and administration of prisons and reinsertion centres as well as the inspection of such facilities. Articles 10 to 21 regulate how prisoners are to be treated during their detention and release. Prisoners have the right to contact a lawyer when necessary, consult their file, inform their families of the place where they are detained, correspond with family and friends, receive visits, practice a religion, contact a diplomatic representative, and undertake studies or training. The Act also regulates health and social protection of the prisoners.<sup>100</sup>

<sup>96</sup> Mais Masadeh (IOM Amman), E-mail from Mais Masadeh to Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 27 January 2014.

<sup>97</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

<sup>98</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

<sup>99</sup> Linda Alkalash (Tamkeen), Email correspondence with Michael Flynn (Global Detention Project), 20 February 2015.

<sup>100</sup> Act No. 9 of 2004 on Prisons and Reinsertion Centres, Unofficial French translation, [www.ilo.org/dyn/natlex/natlex4.detail](http://www.ilo.org/dyn/natlex/natlex4.detail)

Jordan's Constitution, revised in 2011, also provides some relevant fundamental protections.

<sup>101</sup> Section 7 guarantees the right to personal freedom of each individual. Revised Section 8 provides that:<sup>102</sup>

- No person may be arrested, detained, imprisoned, have his/her freedom restricted or prevented from free movement except in accordance with the provisions of the law.
- Every person who is arrested, imprisoned or his/her freedom is restricted, must be treated in a way that preserves his/her human dignity. It is forbidden for him/her to be tortured (in any form) or harmed physically or mentally, as it is forbidden to detain him/her in places outside of those regulated prisons designated by the laws. Any statement extracted from a person under duress of anything of the above or the threat thereof shall neither bare any consideration nor reliability.”

Section 21 provides that “political refugees shall not be extradited on account of their political beliefs or for their defence of liberty.”<sup>103</sup> In the absence of national asylum framework in Jordan, and without the country having acceded to the 1951 Refugee Convention, UNHCR has called on Jordan to “introduce procedural safeguards in line with international standards for refugees and asylum seekers facing deportation.”<sup>104</sup>

## 2.10 Non-custodial measures (“alternatives to detention”).

Are “alternatives to immigration detention” provided in law?

Not Applicable

Jordanian legislation does not appear to establish formal “alternatives to detention” aside from standard bail procedures. Immigration detainees, like criminal detainees, may be granted bail. This is accessible regardless of nationality but dependent on the crime committed, and bail is granted (and conditions of bail decided) by either the District Attorney’s office or the governor of a given location on a case-by-case basis.<sup>105</sup>

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<sup>101</sup> The Hashemite Kingdom of Jordan Constitutional amendments of 2011, <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/91041/105956/F882287690/JOR91041%20Eng.pdf>

<sup>102</sup> The Constitution of Jordan, [www.representatives.jo/english/Default.shtm](http://www.representatives.jo/english/Default.shtm); The Hashemite Kingdom of Jordan Constitutional amendments of 2011, <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/91041/105956/F882287690/JOR91041%20Eng.pdf>

<sup>103</sup> The Constitution of Jordan, [www.representatives.jo/english/Default.shtm](http://www.representatives.jo/english/Default.shtm); The Hashemite Kingdom of Jordan Constitutional amendments of 2011, <https://bit.ly/30OET9i>

<sup>104</sup> UN Human Rights Council (HRC), Working Group on the Universal Periodic Review 31st Session, “Compilation on Jordan: Report of the Office of the United Nations High Commissioner for Human Rights, A/HRC/WG.6/31/JOR/2,” 24 August 2018, <https://bit.ly/3jFPHzn>

<sup>105</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.

## 2.11 Detaining authorities and institutions.

What authorities are responsible for detention and other migration-control measures?

- Interior Ministry (Public Security Directorate and General Intelligence Directorate)

Arrests and detention can be conducted by the Interior Ministry, the Public Security Directorate (PSD) (which falls under the authority of the Ministry of Interior), or branches of the Jordanian intelligence services—depending on their legal status and the nature of their detention. Jordan’s prisons, referred to as Correctional and Rehabilitation Centres, are governed by the PSD.<sup>106</sup>

The General Intelligence Directorate (GID) is known to conduct arbitrary detentions and forcible deportations of Syrian refugees back into Syria, often under the vague pretext of “security”—sometimes accusing deportees of communicating with IS militants.<sup>107</sup> Access to GID facilities is more limited than PSD facilities or police stations. (For more on deportations, see 2.4 Asylum seekers and 2.6 Other vulnerable groups.)

## 2.12 Regulation of detention conditions and regimes.

Legislation regulating all places of detention

- Act No.9 of 2004 on Prisons and Reinsertion Centres

The regulation of prisons is governed by Act No. 9 of 2004 on Prisons and Reinsertion Centres. Articles 10 to 21 regulate how persons are to be treated during their detention. According to Article 13, detainees may contact and see their lawyers; inform their family of their detention and correspond with them or with their friends; obtain a copy of the charges filed against him/her; practice their religion; receive visits; contact a consular representative and be provided with academic or professional education. Article 21 allows prison authorities to force prisoners to work and these may only be exempted from work if a medical certificate attests of the prisoners’ inability to work.

## 2.13 Domestic monitoring.

Is the national human rights institution recognised as independent?

Yes

Can independent NGOs carry out visits?

Yes

Can observers visit all detention facilities?

No

<sup>106</sup> J. Baker and E. Søndergaard, “Conditions for Women in Detention in Jordan: Needs, Vulnerabilities and Good Practices, DIGNITY Publication Series on Torture and Organised Violence #9,” *DIGNITY - Danish Institute Against Torture*, 2014, [https://dignity.dk/wp-content/uploads/publication\\_series\\_no9.pdf](https://dignity.dk/wp-content/uploads/publication_series_no9.pdf)

<sup>107</sup> A. Su, “Why Jordan is Deporting Syrian Refugees,” *The Atlantic*, 20 October 2017, <https://www.theatlantic.com/international/archive/2017/10/jordan-syrian-refugees-deportation/543057/>

Places of detention are regularly monitored by various bodies including the Ministry of Justice, public prosecutors, and the National Center for Human Rights (NCHR).

Articles 7 to 9 of Law No. 9 of 2004 on Prisons and Reinsertion Centres proscribe the requirements for official visits to places of detention, as well as which officials “may enter [a] center for checks” (Article 8). Such persons include the Minister of Justice, the President of the Public Prosecutor’s Office, all presidents of the courts of appeal, other judicial officials, and the Attorney General.<sup>108</sup> According to one lawyer who spoke with the Global Detention Project, detention facilities are “accessible for everyone ... but they need to follow the process.”<sup>109</sup>

The NCHR, an independent national human rights institution, has conducted visits to detention facilities and has referred to them in annual reports.<sup>110</sup> The NCHR’s National Monitoring Team also undertakes “preventive detention monitoring visits” in order to “prevent torture and ill-treatment.”<sup>111</sup> In March 2014, the Jordanian government established the Office of the Government Coordinator for Human Rights—a position currently headed by Bassel al Tarawneh.<sup>112</sup> The office works in tandem with the NCHR, following up on recommendations from the body.

The PSD’s [Human Rights and Transparency Bureau](#) made 136 visits to detention facilities between January and July 2018 to verify conditions in detention centres.<sup>113</sup>

The NGO Tamkeen frequently visits detention centres to meet with migrant workers. According to the NGO, lawyers can visit detainees three days a week—on Saturdays, Mondays, and Wednesdays—without first receiving permission to do so. A network of government officials as well as lawyers and activists—known as the “Karama” (Dignity) network—also visits facilities, and has done so since its foundation in 2015.<sup>114</sup>

In its presentation to the Universal Periodic Review in 2018, Jordan argued that “visits to inspect places of detention had been granted to ensure that international standards were

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<sup>108</sup> Act No. 9 of 2004 on Prisons and Reinsertion Centres, Unofficial French translation, [www.ilo.org/dyn/natlex/natlex4.detail](http://www.ilo.org/dyn/natlex/natlex4.detail)

<sup>109</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.

<sup>110</sup> National Centre for Human Rights (NCHR), “Annual Reports,” <http://www.nchr.org.jo/english/Publications/AnnualReports.aspx>.

<sup>111</sup> National Centre for Human Rights (NCHR), “Annual Report by the National Monitoring Team for the Prevention of Torture ‘Karama’ for the Period January 2013 – June 2014,” 2014; J. Baker and E. Søndergaard, “Conditions for Women in Detention in Jordan: Needs, Vulnerabilities and Good Practices, DIGNITY Publication Series on Torture and Organised Violence #9,” *DIGNITY - Danish Institute Against Torture*, 2014, [https://dignity.dk/wp-content/uploads/publication\\_series\\_no9.pdf](https://dignity.dk/wp-content/uploads/publication_series_no9.pdf)

<sup>112</sup> UN Human Rights Council (HRC), “Review of the Working Group on the Universal Periodic Review: Jordan, A/HRC/40/10,” 7 January 2019, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/001/49/PDF/G1900149.pdf?OpenElement>

<sup>113</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>114</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>



being met.”<sup>115</sup> And while local and international organisations are able to access detention facilities that hold non-nationals, challenges to access remain.

Multiple sources have reported that accessing facilities run by the GID is particularly difficult. According to Amnesty International, “detainees held in GID prisons were not allowed unsupervised visits, even by lawyers.”<sup>116</sup> In its 2016 report, the UN Committee against Torture (CAT) expressed concerns that the NCHR was “unable to make unannounced visits to detention facilities run by the General Intelligence Directorate, and that, in reality, only a limited number of visits to the Directorate were carried out by the [NCHR] during the period under review.”<sup>117</sup> The committee thus recommended that Jordan allow for an independent monitoring mechanism with a mandate to carry out “regular and unannounced visits to all places of detention,” and encouraged Jordan to also “grant NGOs access to places of detention.”<sup>118</sup>

## 2.14 International monitoring.

Most recent UN Universal Periodic Review	2018
Most recent report by international human rights mechanism or treaty body	Committee on the Elimination of Racial Discrimination (2017)
Key issues raised by UN monitoring instruments	<ul style="list-style-type: none"> <li>• Detention of child victims of trafficking</li> <li>• Vulnerability of migrant workers due to the country's sponsorship system</li> <li>• Abuse of migrant domestic women, and confiscation of passports</li> <li>• Inability of NHRI to make unaccounted visits to some detention facilities</li> </ul>

Numerous international organisations and civil society groups have been able to access people placed in immigration detention, although in 2018 authorities denied some requests from local and international human rights organisations seeking to access detention facilities and meet with detainees.<sup>119</sup>

<sup>115</sup> UN Human Rights Council (HRC), Working Group on the Universal Periodic Review 31st Session, “Compilation on Jordan: Report of the Office of the United Nations High Commissioner for Human Rights, A/HRC/WG.6/31/JOR/2,” 24 August 2018, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/257/95/PDF/G1825795.pdf?OpenElement>

<sup>116</sup> Amnesty International (AI), “Human Rights in the Middle East and North Africa: Review of 2018—Jordan, MDE16/9908/2019,” 26 February 2019, <https://www.amnesty.org/download/Documents/MDE1699082019ENGLISH.pdf>

<sup>117</sup> UN Committee Against Torture (CAT), “Concluding Observations on the Third Periodic Report of Jordan, CAT/C/JOR/CO/3,” 29 January 2016, <https://bit.ly/2Pjkwv0>

<sup>118</sup> UN Committee Against Torture (CAT), “Concluding Observations on the Third Periodic Report of Jordan, CAT/C/JOR/CO/3,” 29 January 2016, <https://bit.ly/2OSrg4o>

<sup>119</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>; U.S. State Department,

The International Committee of the Red Cross (ICRC) reportedly has “wide” access to detention facilities, even those operated by the GID.<sup>120</sup> UNHCR has also been able to visit detained refugees and asylum seekers.

Jordan’s capital, Amman, is traditionally a major regional hub for international human rights groups and regional representatives of aid organisations. As such, several major NGOs provide legal aid services for non-nationals that can intersect with issues of deprivation of liberty (or avoiding it). The Norwegian Refugee Council (NRC), for example, provides counselling on legal and civil documentation as well as refugee registration procedures, information and counselling on work rights and entitlements to increase displaced peoples’ chances of enjoying legal employment and fair working conditions, and also works with Jordanian legal aid actors to offer refugees and Jordanians legal assistance, including court representation.<sup>121</sup>

## 2.15 Transparency and access to information.

Are there reports of a lack of transparency in the country’s immigration detention system?	Yes
Does the country publish or provide statistics concerning immigration detention?	No

There is little or no official information publicly available in Jordan about immigration-related detention. Often the best way of attaining information regarding detention facilities and immigration detention practices in Jordan is through local civil society groups and activists, who have some access to detention facilities. The UN has previously encouraged the Jordanian government to empower civil society as partners in tackling issues such as trafficking.

According to observers, the Jordanian government does not make available any statistics on the numbers of people placed in detention for reasons related to their immigration status. In a 2010 report on Jordan, CAT urged that country to “compile statistical data relevant to the monitoring of the implementation of the Convention at the national level, disaggregated by gender, age and nationality, as well as information on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment, administrative detention, trafficking, ill-treatment of migrant workers and domestic and sexual violence, and outcomes of all such complaints and cases.”<sup>122</sup>

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“Country Reports on Human Rights Practices – Jordan,” 19 April 2013, [www.state.gov/j/drl/rls/hrrpt/2012/nea/204367.htm](http://www.state.gov/j/drl/rls/hrrpt/2012/nea/204367.htm)

<sup>120</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>121</sup> Norwegian Refugee Council (NRC), “NRC in Jordan,” <https://www.nrc.no/countries/middle-east/jordan/>

<sup>122</sup> UN Committee Against Torture (CAT), “Consideration of Reports Submitted by States Parties Under Article 19 Of The Convention: Concluding Observations of The Committee Against Torture: Jordan, CAT/C/JOR/CO/2,” 25 May 2010, [uhri.ohchr.org/document/index/5b5eba4d-bbe3-428a-a41f-d309171671fc](http://uhri.ohchr.org/document/index/5b5eba4d-bbe3-428a-a41f-d309171671fc)

## 2.16 Externalisation, readmission, and third-country agreements.

### Key readmission and third-country agreements

- EU-Jordan Readmission Agreement (2014)
- EU-Jordan Compact (2016)

In October 2014, the EU signed a migration management agreement with Jordan, similar to agreements that have been established with other countries in nearby regions. The “Mobility Partnership” agreement appeared to pave the way for the establishment of an EU-Jordan readmission agreement, which would ease the return of undocumented migrants as well as possibly third-country nationals from the EU to Jordan.<sup>123</sup> (The Global Detention Project has repeatedly observed how readmission agreements can lead to increasing rates of detention.)

According to the European Commission, “Signature of the joint declaration establishing a Mobility Partnership between the EU, its participating Member States and Jordan on 9 October 2014 is a step towards closer cooperation in the field of migration and mobility. In the partnership, the EU and Jordan commit themselves to ensuring that migration is managed as effectively as possible, allowing for specific actions to further improve the situation of migrants, in particular asylum-seekers.”<sup>124</sup>

In 2016, the EU and Jordan enhanced cooperation—specifically related to Syrian refugees—through an EU-Jordan compact designed to “improve the living conditions both of Syrian refugees in Jordan as well as vulnerable host communities.”<sup>125</sup> Similar compacts were put in place through EU funding instruments—including the [Madad Fund \(or the “EU Regional Trust Fund in Response to the Syrian Crisis”\)](#), which funds Syria’s neighbouring countries that are hosting large numbers of Syrian refugees.<sup>126</sup> In February 2019, Jordan, the UN, and representatives of the international community endorsed a 2.4 billion USD Jordan Response Platform (JRP) related to the Syrian crisis for 2019.<sup>127</sup>

Jordan has been one of the key sites in the EU’s post-2016 “compact” approach to MENA states hosting large numbers of Syrian refugees, an “experiment” effectively meant to encourage refugee-hosting countries to maintain displaced communities by incentivising refugees’ integration into the economy.<sup>128</sup> The approach was outlined in a 2015 *Foreign*

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<sup>123</sup> European Commission, “EU-Jordan: A New Partnership to Better Manage Mobility and Migration,” 9 October 2014, [http://europa.eu/rapid/press-release\\_IP-14-1109\\_en.htm](http://europa.eu/rapid/press-release_IP-14-1109_en.htm)

<sup>124</sup> European Neighbourhood Policy, “Progress Reports: Jordan,” 2015, [eeas.europa.eu/enp/documents/progress-reports/index\\_en.htm](https://eeas.europa.eu/enp/documents/progress-reports/index_en.htm)

<sup>125</sup> European Council, “EU and Jordan Adopted Partnership Priorities and Compact,” 20 December 2016, <https://www.consilium.europa.eu/en/press/press-releases/2016/12/20/eu-jordan-partnership-priorities-and-compact/>

<sup>126</sup> European Commission, “EU Regional Trust Fund in Response to the Syrian Crisis,” [https://ec.europa.eu/trustfund-syria-region/content/home\\_en](https://ec.europa.eu/trustfund-syria-region/content/home_en)

<sup>127</sup> R. Hussein, “Jordan, International Community Endorse \$2.4b Response Plan to Syria Crisis for 2019,” *Jordan Times*, 20 February 2019, <http://jordantimes.com/news/local/jordan-intl-community-endorse-24b-response-plan-syria-crisis-2019>

<sup>128</sup> D. Howden, H. Patchett, and C. Alfred, “The Compact Experiment: Push for Refugee Jobs Confronts Reality of Jordan and Lebanon,” *Refugees Deeply*, December 2017, <http://issues.newsdeeply.com/the-compact-experiment>

*Affairs essay* by development economist Paul Collier and social scientist Alexander Betts.<sup>129</sup> Proposed in the same year that birthed the now ubiquitous term—“refugee crisis”—the idea sat well with EU policymakers and EU member states who wanted to discourage Syrian refugees from migrating towards Europe in search of asylum. When world leaders met in London in February 2016 to attend the “[Supporting Syria and the Region Conference](#),” the so-called “Jordan Compact” had formed to include 1.7 million USD in grant money to support infrastructure: “a 10-year exemption from the E.U. rules of origin (a tariff barrier) for producers in Jordan who met an employment quota of Syrian refugees; and a commitment from the government of Jordan to create 200,000 “job opportunities” for Syrians.”<sup>130</sup> A September 2016 World Bank programme also tied the release of 300 million USD in funds to the issuing of work permits to Syrian refugees in the kingdom.

Jordan has subsequently taken some steps towards integrating refugees. The Labour Ministry has issued at least 120,000 work permits to Syrians—in 2018, more than 36,000 Syrian refugees received new or renewed work permits.<sup>131</sup> Cooperation with the EU has also seen Jordan relax some regulations on work visas for Syrian refugees working in the country—including by waiving work permit fees. Still, tens of thousands continue to work informally.

Some suggest that the compact approach has not been a resounding success. Despite the fanfares about EU funding to Jordan, conditions for Syrian refugees are not necessarily improving. Refugees International reported in 2018 that the economic situation for refugees displaced by the Syrian conflict (and other displaced communities in Jordan) was “bleak and in many ways worsening.”<sup>132</sup> In early 2018, the Jordanian government cut health subsidies for Syrian refugees from 80 percent to 20 percent, and the “increased costs of medical care and medication present a huge additional burden for [Syrian refugees].”<sup>133</sup> Syrians had previously been allowed to pay the same for basic health services as “uninsured Jordanians, who pay a nominal fee for most basic health services.”<sup>134</sup>

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<sup>129</sup> A. Betts and P. Collier, “Help Refugees Help Themselves: Let Displaced Syrians Join the Labor Market,” *Foreign Affairs*, November/December 2015, <https://www.foreignaffairs.com/articles/levant/2015-10-20/help-refugees-help-themselves>

<sup>130</sup> D. Howden, H. Patchett, and C. Alfred, “The Compact Experiment: Push for Refugee Jobs Confronts Reality of Jordan and Lebanon,” *Refugees Deeply*, December 2017, <http://issues.newsdeeply.com/the-compact-experiment>

<sup>131</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>132</sup> I. Leghtas, “Out of Reach: Legal Work Still Inaccessible to Refugees in Jordan,” *Refugees International*, September 2018.

<sup>133</sup> Izza Leghtas, “Out of Reach: Legal Work Still Inaccessible to Refugees in Jordan,” *Refugees International*, September 2018, <https://bit.ly/38b09sE>; C. Dunmore and R. Cherri, “As Medical Costs Rise, Syrian Refugees Put Health at Risk,” *UN High Commissioner for Refugees (UNHCR)*, 7 December 2018, <https://www.unhcr.org/news/stories/2018/12/5c090f5e4/medical-costs-rise-syrian-refugees-health-risk.html>

<sup>134</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>



### 3. DETENTION INFRASTRUCTURE

**3.1 Summary.** Jordan does not appear to operate dedicated immigration detention facilities. Rather, it makes use of police stations and prisons (to these one could add “closed” or secure refugee camps that impose severe limitations of freedom of movement, thought these are beyond the scope of this report).

Detention facilities are often referred to as Correctional and Rehabilitation Centres (CRCs) in Jordanian law.<sup>135</sup> Sources in Jordan informed the GDP that there are approximately 15 such facilities that are used for migration-related reasons.<sup>136</sup> The most frequently used facilities appear to be the Juweideh (also Jweideh) Men’s Prison and the Juweideh (Jweideh) Women’s Reform and Rehabilitation Centre, which are located in southern Amman. These facilities hold both administrative detainees and convicted criminals.

Based on various reports, it appears that a large number of people held at the Juweideh prisons are people awaiting deportation. In her report following a 2012 Mission to Jordan, the Special Rapporteur on violence against women reported that during her visit to Juweidah, there were 77 foreign women in detention, most of them domestic workers who had fled their jobs, whose employers were refusing to pay for their return home, and whose embassies were reluctant to assist.”<sup>137</sup>

Jordanian and non-national detainees are not separated in detention. Men and women, however, are confined separately. According to reports, conditions in women’s facilities are generally better than those in men’s facilities.<sup>138</sup> As for minors due to be detained, Jordan uses shelters that operate under the auspices of the Ministry of Local Development.<sup>139</sup> The ministry operates separate shelters for boys and girls, under the age of 18.

Detainees will usually be held in a facility that is in the same geographic area as the court overseeing their case.

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<sup>135</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019; U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>136</sup> Unnamed lawyer (ARDD), Email exchange with Mario Guido (Global Detention Project), 3-6 July 2020.

<sup>137</sup> UN Special Rapporteur on Violence against Women, “Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Rashida Manjoo. Addendum. Mission to Jordan, A/HRC/20/16/Add.1,” 14 May 2012, <https://www.refworld.org/docid/500809a69.html>

<sup>138</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>139</sup> Souzan Mohareb (Arab Renaissance for Democracy and Development (ARDD)), Skype interview with Tom Rollins (Global Detention Project), 15 June 2019.



### 3.2 Known detention facilities.<sup>140</sup>

Name	Type	Location
Al-Aqaba Centre	Criminal	Aqaba Governorate
Bab al-Hawa Centre	Criminal	Irbid Governorate
Al-Balqa Centre	Criminal	Balqa Governorate
Bireen Centre	Criminal	Zarqa Governorate
General Intelligence Department Centre	Criminal	Amman Governorate
Al-Hashemia Al-Zarqa Centre	Criminal	Zarqa Governorate
Irmimeen Al-Salt Centre	Criminal	Balqa Governorate
Al-Juwaideh Centre for Women and Men	Criminal	Amman Governorate
Al-Karak Centre	Criminal	Karak Governorate
Ma'an Centre	Criminal	Ma'an Governorate
Marka Centre	Criminal	Amman Governorate
Al-Muqaqar Centre 1	Criminal	Amman Governorate
Al-Muqaqar Centre 2	Criminal	Amman Governorate
Qafqafa Centre	Criminal	Jerash Governorate
Salhioub Centre	Criminal	Amman Governorate
Al-Suwaqa Centre for Women and Men	Criminal	Amman Governorate
Al-Tafila Centre	Criminal	Tafila Governorate
Um al-Loulou Centre	Criminal	Amman Governorate

**3.3 Conditions and regimes in detention centres.** Conditions in facilities across Jordan's detention estate can vary, depending in some cases on how long a given facility has been in use. Issues in older facilities include “inadequate sanitary facilities, poor sanitation and ventilation, extreme temperatures, lack of drinking water, limited access to sunlight, and medical care only in emergencies.”<sup>141</sup> However, other observers have described conditions as “generally poor.”<sup>142</sup>

According to a 2018 report written by a former detainee, non-nationals detained in Jordan are not provided with the customary phone call to flag their arrest. However, as the author states, “if deportees submitted to voluntary deportation – prior to seeing an immigration judge – the previously forbidden telephone privileges shockingly appear.”<sup>143</sup> The inability for detainees to contact the outside world and flag their detention was noted by the NCHR in its 2018 submission to the Universal Periodic Review (UPR), when it recommended that legislation is amended so that detainees can be “in contact with their families and enjoy access to legal and medical support, from the moment of arrest and throughout the period of

<sup>140</sup> Unnamed lawyer (ARDD), Email exchange with Mario Guido (Global Detention Project), 3-6 July 2020.

<sup>141</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>142</sup> Freedom House, “Jordan: Profile,” *Freedom in the World 2018*, <https://bit.ly/3f85vHo>

<sup>143</sup> P.S. Davis, “The Grim Conditions of Jordan’s Immigration Detention Camps. Blatant Human Rights Violations,” *Mondialisation.ca*, 18 April 2016, <https://bit.ly/2EgOhLc>

preliminary investigation.”<sup>144</sup>

Overcrowding has also been a longstanding issue in Jordanian detention facilities and has been raised by international monitors as well as national human rights officials. According to the U.S. State Department, facilities most affected by overcrowding are those in and around Amman, and the government Coordinator for Human Rights informed the department that in August 2018, the country’s prison estate was 4,400 detainees above capacity.<sup>145</sup> In its 2014 report on women prisoners,<sup>146</sup> the NCHR reported overcrowding at Juweideh Women’s Reform and Rehabilitation Centre—along with insufficient lighting and natural ventilation, insufficient heating in winter, non-segregation of convicted criminals and women in administrative detention, and poor hygiene conditions and health care provision.<sup>147</sup>

Some inmates have also reported abuse, including beatings by guards.<sup>148</sup> One former detainee writes, “I witnessed two COs [correctional officers] mercilessly take turns repetitively slapping a cornered handcuffed Turkish prisoner in the head and face, for the minor infraction of talking back.”<sup>149</sup>

In an earlier study from 2010, the NCHR reported on numerous problems based on visits to 68 reform and rehabilitation centres and 33 temporary detention facilities conducted between 1 January 2009, and 30 June 2010. Among the concerns were the fact that people were held in “old buildings with limited space,” centres were overcrowded, and some facilities were located underground, “which detrimentally impacts the temperature and ventilation requirements, as well as in some of these centers.”<sup>150</sup> The report also found that “inmates continue to suffer from poor social welfare services, limited preventive and psychological health care, persisting poor legal assistance services, and limited educational and literacy programs, in addition to the ongoing problems of administrative detention, the rising numbers of administrative detainees, inmates’ problems related to extended periods of judicial detention, their sufferings during their police-escorted journeys to and from courts and hospitals, as well as the administrative procedures accompanying the process of transporting them in handcuffs. Problems also include the nutritional inadequacy of the

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<sup>144</sup> UN Human Rights Council (HRC), “Summary of Stakeholders’ Submissions on Jordan, Working Group on the Universal Periodic Review, A/HRC/WG.6/31/JOR/3,” 24 August 2018, <https://bit.ly/3hDIRIG>

<sup>145</sup> U.S. State Department, “2018 Country Reports on Human Rights Practices: Jordan,” 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/jordan/>

<sup>146</sup> National Center for Human Rights (NCHR), “The Status of Female Inmates at Reform and Rehabilitation Centers in Jordan,” September 2014, <http://haqqi.info/en/haqqi/research/status-female-inmates-reform-and-rehabilitation-centers-jordan>

<sup>147</sup> L. Azzeh, “Nearly Half of Women Prisoners are Administrative Detainees — Study,” *Jordan Times*, 5 March 2015, [jordantimes.com/nearly-half-of-women-prisoners-are-administrative-detainees---study](http://jordantimes.com/nearly-half-of-women-prisoners-are-administrative-detainees---study)

<sup>148</sup> Freedom House, “Jordan: Profile,” *Freedom in the World 2018*, <https://freedomhouse.org/report/freedom-world/2018/jordan>

<sup>149</sup> P.S. Davis, “The Grim Conditions of Jordan’s Immigration Detention Camps. Blatant Human Rights Violations,” *Mondialisation.ca*, 18 April 2016, <https://www.mondialisation.ca/the-grim-conditions-of-jordans-immigration-detention-camps-blatant-human-rights-violations/5520571>

<sup>150</sup> National Centre for Human Rights (NCHR), “The Seventh Periodic Report on Conditions on Reform and Rehabilitation Centers and Temporary Detention Centers in the Hashemite Kingdom of Jordan for the Period from 1/1/2009 to 30/6/2010,” June 2010.

breakfast and supper meals, the prevalence of narcotic pills, and the spread of insects as result of poor cleanliness, lack of water, etc.”<sup>151</sup>

**3.3a Village ‘5’, Azraq Camp.** In early 2016, a facility was established within Azraq refugee camp which would be used to confine newly-arrived refugees as they awaited the completion of security screenings—a policy designed to address the kingdom’s concerns that IS militants were posing as refugees to enter the country. Following screenings, refugees were to be allowed to enter the general camp population.<sup>152</sup> Reportedly, however, other refugees were also forcibly moved here from elsewhere in the country. Dubbed a “camp within a camp,” the facility is separated from the rest of Azraq by barbed-wire fence, and those confined in the compound have described it as akin to a jail, with no persons permitted to access facilities beyond the compound’s fence.<sup>153</sup> However, with government officials denying most journalists access on “security grounds,” exact conditions inside the facility remain unclear.<sup>154</sup>

Mainly housing Syrian refugees who fled the advances of IS in central and eastern Syria after 2013, Azraq is reportedly a highly securitised camp where access is severely restricted due to concerns that it has been infiltrated by IS.<sup>155</sup> Media reports indicate that one part of the camp, called “Village 5,” effectively “locks up” those inside,<sup>156</sup> including children and families. A media account about the camp reported in November 2019: “The camp is split into ‘villages.’ The village-based approach aims to foster a greater sense of ownership and community among residents. But living conditions are tough – temperatures soar to over 40 degrees in the summer and plummet at night. There are no trees, flowers or birds, but rows of temporary metal shelters with only the most basic of facilities. What is meant to be a temporary shelter is becoming the only home ever known for many children living in Village 5.”<sup>157</sup> An economist who has written about the situation in Azraq, Richard Davies, compared Village 5 to the restrictive Zaatari camp, saying that “at Zaatari it’s kind of young guys with rifles, kind of slung relaxed way around their shoulder. To get into Azraq requires a lot of paperwork; and the guys on the front have got huge kind of submachine-gun, military grade weaponry. So it’s not a place you can go for anything more than a short visit.”<sup>158</sup>

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<sup>151</sup> National Centre for Human Rights (NCHR), “The Seventh Periodic Report on Conditions on Reform and Rehabilitation Centers and Temporary Detention Centers in the Hashemite Kingdom of Jordan for the Period from 1/1/2009 to 30/6/2010,” June 2010.

<sup>152</sup> K. Laub and A. Su, “Aid Groups: 8,500 Syrians Still Held in Jordanian No-Go Camp,” *Associated Press*, 30 January 2018, <https://apnews.com/5782dcfb32af4fb19f78de317717bd1b>

<sup>153</sup> B. Staton, “Jordan Detains Syrian Refugees in Village 5 ‘Jail,’” *The New Humanitarian*, 27 May 2016, <https://www.thenewhumanitarian.org/fr/node/256249>

<sup>154</sup> J. Dickson, “Prisoners of the Desert: Inside Jordan’s Azraq Refugee Camp,” 28 July 2016, <https://ipolitics.ca/2016/07/28/prisoners-of-the-desert-inside-jordans-azraq-refugee-camp/>

<sup>155</sup> B. Staton, “Jordan Detains Syrian Refugees in Village 5 Jail,” *The New Humanitarian*, 27 May 2016, <http://www.thenewhumanitarian.org/special-report/2016/05/27/jordan-detains-syrian-refugees-village-5-jail>

<sup>156</sup> Associated Press, “Aid groups: 8,500 Syrians still held in Jordanian no-go camp,” 30 January 2018, <https://apnews.com/5782dcfb32af4fb19f78de317717bd1b>

<sup>157</sup> N. Marris, “Strong Women: ‘We live in a refugee camp and fear for our future – but football gives us hope,’” *Metro.co.uk*, 30 November 2019, <https://metro.co.uk/2019/11/30/strong-women-we-live-in-a-refugee-camp-and-fear-for-our-future-but-football-gives-us-hope-11241375>

<sup>158</sup> EconTalk, “Richard Davies on Extreme Economies,” 9 March 2020, <https://www.econtalk.org/richard-davies-on-extreme-economies/>

In June 2018, the Jordan INGO Forum (JIF) reported that 9,465 individuals were held in Village 5, and that the screening process to allow them to leave was ongoing, albeit slowly. According to the JIF, two-thirds of detainees had been confined in the compound for more than two years. The JIF also noted with concern that those forcibly relocated here from the host community faced particular difficulties, due to a lack of access to legal recourse.<sup>159</sup>

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<sup>159</sup> Jordan INGO Forum, “Newsletter, May/June | Issue 9 | Jordan,” June 2018, [https://reliefweb.int/sites/reliefweb.int/files/resources/Newsletter9\\_EN-final.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Newsletter9_EN-final.pdf)



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