



JORDAN COUNTRY TRENDS REPORT

Study Research On Vulnerability To Trafficking In Persons Among
The Crisis-Affected Populations In The Levant Region, 2021

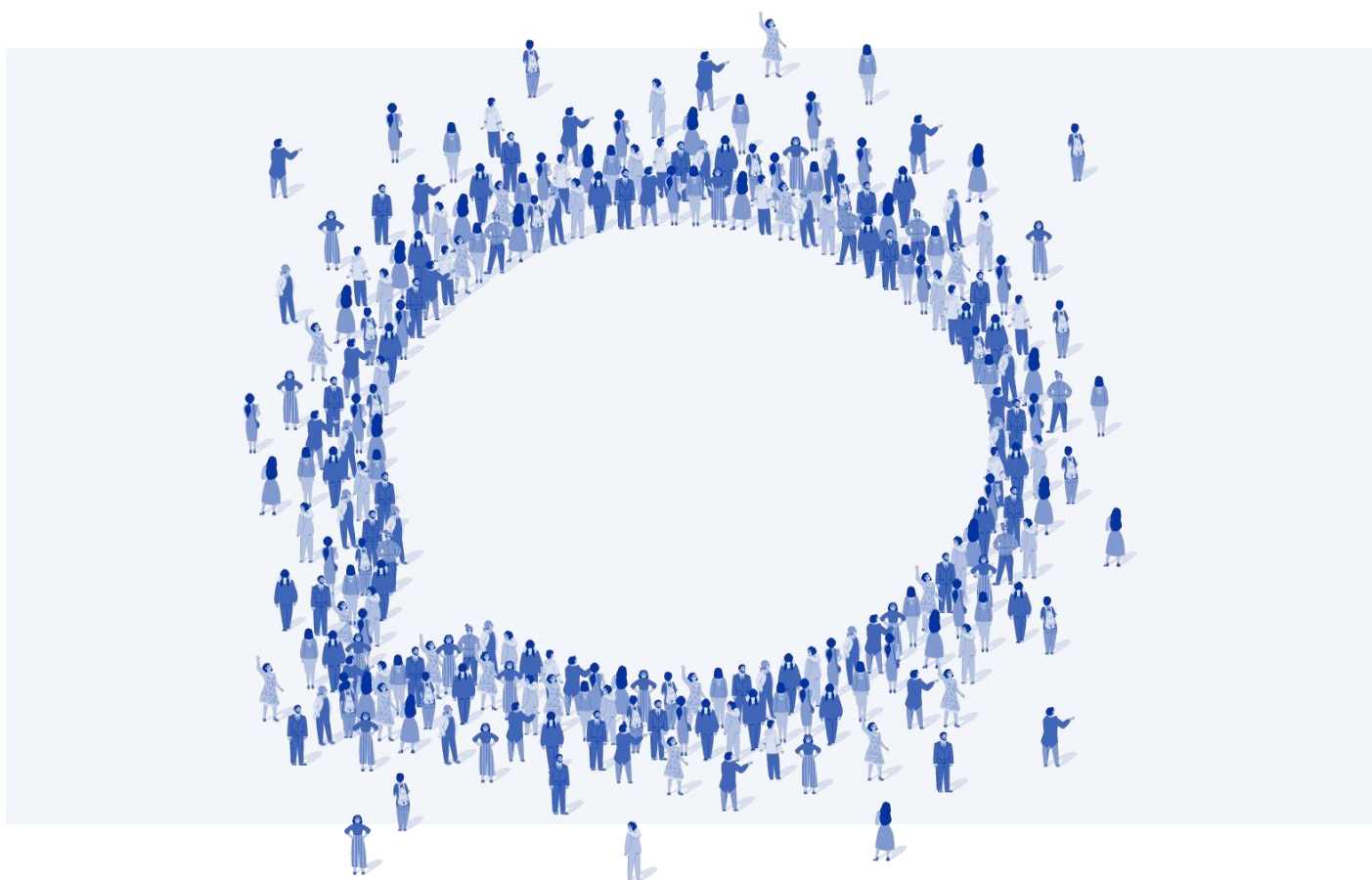
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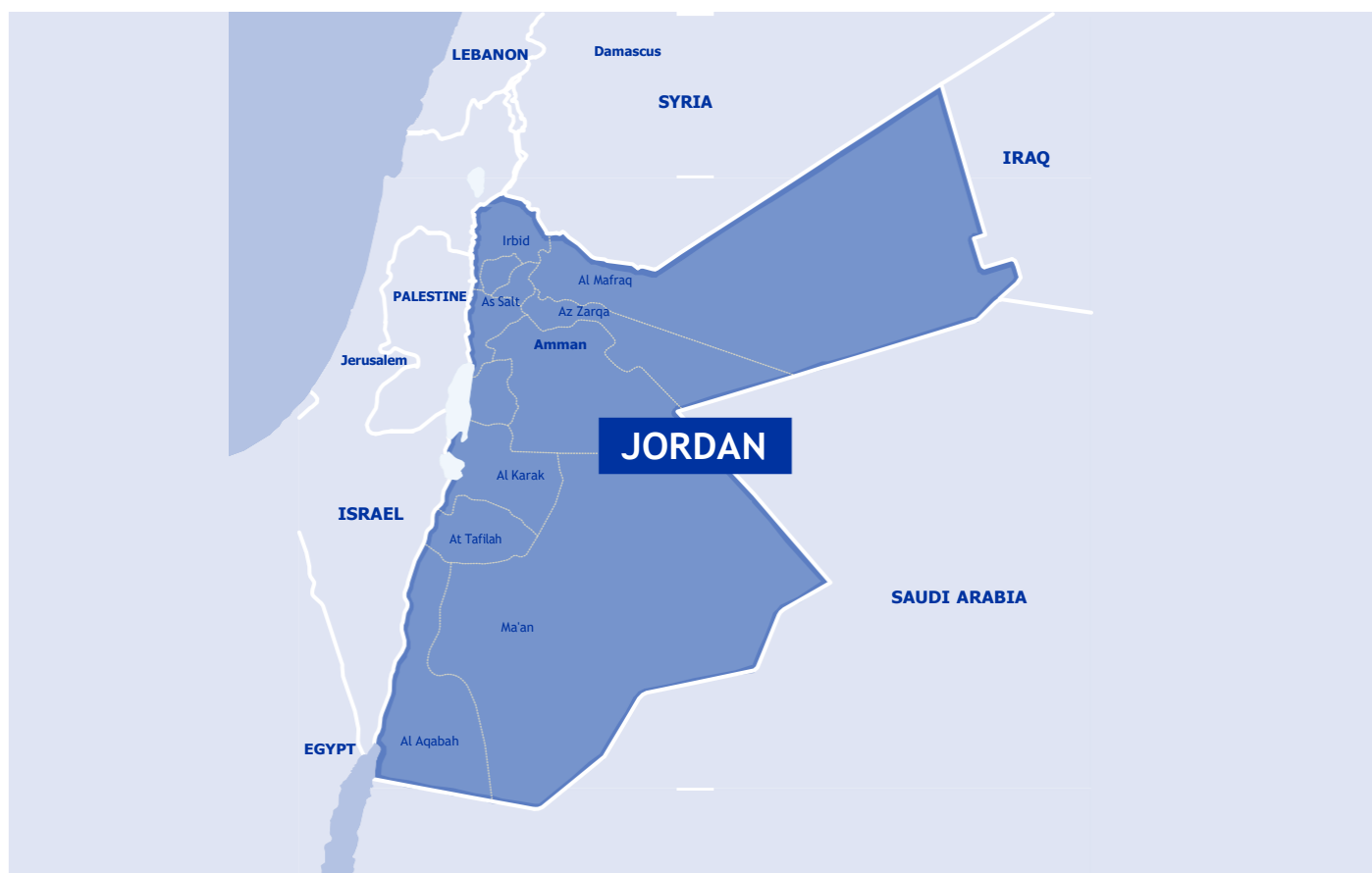
STUDY RESEARCH ON VULNERABILITY TO TRAFFICKING IN PERSONS AMONG THE CRISIS-AFFECTED POPULATIONS IN THE LEVANT REGION, 2021



This study focuses on some of the emerging findings of International Organization for Migration's (IOM) research on the risks and vulnerabilities to Trafficking in Persons (TiP) of crisis-affected populations in both the internal displacement and refugee context of the Levant region. It also discusses the potential implications of the findings for counter-trafficking activities in the region. The findings are relevant to Iraqi and Syrian Nationals in Jordan, with the acknowledgement that the crises-affected populations include the host communities as well as other migrant groups.

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BACKGROUND OF THE RESEARCH JORDAN COUNTRY REPORT

This study was commissioned to explore the situation of trafficking in persons in the Levant countries including in Jordan, with the aim to produce reliable evidence on crisis and vulnerability to TiP and consequently to inform programming and policy, based on an improved understanding of:

1. The characteristics of the crises-affected populations at risk of Trafficking in Persons;
2. The patterns of exploitation and means to control the victims;
3. The relationship between coping strategies employed by the crises-affected populations, and potential recruitment and entry into trafficking;
4. Assistance needs and challenges of trafficked victims or at-risk individuals. All the data and information gathered were key to devising appropriate recommendations to address TIP response in humanitarian settings in the Levant region.

RESEARCH POPULATION & SAMPLE

The data collection of qualitative data was conducted through 8 Focus Group Discussions (FGDs) and mapping exercises on a nationwide level through eight sessions reaching 84 persons from the Syrian and Iraqi nationalities, segregated by gender.

Key stakeholders' interviews covered Government Actors as well as Local and International non-governmental organizations (NGOs). Government Actors comprised of the Ministry of Justice, Social Development, and Counter-Trafficking Unit. Whereas interviewing Local NGOs covered Tamkeen, Arab Renaissance for Democracy and Development and Jordanian Women's Union. International NGOs included the UNODC and the International Centre for Migration Policy Development (ICMPD).

An extensive research and desk review were conducted to analyze the Humanitarian Response as well as reports related to trafficking in crisis/conflict settings in Jordan. Content analysis was used to gather data related to the legal frameworks governing migration and Trafficking in Persons in the countries under study as well as data related to vulnerability of crisis-affected populations.

84

In total **42 women** and **42 men** participated in the interviews.

AMMAN

Downtown = 48

Men: 25 / Syrian

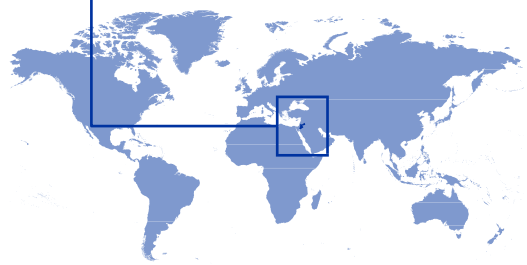
Women: 23 / Syrian

Alhashmi - 36

Men: 17 / Iraqi

Women: 19 / Iraqi

JORDAN



CONTEXT OF THE COUNTRY

- » Jordan relies on foreign migrant workers – many of whom are undocumented – in several sectors, including construction, agriculture, textiles, and domestic work; according to an NGO in 2018, workers in these sectors are the most vulnerable to trafficking because of informal work agreements and frequently changing employers. In 2020, officials estimated the total number of foreign workers in Jordan could be as high as 1.5 million. The Ministry of Labor reported issuing 246,646 work permits for foreign workers in 2020 and 425,220 in 2019¹.
- » It was reported over the past five years, human traffickers exploit domestic and foreign victims in Jordan, and traffickers exploit victims from Jordan abroad. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria.
- » The influx of refugees/asylum seekers to Jordan with reported limited possibility to regular access to the labor market, presents an increased risk of trafficking for labor and sexual exploitation.

¹ <https://www.state.gov/reports/2021-trafficking-in-persons-report/jordan/>

GOVERNMENT OF JORDAN RESPONSE TO TRAFFICKING IN PERSONS

LEGAL FRAMEWORK NATIONAL LEGAL ACTS/INSTRUMENTS

- Jordan signed a Memorandum of Understanding with UNHCR in 1998 which emphasizes the collaboration of the government and the United Nations High Commissioner for Refugees (UNHCR) regarding refugee policy for non-Palestinian². Jordan also agrees to respect the “principle of nonrefoulement”.
- Jordan ratified the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
- Jordan ratified the Slavery Convention of 1929, the Convention on the Elimination of Discrimination Against Women, the Convention on the Rights of the Child, the International Labor Organization (ILO) Forced Labor Convention, 1930 (No. 29), ILO Abolition of Forced Labor, 1957 (No.105) and the ILO Worst Forms of Child Labor, 1999 (No.182)³.
- The Anti-Trafficking Law No. 9 of 2009 prescribes penalties of up to ten years’ imprisonment for forced prostitution and other aggravated circumstances, including child trafficking.
- The existing Anti-Trafficking Law has been amended in 2019; sent to the Parliament for endorsement, which occurred early 2021.

NATIONAL ENTITIES

- In 2013, the Justice Ministry and the Public Security Department established the Anti-Human Trafficking Unit.
- The national anti-trafficking committee coordinates counter-trafficking efforts with the Ministry of Labor who is also engaged in combatting trafficking.
- Jordan established the National Anti-Trafficking Committee, a multi-sectoral committee in charge of implementing the Anti-Trafficking Law and formulating policies and programs.

NATIONAL EFFORTS/INITIATIVES

- The Public Security Directorate⁴/Counter Trafficking Unit cooperates with local NGOs to assist trafficking survivors. The government encourages trafficking survivors to provide evidence in the prosecution of traffickers.
- A new National Anti-Trafficking Strategy was launched in 2019.
- Jordan has two shelters for hosting victims of trafficking: 1) the Karama Shelter for protection of trafficked men, women, girls and boys, run by the Ministry of Social Development, 2) the Shelter run by the Jordanian Women's Union which receives women only.
- Improvement of the Standard Operating Procedures (SOPs) within the national victim referral mechanism to systematically identify and refer victims to protection services is in progress.
- NGOs provide Victims of trafficking with legal advice and assistance.
- A set of indicators for victims’ identification were developed and adopted by UN agencies working with crisis-affected population.
- Lawyers and employees have been trained to better detect and monitor potential and presumed victims of trafficking.
- Awareness, advocacy campaigns and programs with UN agencies and government actors were launched to decrease vulnerabilities of the crisis-affected population to TIP.

² Francis, A. (2015, September 21). Jordan's Refugee Crisis.

Retrieved from <https://carnegieendowment.org/2015/09/21/jordan-s-refugee-crisis-pub-61338>

³ OHCHR, Jordan: UN rights expert calls for prevention of human trafficking by improving working conditions for Jordanians, migrants and refugees, 2016. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17011&LangID=E>

⁴ United Nations Development Programme (UNDP) in collaboration with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA) and the United Nations Economic and Social Commission for West Asia (ESCWA), “Gender Justice & The Law”, 2018. <https://www.undp.org/content/dam/rbas/doc/Gender%20Justice/English/Full%20reports/Jordan%20Country%20Assessment%20-%20English.pdf>

JORDAN - KEY FINDINGS

Risks of specific forms of Trafficking in Persons

The findings suggest that labor exploitation was the main trait that was highlighted in the data collection in Jordan.



1. Labor exploitation mainly in construction, agriculture, manufacturing and service sectors, exploitation of Syrian women with harsh working conditions.

- » Experience of abuse:
 - withholding of salaries
 - lack of effective complaint mechanisms
 - discrimination between Iraqis and Jordanians and xenophobia in dealing with the Syrian Nationals
 - passport confiscation
 - no days off
 - no access to health care
 - limited freedom of movement leading to patterns of servitude and/or slavery.
 - no sick leave provided
 - harsh policy on holidays or annual leaves
- » Push factors for exploitation:
 - The Government of Jordan limits employment of non-Jordanians to limited sectors, with work permits concentrated in the construction, agriculture, manufacturing and service sectors. If someone works in other sectors, a fine is given. Therefore, Syrian nationals having no permits, are subjected to a higher risk of exploitation.
 - The lack of basic services leads to resorting to negative coping strategies and accepting degrading and exploitative working conditions in order to ensure basic needs.



2. Child labor including worst form of child labor

- » Experience of abuse: forced begging managed by gangs or networks where women and children are involved.
- » Push factors for exploitation: the parents' need to secure livelihoods and basic needs.



3. Sexual exploitation

- » Experience of abuse: prostitution, survival sex, early marriage, arranged marriage for young women through matchmakers, forced marriage with some rich men from the Gulf countries that would leave young girls stranded, with higher risk to resort to prostitution.
- » Push factors for exploitation:
 - the lack of basic needs and safety concerns
 - women controlled through debt bondage in order to perform sex activities
 - attempt of parents to protect girls from harassment
 - forming a new family unit and start receiving food, non-food items, additional shelter and other compensations from humanitarian actors



4. Potential trafficking for organ removal mainly kidney selling

IMPACT OF COVID-19 OUTBREAK

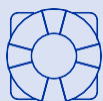
COVID-19 pandemic is impacting communities worldwide, disrupting State functions, as well as family and social networks, including in areas already impacted by crisis prior to the outbreak of the pandemic⁵. Combined with stagnating economic growth and limited job opportunities, more and more individuals and households have limited livelihood opportunities.

As a result of the pandemic, it is expected that vulnerabilities of people already at-risk of trafficking may be further exacerbated and people previously less at risk of trafficking may become victims given the worsening socio-economic situation.

In late 2020, IOM Jordan initiated a Socio-Economic Impact Assessment⁶ focusing on how Migrant Workers in Jordan have been affected by the COVID-19 pandemic. This assessment is still ongoing, however a snapshot assessment produced in early 2021, showed increasing vulnerabilities for migrant workers, as a direct consequence of the pandemic and of the actions taken by the government in this matter. These negative effects, such as lack of access to basic services, temporary limitations in mobility, loss of livelihood and exclusion from social protection programs provided by the Jordanian government, has contributed to further exacerbate the migrant workers vulnerability, and in turn increased the risk of exploitation as well as trafficking.

JORDAN COUNTRY RECOMMENDATIONS

This section provides some potential recommendations drawn from Palermo Protocol and based on the findings of this research. These suggestions are accommodated to the regional recommendations and would also benefit from further discussions and development among stakeholders at the country level in Jordan.



PILLAR 1

1. Comprehensive Prevention efforts

- Implementing prevention and resilience programs at community level with a special focus on the way the recruiters act and abuse the position of vulnerability of crisis-affected population.
- Mainstream awareness on TIP into existing awareness strategies and initiatives led by humanitarian actors and into psycho-social programs safe spaces while engaging community leaders as change agents.
- Efforts by the Government of Jordan and humanitarian actors to strengthen a protective environment for crisis-affected people to address risks to TIP.
- Establish capacity building programs on TIP for service providers, law enforcement entities and protection actors.
- Include proxy indicators on risks and vulnerability to TIP for labor exploitation in the regular and large data quantitative collection exercises.



PILLAR 2

2. Strengthening the protection sphere of victims of trafficking

- Humanitarian actors can support the identification of TIP during crisis context and may provide access to additional assistance.
- Efforts toward harmonizing the country response in Jordan with the regional framework on SOPs to foster cooperation between humanitarian and counter-trafficking actors and revising the national referral mechanism.
- Victims of trafficking (VoTs) should benefit from services under the Protection working group. Humanitarian actors to integrate indicators of trafficking into existing assessment/ interagency referral form in order to capture risks to trafficking.
- Assistance should go beyond material to empower victims. Access to resettlement and humanitarian visa scheme should also be considered.
- Developing the skills to screen, identify and refer TIP to protection services among frontline actors dealing with vulnerable groups including ministry of labor inspectors, immigration authorities, local police working in crisis-affected areas, personnel working in detention and prisons.

⁵ IOM, Global Protection Cluster- Anti Trafficking Task Team, guidance on COVID-19 https://www.globalprotectioncluster.org/wp-content/uploads/GPC-Task-Team-on-Anti-Trafficking_COVID-guidance_final_SM.pdf
⁶ <https://reliefweb.int/sites/reliefweb.int/files/resources/IOM%20Socio-economic%20impact%20of%20COVID-19.pdf>

- Update the mapping tool developed as part of the ATIP Levant project on a regular basis to increase the opportunities for cross-referrals to services.
- Raise awareness on the articles of the CT law especially the enhanced protection for victims including suspending prosecution against victims, granting victims residence and reflection period, inserting specialization at the level of general prosecutors and investigation judges, establishing funds to assist victims.



PILLAR 3

3. Victim-centered prosecution

- Enhance prosecution through building the capacity of the law enforcement entities and labor inspectors.
- Build trust relations among stakeholders and with victims. Investigations and prosecution should be victim-centered.
- Provision of access to legal aid and compensation, including empowerment of victims to face the legal proceedings.
- Attention to be given to pro-active investigation and financial investigations to alleviate the burden of proof on victims.
- Authorities should pursue cases that does not involve large-organized criminal networks, as many perpetrators were reported to be from crisis-affected communities.
- Ensure specialized trafficking approaches by stepping up efforts to speedily investigate, prosecute, and convict traffickers.
- Consider establishing specialized sections in Criminal Courts and Prosecutor Offices to achieve better results in the repression of trafficking⁷.



PILLAR 4

4. Partnerships and accountability to affected populations

- National coordination and international cooperation are crucial for an effective referral mechanism to protect victims and to ensure comprehensive response to the protection of victims.
- Efforts to foster partnership with affected communities is crucial for counter-trafficking response. All leaders, and particularly women and men who perform important role in their community should be included as stakeholders in the counter-trafficking efforts and as change agents in prevention efforts.