

## Situation Brief

# **The Status of Economic and Social Rights considering the Universal Periodic Review (Fourth Cycle) for Jordan**

Phenix Center for Economic and Informatics Studies

### **Context:**

Economic and social rights are a fundamental part of human rights, as they enhance individuals' ability to achieve a dignified life and ensure fair access to economic resources and opportunities. In Jordan, a range of economic challenges affecting various segments of society was highlighted during the fourth cycle of the Universal Periodic Review (UPR) in January 2024.

Jordan faces significant economic challenges resulting from several factors, including high rates of poverty and unemployment, income inequality, and unequal economic opportunities. Despite government efforts to improve the economic situation through various reforms, large segments of the population, including women and youth, still suffer from significant barriers that prevent their effective participation in economic life.

Currently, the government is moving towards amending the Jordanian Labor Law. The Council of Ministers has outlined the justifications for a draft amendment to the Labor Law for the year 2024. The draft law aims to empower the Ministry of Labor to carry out its tasks and responsibilities in regulating the labor market, achieving a balance between the interests of employees and employers in the private sector, and aligning the Labor Law with existing national legislation, including the Social Security Law, the Civil Service System, and the Nursery System, in accordance with best practices and relevant international agreements.

Additionally, the draft law aims to regulate foreign labor in the labor market, enhance women's entry into the workforce by increasing maternity leave and prohibiting the termination of pregnant women, and to keep up with developments in the labor market, among other provisions.

Despite the last amendments to the law made last year, many of which were negative and caused a decline in the labor market, the content of the new proposed amendments to the law announced by the government is largely positive. For instance, extending maternity leave to 90 days, similar to the public sector, prohibiting the dismissal of pregnant women, even if they are in their first month of pregnancy, and granting private sector workers three days of paid leave in the event of the death of a first-degree relative are examples of positive improvements.<sup>1</sup>

Recently, the draft amendment to the Social Security Law for the year 2024 was also approved. This law is considered the backbone of the social protection system. The draft law aims to amend provisions related to the mechanisms for including all work patterns to keep up with the changes that have occurred in new work patterns, ensuring an expanded coverage under the law and protection of workers' rights. It also aims to broaden the scope of social protection for insured individuals by allowing non-Jordanians, including children of Jordanian women, to join the social security scheme voluntarily under specific regulations and conditions stipulated by the laws.

The article concerning categories not covered by the Social Security Law, such as workers who work less than 16 days a month, will be repealed and replaced with a regulation that specifies the mechanism for including workers whose employment relationship with the employer is irregular. However, it is essential that the regulation contains suitable and effective insurance tools to ensure the inclusion of all workers in unorganized sectors.

The proposed amendments will also reorganize and revise the section on unemployment insurance to ensure the fund's sustainability and continuity, aligning with the primary goal for which the fund was established: to provide financial support to unemployed individuals during their unemployment period according to the regulations and provisions of that section. It would have been more beneficial if the amendment converted unemployment compensation insurance into full unemployment insurance.

This brief reviews the economic rights in Jordan considering the recommendations made during the Universal Periodic Review of Human Rights and outlines the steps needed to move forward with implementing these recommendations. It is important to note that economic rights have been extended to cover the most vulnerable groups, such as migrants, women, persons with disabilities, and children.

### **UPR (Fourth Cycle) Recommendations Related to Economic Rights**

The recommendations accepted by Jordan, as shown in Table 1, clearly focus on improving the work environment and ensuring workers' rights by promoting equality in opportunities and treatment and ensuring the effective implementation of labor laws. The recommendations also

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Phenix Center, Position Paper on the Proposed Amendments to the Jordanian Labor Law, August 2024 <sup>1</sup>

call for narrowing the gender wage gap, increasing inspection visits to ensure worker protection, and providing a safe and healthy work environment.

Recommendations related to empowering women in the labor market include measures to improve the work environment for women, such as providing flexible working hours and paid parental leave. The recommendations also advocate raising women's awareness of their rights in the labor market and re-examining legislation to enhance a safe and healthy working environment.

The accepted recommendations also call for expanding the social protection umbrella to include the most vulnerable groups, including persons with disabilities. They emphasize the importance of empowering people with disabilities in the labor market. The recommendations concerning migrant workers reflect a commitment to improving the rights and working conditions of migrant workers in Jordan, including preventing discrimination and exploitation and ensuring access to justice.

The recommendations that Jordan noted indicate reservations about fully committing to certain international standards and practices that enhance human rights in the labor sector. These include Ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Recommendation 137-7), continuing to pursue access to justice for migrants in accordance with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Recommendation 137-8), and ratifying the International Labour Organization's Convention on Violence and Harassment in the World of Work, 2019 (Convention No. 190) (Recommendation 137-16).

Jordan's noting these recommendations suggests reservations about adhering to international standards that require significant legislative and policy changes. The hesitation to ratify these conventions may reflect concerns about the legal or social implications of adopting these international standards.

Jordan's noting of the recommendation to extend the application of the Jordanian Labor Law to include domestic workers to enable them to obtain work permits indicates resistance to changing the status quo. This resistance may be due to social or economic considerations, or perhaps a lack of resources needed to implement this expansion of the law. This is further supported by the reservation on the recommendation to continue ensuring effective access to justice for migrant domestic workers, including by joining the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Jordan's noting of the recommendation to "establish policies to prevent violence and harassment in the workplace, especially violence and harassment against women and girls" represents a setback in adopting comprehensive policies that require changes in workplace culture and institutional policies. This may reflect concerns about the impact of these policies on businesses

or a lack of societal awareness regarding the importance of combating violence and harassment in the workplace.

Table 1: UPR (Fourth Cycle) Recommendations Related to Economic Rights

Recommendation number	Recommendation	Status
136-4	Guarantee that all workers, including migrant workers, have access to authorities to file any complaints and grievances against employers.	Accepted
136-73	Continue implementing national policies aimed at achieving equal opportunities and treatment in employment and professions throughout the Kingdom.	Accepted
136-74	Enhance employment within the context of sustainable economic development.	Accepted
136-75	Continue creating projects aimed at reducing youth unemployment.	Accepted
136-76	Continue creating projects aimed at reducing youth unemployment.	Accepted
136-77	Full Opportunity for Workers: Increase efforts to ensure that all workers have full opportunities to defend their rights.	Accepted
136-78	Effective Labor Law Implementation: Promote effective implementation of labor law amendments and prohibit all forms of gender-based discrimination against workers.	Accepted
136-79	Access to Rights for Workers: Ensure that workers have access to authorities to file any complaints or grievances against employers.	Accepted
136-80	Continue to ensure workers' rights, including by enhancing their access to authorities for filing complaints or grievances against employers.	Accepted
136-81	Continue making progress in protecting workers' rights, including facilitating access to authorities for complaints or claims in this area.	Accepted
136-82	Narrow the gender wage gap, as well as the gender inequality gap in public sector jobs, and address their root causes.	Accepted
136-83	Increase inspection visits to ensure the protection of workers and their rights.	Accepted
136-84	Continue efforts to enhance the availability of a safe and healthy work environment.	Accepted

136-85	Increase inspection visits to ensure the protection of workers and their rights.	Accepted
136-86	Take further measures to create a supportive work environment for women, including improving working conditions and culture, flexible working hours, full paid parental leave, and national care policies.	Accepted
136-87	Continue efforts to raise awareness among working women about their rights in the labor market.	Accepted
136-88	Continue efforts to increase awareness of working women's rights in the labor market and review legislation to ensure a safe and healthy work environment.	Accepted
136-89	Enhance measures to protect health sector workers, ensure their safety and rights, and provide a safe and healthy work environment, including necessary training and equipment.	Accepted
136-90	Ensure a safe work environment for women and workers with disabilities.	Accepted
136-91	Continue efforts to expand social protection to include the most vulnerable groups.	Accepted
136-92	Continue implementing the economic modernization vision and the vision for public sector modernization to enhance social and economic rights for the population and protect vulnerable groups.	Accepted
136-126	Continue efforts to implement the economic modernization vision.	Accepted
136-162	Continue taking measures to protect children from the worst forms of child labor.	Accepted
136-186	Continue improving access for people with disabilities to quality education and healthcare throughout the country.	Accepted
136-187	Continue efforts to enhance the participation and empowerment of individuals with disabilities in the labor market.	Accepted
136-192	Strengthen efforts to eliminate violence and discrimination against migrant workers and ensure their access to justice, including providing legal aid and support to overcome language barriers they may face.	Accepted
136-193	Enhance protection for migrant workers by focusing on improving labor rights and conditions, and preventing exploitation and violations.	Accepted

136-194	Strengthen enforcement of regulations related to the fair and ethical use of foreign workers and ensure their access to effective remedies.	Accepted
136-195	Establish mechanisms to ensure better access to the labor market and enhance the right of migrant workers to collective bargaining.	Accepted
136-196	Criminalize discrimination by law enforcement officials and public servants against migrants and refugees.	Accepted
137-7	Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.	Noted
137-8	Continue to ensure effective access to justice for migrant domestic workers, including by ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.	Noted
137-16	Ratify the International Labor Organization Convention on Violence and Harassment (No. 190) of 2019 and establish policies to prevent violence and harassment in the workplace, especially against women and girls.	Noted
137-50	Expand the scope of the Jordanian Labor Law to include domestic workers to enable them to obtain work permits.	Noted

## Recommendations

Increasing economic rights in Jordan requires comprehensive efforts from all relevant parties, including the government, civil society, and the international community. These rights are closely related to providing a fair and safe working environment and ensuring equal opportunities for all citizens regardless of gender, social status, or ethnicity. In line with the recommendations presented during the fourth cycle of the UPR, it is essential to take serious and decisive steps to improve existing legislation and enhance the implementation of economic and social policies. These recommendations are part of the efforts to achieve these goals, with a focus on necessary legislative amendments and executive measures to ensure their effective implementation and achieve tangible improvements in the lives of Jordanian citizens, particularly the most vulnerable groups.

### Government:

- Accelerate the implementation of legal reforms accepted during the UPR, including improving labor laws to ensure a safe and fair working environment. These reforms should include

enhancing worker protection, reducing the gender pay gap, and generally improving working conditions.

- Amend labor laws to include provisions that prohibit gender discrimination and train labor inspectors to identify and address cases of discrimination.
- Establish electronic platforms for filing labor complaints and develop a follow-up mechanism to resolve complaints effectively.
- Enact laws to ensure transparency in wages and conduct regular wage reviews to ensure gender equality.
- Amend labor laws to cover all migrant workers and provide them with full legal protection, and organize targeted awareness campaigns for migrant workers about their rights.
- Monitor the implementation of accepted recommendations and document any violations of economic rights. Civil society should provide regular reports to international and local bodies to advocate for improved implementation and ensure the protection of workers' rights.
- Enhance social dialogue between the government, employers, and labor unions to ensure the effective implementation of recommendations. This dialogue should aim to balance the interests of workers and employers and ensure the sustainability of economic and social changes.
- Seriously consider ratifying the international conventions noted, particularly those related to protecting migrant workers' rights and combating violence and harassment in the workplace. This should be accompanied by developing national policies to ensure alignment with international standards.

#### **International Community:**

- Support national efforts by providing technical and financial assistance for the development and implementation of legislation and policies that promote equal opportunities.
- Provide technical support and knowledge exchange in enhancing the green economy and sustainable development.
- Assist Jordan in reviewing local legislation to align with international agreements and provide technical support for ratification and implementation of these agreements.

#### **Civil Society:**

- Organize workshops and training programs for youth to enable them to benefit from national projects aimed at reducing unemployment.
- Conduct awareness campaigns to highlight economic gaps in labor laws and social security laws.
- Enhance civil society's involvement in policy formulation related to labor and economic rights. This can be achieved by offering legislative and regulatory suggestions that contribute to improving the working environment and ensuring equal opportunities.

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