

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Jordan - 2023

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention

REPORTING

Fulfilment of Government's reporting obligations

Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers' organizations, b) The most representative workers organizations, c) The competent authorities

92. To which employers organizations was the report sent? [12] Please provide the list

Jordan Chamber of Commerce and Jordan Chamber of Industry.

93. To which workers organizations was the report sent? [13] Please provide the list

The General Federation of Jordanian Trade Unions (GFJTU)

94. Please describe the consultation process(es). [10.2]

Through the Tripartite Commission via correspondence.

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	
95. Did employers organizations comment on the report? [11a]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	

Workers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	
96. Did workers organizations comment on the report? [11b]	No
97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them	

EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?	Likely
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62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?	
Existence of a policy and or plan of action for the suppression of forced or compulsory labour	
63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]	Yes
65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]	Through the Tripartite Committee for Labour Affairs (meetings and correspondence).
66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?	
67. Does the Government wish to receive ILO assistance in developing a national policy and/or plan of action in this regard? [1.4b]	
68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]	Yes
69. Please describe these measures. [1.5]	The National Strategy and Action Plan for the Prevention of Human Trafficking (2019–2022) has been adopted, and work is currently under way to prepare the new National Strategy and Action Plan for the Prevention of Human Trafficking (2023–2030) (the Ministry of Justice is the body responsible for preparing it in cooperation, coordination and consultation with key partners, including the Ministry of Labour and relevant authorities). The aforementioned Strategy comprises four dimensions, namely: Dimension I – Prevention; Dimension II – Protection; Dimension III – Prosecution and Dimension IV – International partnership and cooperation. . Inspection visits have been carried out by labour inspectors in partnership with criminal investigation personnel in the Anti-Human Trafficking Unit, with 84 unannounced inspection visits being made between 1 January 2023 and 30 September 2023.

	• Under the auspices of the Anti-Human Trafficking Unit, a memorandum of understanding was signed with the Jordan Hotels Association (JHA). • Between January and 30 September 2023, the Ministry trained its department heads specialized in the field of inspection on the national referral mechanism (NRM) and the standard operating procedures (SOPs) so that they can transmit knowledge of these to labour inspectors and train them in their use.
70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]	Yes
71. Please describe these data. [1.6.1]	Monthly, quarterly, biannual and annual statistics are being issued on cases that amount to the offence of forced labour, as well as cases that do not amount to suspected forced labour, which are resolved through the Labour Department in the Anti-Human Trafficking Unit. Thus, between 1 January 2023 and 30 September 2023, 15 cases of forced labour were handled (there were 123 cases that did not amount to forced labour).
72. Does the Government envisage collecting data on forced or compulsory labour? [1.6.2]	
Measures taken or envisaged for systematic and coordinated action	
64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]	The Ministry of Labour, through its labour inspectors, investigates complaints or information concerning violations of workers' rights, including forced labour. In the event that the labour inspector finds that the employer has withheld passports, he takes legal action against him by issuing a report of violation in accordance with section 77 of the Jordanian Labour Code and referring him to the competent authorities for legal action to be pursued. Implementation plans are being developed through the Ministry's implementation strategies and plans. Thus, the National Strategy for the Prevention of Trafficking in Persons 2019–2022 has been evaluated. The draft National Strategy for 2023–2026 and its implementation plan have also been prepared and approved by the national committee formed in accordance with section 4 of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments. Authorities responsible for implementing and coordinating the measures: The national referral mechanism (NRM) and the standard operating procedures (SOPs) have been launched. These comprise five phases, namely:

	• The phase of identifying a potential human trafficking victim. • Phase of sheltering, protection and assistance. • The investigation and prosecution phase. • The voluntary repatriation of human trafficking victims. • The phase of reintegration.
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Measures taken or envisaged to prevent forms of forced labour

74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]	Yes
75. If so, please indicate the type of measures, [2.2]	a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, b) Strengthening and broadening of the coverage of legislation, particularly labour law, c) Regulation and supervision of the labour recruitment and placement process, f) Promotion of safe and regular migration, h) Capacity building for the competent authorities, i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations, j) Basic social security guarantees.
75.a. Please provide a description of measures taken or envisaged:	1. Regulating the presence of non-Jordanian workers in the Jordanian labour market, emphasizing the need to work legally and obtain the requisite and appropriate work permit; emphasizing that the work permit represents protection for both worker and employer. 2. Launching of a conscious drive to raise women workers' awareness of their rights under the Labour Code.
75.c. Please provide a description of measures taken or envisaged:	Act No. 10 of 2023 amending the Labour Code has been promulgated. Section 10 of the Code includes a mechanism for regulating the employment and recruitment of non-Jordanian workers in the sectors by private agencies and all matters pertaining to the employment and recruitment of workers.
75.f. Please provide a description of measures taken or envisaged:	Concluding agreements with labour-sending countries that make provision for all the rights and obligations incumbent on both the employer and the worker and which include an explicit clause relating to combating forced labour.
75.h. Please provide a description of measures taken or envisaged:	The "Hemayeh" platform has been developed to include indicators of forced labour so that workers may file their complaints. On 25 July 2023, a training course was held for labour inspectors, coinciding with the World Day against Trafficking

	in Persons (WDATIP). Its purpose was to train inspectors to detect indicators of forced labour and identify potential victims in the course of their inspection visits.
75.h. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Indicators of forced labour have been circulated among labour inspectors in the field with the aim of facilitating the identification of victims of forced labour during field visits.
75.j. Please provide a description of measures taken or envisaged:	Section 4 of the Social Security Act No. 1 of 2014 and its Amendments stipulates that all workers subject to the provisions of the Labour Code in force shall be covered by this Act without any discrimination on the basis of nationality and irrespective of the duration or form of contract or the nature of wage.
75.a., b., c., f., i., j. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Any person residing in the territory of the Hashemite Kingdom of Jordan shall be deemed a beneficiary of the measures for suppressing forced labour.

Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices, b) Legal protection of victims, c) Material assistance for victims, d) Medical and psychological assistance for victims, e) Measures for the rehabilitation and social and professional reintegration of victims, f) Protection of privacy and identity, g) Appropriate accommodation, h) Specific measures for children, i) Specific measures for migrants

Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
79. If so, please indicate the type of measures, [4.2]	a) Information and counselling for victims regarding their rights, b) Free legal assistance, c) Cost-free proceedings, d) Development of forced labour indicators, f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges, g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit, h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.

80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]	Yes
Non-prosecution of victims for unlawful acts that they would have been forced to carry out	
79.a. Please provide a description of measures taken or envisaged:	Section 12 (b) of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments stipulates: "The competent authorities, shall ensure to the victim, wherever possible, the following rights: 1. Provide him with the opportunity at all stages of the pre-investigation, investigation or trial to establish his status and to identify and classify him and determine his identity, nationality and age to ensure that the perpetrators are kept away from him."
79.b. Please provide a description of measures taken or envisaged:	Section 12 (b) of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments stipulates: "The competent authorities shall ensure to the victim, wherever possible, the following rights: ... (iii) Obtaining the requisite legal assistance."
79.a-c. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Victims of human trafficking offences.
79.c. Please provide a description of measures taken or envisaged:	Section 12 (a) of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments states as follows: "The competent authorities shall, wherever possible, guarantee the protection of the victim and his psychological, physical and moral safety and they shall work to create appropriate conditions to assist him and take care of his physical, psychological, educational and social well-being; and they shall rehabilitate and integrate him in a manner that respects his human dignity and preserves his humanity. They shall also facilitate the safe and prompt return of the child to his or her home country, taking into account the child's best interests.
79.d. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Law enforcement officials and workers
79.f. Please provide a description of measures taken or envisaged:	Conducting training courses for law enforcement agencies by the Anti-Human Trafficking Unit and with the participation of the Unit's Labour Inspection Department; With the participation of the Unit's Labour Inspection Department. In the course of the year, between 1 January 2023 and 30 September 2023, the Ministry trained its department heads specialized in the field of inspection on the national referral mechanism (NRM) and the standard operating procedures (SOPs) so that they can transmit knowledge of these to labour inspectors and train them in their use. The number of

	department heads trained came to 48; organizing a training and discussion-based course for judges on the topic 'Defining human trafficking and its forms'.
79.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Law enforcement officials
79.g. Please provide a description of measures taken or envisaged:	Section 12 (c) of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments stipulates: "Regardless of what is stated in any other legislation, the public prosecutor may decide to halt the prosecution of any victims and those affected by human trafficking crimes in the following cases: 1. If it is established that he has committed, participated in, intervened in or instigated any of the human trafficking offences specified in this Act; 2. If he has committed, participated in, intervened in, or abetted a misdemeanour connected with the offence of human trafficking. Any interested party may appeal the public prosecutor's decision before the competent judicial authority."
79.g. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:	Victims of human trafficking crimes and those affected by these crimes.
79.h. Please provide a description of measures taken or envisaged:	Section 11(a) of Act No. 9 of 2009 on the Prevention of Human Trafficking and its Amendments penalizes any legal entity with a fine of not less than ten thousand (10,000) Jordanian dinars and not exceeding fifty thousand (50,000) Jordanian dinars if it commits one of the offences provided for in this Act, notwithstanding the responsibility of its representative that has committed this offence. (b) In addition to the penalties prescribed in this Act, the court may suspend a legal entity from operating wholly or partially for a period of not less than one month and not more than one year if it commits one of the offences prescribed in section 8 and 9 of this Act. (c) In the event that the legal entity repeatedly commits one of the offences prescribed in sections 8 and 9 of this Act, the court may decide to cancel the entity's registration or else to dissolve the entity. The president and members of its board of directors or the president and its managers as applicable, its director and any partner found to be personally responsible for committing this offence, shall be forbidden to participate in, or contribute to, the capital of any legal entity with similar purposes or to participate in its direction.
Cooperation with other Member States, international / regional organizations or NGOs	

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
81.1. Please specify	(a) Other Member States; (b) International and regional organizations; (c) Non-governmental organizations.
82. Please briefly describe the modalities of this cooperation. [5.2]	
Promotional activities	
90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]	
Special initiatives or Progress	
85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]	Legislative developments: The Regulation on the Assistance Fund for Victims Human Trafficking of 2023 has been passed in accordance with section 14 (c) of the Anti-Human Trafficking Act. The criteria for joining the Golden List of companies operating in the textile sector in qualifying industrial zones (QIZ), issued in accordance with the Instructions on the Employment and Recruitment of Non-Jordanian Workers in the Qualifying Industrial Zones, have been amended, with one of its clauses being devoted to forced labour and its indicators. A system of shelters for victims of human trafficking cases has been approved. At the policy level: The National Strategy for the Prevention of Trafficking in Persons for 2023–2026 has been approved. The national referral mechanism (NRM) and standard operating procedures (SOPs) for victims of human trafficking have been launched to protect and address their needs and ensure access to justice by victims affected by human trafficking offences.
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	
According to the social partners	

Employers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

b) Lack of information and data, h) Challenges linked to the labour recruitment and placement process

Workers' organizations

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

b) Lack of information and data, h) Challenges linked to the labour recruitment and placement process.

According to the Government

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]

b) Lack of information and data, h) Challenges linked to the labour recruitment and placement process.

TECHNICAL COOPERATION NEEDS

Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]

Yes

88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]

c) Collection and analysis of data and information => Important

d) Guidance on the development of the national policy and plan of action => Important

e) Strengthening the legal framework => Not Important

	f) Capacity building for the competent authorities => Not Important g) Inter-institutional coordination => Important h) Promotion of fair recruitment and placement practices => Less Important i) Promotion of fair migration policies => Less Important j) Vocational training, job-creation and income-generation programmes for at-risk populations => Not Important k) Basic social security guarantees => Important l) Guidance on supporting due diligence => Not Important m) Capacity building for employers' and workers' organizations => Less Important n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Important o) Exchange of experiences between countries or regions; international cooperation => Not Important p) Other => Important
89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.	