



Enhancing Protection for Migrant Workers and Victims of Trafficking:

A Package of Legislative Reforms to Fulfill Jordan's International Commitments and Economic Modernisation Vision



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“Enhancing the Protection of Migrant Workers and Victims of Trafficking: A Package of Legislative Reforms to Achieve Jordan’s International Commitments and Economic Modernisation Vision”.

Executive Summary

This paper proposes a package of legislative reforms to strengthen the protection of victims of trafficking and forced labour in Jordan and address two structural gaps that impede justice and deterrence: (1) The subordination of fundamental rights in Article 12(b) of the Anti-Trafficking Law to the discretionary phrase “where possible”; and (2) The absence of a separate criminalisation of forced/compulsory labour in the Penal Code, which in practice leads to unequal protection, impunity, and a decline in international indicators.



The Essence of the Proposed Reforms

Amend Article 12(b) with wording that immediately guarantees, mandatory and nondiscriminatory: temporary legal residence, shelter, security protection and confidentiality of data, interpretation, and legal assistance, with the possibility of granting a temporary work permit.

Inclusion of a separate offence of forced/compulsory labour among crimes against persons, with deterrent penalties and aggravating circumstances, with a clear definition of means of coercion and exploitation of vulnerability.

Complementary Provisions: No punishment of victims for offences directly arising from the crime, suspension of deportation pending screening, investigation and trial, and temporary work permits to support economic independence and judicial cooperation.



Reference Basis

The proposal is consistent with the Constitution (Articles 6, 7, 13, 101), the Palermo Protocol, and ILO Conventions Nos. 29 and 105, and is based on early Jordanian legislative heritage (Law No. 4 of 1934 on the Prevention of Compulsory Labour).

Expected Impact

Trafficking in Persons Report and Modern Slavery Index: Addressing gaps in alternatives to deportation, ensuring that victims are not penalised, and explicitly criminalising forced labour will contribute to raising the government's response rating and increase referral and conviction rates.

Rule of Law Index, Freedom Reports, and Global Competitiveness Index: Clear rules, improved access to justice, and labour market regulation positively reflect on the rule of law, public freedoms, and economic competitiveness, and enhance the confidence of partners and donors.

Outcome

These reforms transform protection from an “effort” to an enforceable obligation, close the legislative gap, and provide a fast-track path to improving Jordan's international standing with tangible returns on human dignity, the rule of law, and the labour market.

Problem Statement and Current Situation

Despite improvements in operational procedures in recent years (updating the referral mechanism, easing some administrative restrictions), the protection system still suffers from two structural flaws that undermine access to justice and deter violations:

1

The Subjectivity of Rights (Article 12(b) of Law No. 9 of 2009 on the Prevention of Human Trafficking)

Linking fundamental rights, such as temporary legal residence, shelter, protection, translation services, and legal assistance, to the phrase “where possible” has transformed them from enforceable obligations into administrative options limited by resources and discretion. In practice, this leads to uneven implementation, exposing victims to early deportation or re-exploitation, and weakening statements and criminal evidence due to the lack of early translation and legal support.

2

Absence of Separate Criminalisation of Forced/Compulsory Labour

The inclusion of forced labour only as a “form of exploitation” within the crime of human trafficking causes many cases to collapse when the elements of trafficking are not complete, despite the proven existence of coercion or clear exploitation. The result is that violations are downgraded to lesser labour offences, deterrence is weakened, and it becomes difficult to refer cases and impose penalties commensurate with the seriousness of the act.

Direct Effects

- Disparities in protection and justice procedures depending on discretion and enforcement capacity.
- A punitive gap that allows violators to escape appropriate accountability.
- A direct negative impact on international performance indicators such as those related to modern slavery, human trafficking, and partner confidence.
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This reality justifies the need for explicit mandatory provisions guaranteeing protection rights without delay, and for **the independent criminalisation of forced/compulsory labour with aggravated penalties and circumstances**, with complementary provisions (non-punishment of victims, suspension of deportation, temporary work permits) to close the procedural loop between detection and accountability.

Recognition of National Efforts

It is impossible to discuss reforms without mentioning what has already been achieved. Through its relevant ministries and institutions, the Jordanian government has taken important steps in recent years to strengthen the protection of migrant workers and combat human trafficking crimes, most notably:

- **Ministry of Labour:** It abolished the requirement for exit and return permits for certain categories of Egyptian workers and eased the “clearance” requirements that were being used as a means of pressure on workers. It also established a national referral mechanism and appointed liaison officers and specialised labour inspectors.
- **Ministry of Justice:** Through the Human Rights Directorate, it contributed to the development of standardised working procedures and referral mechanisms, issued periodic statistics, and participated in victim reintegration programmes.
- **National Committee to Combat Human Trafficking:** Established a coordination framework comprising official, security and judicial bodies and civil society, and contributed to the preparation of the national strategy and the implementation of awareness-raising and training campaigns.
- **Anti-Trafficking Unit:** Worked to implement the national strategy (2024-2027), activate the victim assistance fund, and strengthen partnerships to provide legal and social support services.

These achievements represented tangible progress in improving the protection environment and strengthening Jordan’s image in international reports, **but they remained mostly administrative measures that could change or regress with changes in resources or priorities.** Hence the need for binding legislative reform that guarantees sustainable protection and imposes clear and definitive standards, thereby consolidating Jordan’s constitutional and international obligations and translating them **into irrevocable guarantees.**

The Normative Framework

The call for legislative reform is based on clear constitutional and international references that make the protection of victims a legal obligation rather than an administrative option:

First: The Jordanian Constitution

- Article (6/1): Equality before the law and prohibition of unjustified discrimination.
- Article (7/2): Any violation of rights and freedoms is a crime punishable by law.
- Article (13): Compulsory or forced labour is prohibited except in limited exceptional cases.
- Article (101/1): The right to litigation and guaranteed access to justice.

These provisions oblige the legislator to draft definitive provisions that guarantee effective protection for victims, rather than linking them to discretionary phrases such as "where possible".

Second: Fundamental International Conventions

- The Palermo Protocol of 2000 obliges the protection of victims and the guarantee of their rights without restriction or condition.
- International Labour Organisation Conventions No. 29 (1930) and No. 105 (1957): require the criminalisation of forced/compulsory labour with deterrent penalties.
- The International Covenant on Civil and Political Rights (1966): Affirms the right to liberty and security and prohibits forced exploitation.

Third: Reference Standards

- The principle of not punishing victims for offences directly arising from their exposure to trafficking or forced labour.
- Guaranteeing temporary residence and work permits as legal alternatives to deportation, which is a key standard in international review reports.

The continued use of discretionary wording and the absence of independent criminalisation violate the provisions of the Constitution and also constitute a direct breach of Jordan's international obligations, as previously mentioned, which negatively affects the Kingdom's position in relevant international indicator reports.

Pillars of Reform: Judicial Precedents, Arab Comparisons, and Reference Commitments

First: Judicial Precedents

Judicial precedents show that the absence of binding and discretionary provisions defining rights opens the door to serious violations and undermines justice:

Discrimination Case No. 5408/2022 (Human Rights):

A female worker was administratively detained for years without justification. The court ruled that the detention was unlawful and held the Ministry of Interior civilly liable. Impact: This case underscores the need for explicit binding provisions that restrict administrative discretion and protect victims.

Discrimination No. 2056/2023 (Criminal):

A domestic worker was sexually assaulted; the case ended in acquittal due to the absence of reliable evidence because of the lack of early procedural protection. Impact: This case illustrates that providing translation and legal assistance from the outset strengthens evidence and prevents perpetrators from escaping justice.

Case No. 3463/2022 (Criminal):

Workers forced into forced labour abroad; the court classified the dispute as civil due to the absence of an explicit provision criminalising forced labour. Impact: Highlights the legislative gap and the need for separate criminalisation of forced/compulsory labour.

Second: Brief Arab comparison

Criminalisation of Forced Labour	Protection of Victims	Country
Separate article in the Penal Code (347 bis)	Mandatory rights to residence, protection and shelter (Law 51/2006, as amended)	UAE
Explicit penalties in the Penal Code	Mandatory explanation of rights, victim's presence throughout trial, specialised committee to reconcile situations	Bahrain
Article 1-448 Criminalises forced labour with imprisonment and fines	Victim to remain until the end of the trial, special accommodation	Morocco
Article 105 bis: 10-20 years' imprisonment for forced labour	Renewable special residence, work permit for victims	Tunisia
Article 89: Criminalisation of slavery and forced labour as crimes against humanity	Temporary or permanent residence, legal and health protection	Egypt

The proposed reform is based on binding references, foremost among which is the Jordanian Constitution, which enshrines equality and dignity (Articles 6 and 7), prohibits forced labour (Article 13), and guarantees the right to litigation (Article 101), as well as the Palermo Protocol, which imposes the protection of victims without restriction, and the International Labour Organisation Conventions (29 and 105), which require the criminalisation of forced labour with effective and dissuasive penalties, as well as the principle of non-punishment of victims, which is an established international rule that prohibits holding them responsible for offences directly resulting from their exposure to trafficking or forced exploitation.

Jordanian lawmakers recognised the seriousness of forced labour early on. Article 3 of the Compulsory Labour Prevention Act No. 4 of 1934 prohibited the imposition of compulsory labour and defined compulsory labour as any work or service imposed under threat of physical or moral harm, with limited exceptions (enforcement of a court order, disasters and emergencies), and established penalties of imprisonment or fines for violations. This legacy confirms the consistency of the proposed reforms with established Jordanian legislation.

Proposed Legislative Reforms

Based on existing gaps, judicial precedents, and constitutional and international obligations, the paper proposes a specific and clear package of reforms:

1- Amendment of Article (12/b) of the Law on the Prevention of Human Trafficking

Remove the discretionary wording “where possible” and adopt mandatory language that guarantees victims and potential victims, without delay or discrimination, fundamental rights including: temporary legal residence, shelter, security protection and data confidentiality, interpretation, legal assistance, and the possibility of a temporary work permit. This amendment transforms rights from a mere administrative effort into a definitive legal obligation.

2- Criminalising Forced/Compulsory Labour as a Separate Offence in the Penal Code

An explicit article has been added to the section on crimes against persons, punishing with imprisonment and a fine anyone who forces a person to work or serve by coercion, threat or exploitation of vulnerability, with the penalty doubled if committed against women, children, persons with disabilities or by a person in authority. This provision aims to fill a legislative gap, strengthen deterrence, and enable the judiciary to hold violators accountable even when the elements of the crime of human trafficking are not fully present.

3- Complementary Provisions Supporting Protection

- **Non-Punishment of Victims:** Ensuring that they are not held accountable for residency or work violations arising directly from their exposure to trafficking or forced labour.
- **Suspension of Deportation:** Prevent the removal of victims until the assessment, investigation and trial procedures are completed, with the possibility of granting temporary residence on humanitarian or judicial grounds.
- **Temporary Work Permits:** Enabling victims to work legally during the proceedings, thereby enhancing their economic independence and encouraging their cooperation with the judicial authorities.

With these reforms, the Jordanian legal system will move from relying on circulars and administrative procedures that are subject to reversal **to a binding legislative system that provides comprehensive protection for victims**, closes the gaps highlighted by judicial rulings and international reports, and gives the state an effective tool to improve its image in relevant global indicators.

Expected Impact on International Indicators

The proposed reforms translate directly into measurable improvements in victim protection, strengthening Jordan's commitments to its international partners, and a positive reflection on global indicators:

1-Trafficking in Persons Report (US TIP Report)

- The amendment to Article (12/b) and the approval of legal alternatives to deportation (temporary residence + work permits) address a major gap that has long been criticised by the report.
- The supplementary provisions (no punishment of victims, suspension of deportation) raise the level of procedural protection and prevent double punishment.
- Criminalising forced labour as a separate offence increases the number of cases and convictions in this area, enhancing the credibility of the Jordanian justice system.
- Expected impact: Jordan's Tier 2 status will be consolidated, with a gradual path towards Tier 1 if the reform is accompanied by expanded prosecutions and strengthened law enforcement.

2-Global Slavery Index (GSI)

- Converting rights from flexible administrative measures to binding texts raises the assessment of the strength of the legal framework.
- Criminalising forced labour with explicit penalties strengthens deterrence and closes a gap criticised in previous reports.
- Provisions on non-punishment and cessation of deportation reduce the practice of detaining or deporting victims, improving the assessment of "government response."
- Expected impact: A noticeable improvement in Jordan's regional standing and a demonstration of its practical commitment to the recommendations of international bodies.

3-Other Indicators

- **Rule of Law (WJP):** Clear provisions and independent criminalisation reinforce fundamental rights and criminal justice.
- **Freedom House Reports:** The elimination of punitive practices against victims and the strengthening of fair trial guarantees reinforce civil liberties.
- **Global Competitiveness (WEF):** Regulating the labour market and granting temporary permits reduces the informal economy and improves the investment environment.

These amendments are not only a response to human rights obligations, but also a strategic tool to improve Jordan's international standing, strengthen the confidence of partners and donors, reduce legal and financial risks to the state, and demonstrate a practical commitment to translating constitutional and international standards into effective legislation.

Appendices

Appendix (A): Proposed Legal Texts - Full Wording

First: Amendment of Article (12/b) of the Prevention of Human Trafficking Law No. (9) of 2009 and its Amendments

Article (12/b) – (Instead of the Phrase “where possible”):

The competent authorities shall ensure that victims and potential victims of human trafficking enjoy the following rights without delay or discrimination:

- Legal assistance (advice and representation),
- Interpretation,
- Shelter and social and psychological services,
- Security protection and confidentiality of information,
- Temporary legal residence with the possibility of a work permit where appropriate, and
- Facilitation and enforcement of judicial compensation.

Victims are entitled to these rights with the same guarantees as Jordanian nationals before the law, and the instructions detail the mechanisms of implementation without undermining or restricting the substance of these rights.

Second: Inclusion of a Separate Offence of Forced/Compulsory Labour in the Penal Code

Article (...): The Crime of Forced/Compulsory Labour

Anyone who compels a person, by any means of coercion, threat, exploitation of vulnerability or abuse of authority, to perform work or services against their free will shall be punished by imprisonment for a term of not less than three years and not more than ten years and a fine of not less than five thousand dinars.

The penalty shall be doubled if:

- (a) The victim is a woman, a child, or a person with a disability; or
- (b) The perpetrator is an employer, a person in a position of authority or influence, or a person entrusted with law enforcement duties.

Victims shall not be held criminally or administratively liable for acts directly resulting from their exposure to forced labour.

For the purposes of this article, means of coercion shall mean any act or omission that nullifies or abolishes free will, including threats of physical or psychological harm, or withholding official documents, or restricting freedom, or imposing arbitrary working conditions accompanied by serious threats, or misusing administrative procedures in a manner that effectively deprives the victim of the freedom to leave the work.

Third: Supplementary Provisions in the Human Trafficking Prevention Act or the Residence and Work Act

(1) Non-Punishment of Victims

Victims of trafficking in persons or forced/compulsory labour shall not be subject to any criminal or administrative penalties for acts or offences (including residence and work offences) that are a direct consequence of their exposure to such crimes.

(2) Suspension of Deportation/Removal

The competent authorities shall refrain from deporting or removing victims or potential victims until the screening and referral procedures through the national mechanism have been completed and the investigation or trial has been completed. Victims shall be granted mandatory temporary residence on humanitarian grounds or for the purposes of justice. Exceptions to this rule shall only be made if the interests of justice or the safety of the victim require otherwise, and shall be subject to a reasoned decision by the competent judicial authority.

(3) Temporary Work Permits

The victim or potential victim may be granted a temporary work permit during the period of temporary legal residence, thereby supporting his or her economic independence and enhancing his or her cooperation with the investigating and judicial authorities.

Appendix (b): Case Law

1-Court of Cassation (Civil) No. 5408/2022 – 13/12/2023

- **Summary of Facts:** A foreign worker who was the victim of sexual assault was administratively detained for years on the grounds of “protection.”
- **Legal Issue:** Legality of long-term administrative detention without specific grounds and guarantees.
- **Ruling and Rationale:** The Court ruled that the detention was unlawful and considered it a serious error that entailed civil liability on the part of the administrative authority.
- **Significance:** This confirms that protection should be based on specific mandatory provisions, not on administrative discretion that is subject to deviation, which supports the amendment of Article 12/b with a definitive provision.

2- Court of Cassation (Criminal) No. 2056/2023 – 29/10/2023

- **Summary of Facts:** Charges of rape, indecent assault and threatening a migrant domestic worker; the court excluded key testimony due to flaws in the statements and contradictions.
- **Legal Issue:** Standard of proof in criminal cases in the absence of guarantees of translation and early legal assistance.
- **Ruling and Rationale:** Acquittal due to lack evidence “beyond reasonable doubt.”
- **Significance:** Direct link between the provision of early procedural protection (translation, legal representation, safe shelter) and the strength of evidence; supports the mandatory nature of the rights in Article 12/b.

3- Court of Cassation (Criminal) No. 3463/2022 – 27/12/2022

- **Summary of Facts:** Jordanian workers with contracts abroad were subjected to wage cuts and forced working conditions; the facts were classified as human trafficking.
- **Legal Issue:** Criminal classification failed in the absence of explicit coercive means fulfilling the elements of trafficking.
- **Ruling and Rationale:** The court considered the dispute to be more civil in nature (contracts/wages) due to the absence of an explicit provision criminalising forced labour per se.
- **Significance:** Highlights a legislative gap that calls for the inclusion of a separate offence of forced/compulsory labour in the Penal Code.

Summary of Judicial Implications: These precedents reinforce the impact of discretionary wording and the absence of independent criminalisation on the effectiveness of protection, procedural fairness, and deterrence, which is the aim of the proposed reforms to fill the gaps.

Appendix (c): International Indicators

1-Trafficking in Persons Report (US TIP Report)

- **General Framework:** Measures compliance with the Trafficking Victims Protection Act (TVPA) minimum standards through the pillars of prevention, protection, and prosecution, and classifies countries into tiers.
- **Items Closely Monitored:**
 - Legal alternatives to removal, such as humanitarian/temporary residence and work permits.
 - Non-punishment of victims for violations directly resulting from trafficking/forced labour.
 - Proactive screening in detention centres and ensuring regular access to specialised units.
 - Prosecution of forced labour cases themselves (not reduced to labour violations).
 - Quality of services (shelter, translation, legal assistance, protection) and their funding and sustainability.
 - Statistical transparency (convictions, referrals, number of beneficiaries, etc.).
- **Map of the Proposed Legislative Impact:**
 - Amendment 12/b Increases “protection”, enables legal alternatives and prevents early deportation.
 - Criminalisation of forced labour □ Increases referrals and convictions and regulates legal adaptation.
 - Complementary provisions (no punishment/suspension of deportation/work permits) Improves the reporting environment and the quality of evidence.

2-Global Slavery Index (GSI)

- **“Government Response” Component**
 - Robustness of the legal framework (clear criminalisation + deterrent penalties + non-criminalisation of victims).
 - Quality and sustainability of services (transferring protection from circulars to binding texts).
 - Transparency and availability of verifiable data.
- **Impact of Reforms:**
 - Transforming rights into binding obligations increases the strength of the system.
 - Independent criminalisation allows for the separation of statistics (forced labour trafficking) and improves data quality.
 - Non-punishment/suspension of deportation reduces criticised practices and raises response scores.

3- Supporting Indicators

- **Rule of Law (World Justice Project Rule of Law Index): Improvement in the areas of fundamental rights (4), enforcement of rules (6), civil justice (7), and criminal justice (8).**
 - **Fundamental Rights (Factor 4)**
 - **Amendment of Article (12/b) with mandatory wording reinforces the right to dignity and personal freedom and prevents discrimination in the enjoyment of rights.**
 - **Ensuring translation and legal assistance raises the level of respect for procedural rights and enables victims to have fair access to justice.**
 - **Enforcement of Rules (Factor 6)**
 - **Converting rights from “where possible” to enforceable obligations reduces disparities in administrative practices and ensures more consistent application of the law.**
 - **Including clear provisions to halt deportation and not penalise victims establishes legal certainty and reduces individual discretion.**
 - **Civil Justice (Factor 7)**
 - **Enabling victims to claim compensation and enforce it in practice strengthens their trust in judicial institutions.**
 - **Temporary work permits give victims economic independence, making it easier for them to pursue civil cases without fear of losing their residence or employment.**
 - **Criminal Justice (Factor 8)**
 - **Criminalising forced labour as a separate offence broadens accountability and prevents perpetrators from escaping punishment.**
 - **Complementary provisions (translation, accommodation, legal assistance) enhance the integrity of investigations and evidence, and increase the efficiency of prosecution and conviction.**

- **Freedom House:** Freedom House reports are based on fundamental criteria such as the rule of law, equality before the law, and the protection of the rights of the most vulnerable groups. Introducing legislative amendments that oblige the state to provide temporary accommodation, translation, legal assistance, and non-punishment of victims would raise Jordan's rating in the area of civil liberties in particular. The proposed texts reduce punitive practices against victims of trafficking and forced labour and give them equal access to justice. This would strengthen Jordan's image as a country that guarantees equality before the law and protects vulnerable groups (women, children, migrants, persons with disabilities), which would translate into better scores in civil liberties rankings and send a positive message of confidence to international partners and donors.
- **Competitiveness (World Economic Forum Global Competitiveness Index):** The Global Competitiveness Index focuses on factors such as clarity of rules, quality of institutions, and labour market regulation. Introducing legislative changes that require the state to provide temporary legal residence and work permits to victims enhances labour market transparency and limits the expansion of the informal economy, where victims are often forced to work in exploitative, unregistered conditions. These measures reduce legal risks for employers and improve the business environment by creating a more stable and predictable labour market. The direct result is an improvement in Jordan's scores on the institutions and labour market pillars of the index, which increases investment attractiveness and supports the state's commitment to global supply chain standards.

4- Proposed Key Performance Indicators (KPIs) for Annual Government Measurement

- Number of temporary residence decisions and their average duration.
- Number of temporary work permits granted to victims.
- Number of non-punishment decisions and deportation suspensions.
- Number of visits by specialised units to detention centres to conduct proactive screening.
- Number of cases/referrals/judgments in independent forced labour crimes.
- Level of expenditure on accommodation, translation and legal assistance, and coverage rates.

Appendix (D): Arab Legislative Comparison

United Arab Emirates

- **Protection of Victims:** Federal Law No. (51) of 2006 on combating human trafficking offences, as amended by Federal Law No. (1) of 2015, stipulates in Article (1 bis 2) mandatory obligations to protect victims, including: Informing them of their rights in a language they understand, providing them with medical or shelter services, and providing security protection, while allowing them to remain in the country throughout the investigation or trial period.
- **Criminalisation:** The Federal Penal Code (Law No. 3 of 1987 and its amendments) added Article (347 bis), which explicitly criminalises forcing any person to work by force or coercion and imposes penalties of imprisonment and fines.
- **Significance:** The UAE has moved victim protection from a discretionary administrative framework to a binding legal obligation and linked criminal protection to the explicit criminalisation of forced labour.

Kingdom of Bahrain

- **Protection of Victims:** Article 5 of Law No. 1 of 2008 on combating human trafficking stipulates that victims must be informed of their rights in a language they understand and provided with medical and psychological services and shelter. Article 6 also grants the Public Prosecution or the court the authority to decide whether the victim may remain in the Kingdom throughout the investigation or trial. Article 7 establishes a specialised committee to review the situation of foreign victims and periodically regularise their legal status.
- **Criminalisation:** Articles 2–4 of the law impose severe penalties for various forms of exploitation, including forced labour.
- **Significance:** This model reflects the integration of protection with a structured judicial process and a legislative framework that provides victims with legal residence and legitimate employment during the trial.

Kingdom of Morocco

- **Protection of Victims:** Under Law No. 27.14 of 2016 on combating human trafficking, amendments were made to the Code of Criminal Procedure, most notably Article 24-2-1, which enables judicial authorities to issue orders allowing foreign victims to remain in Morocco until the end of the trial.
- **Criminalisation:** Chapter 1-448 was added to the Moroccan Penal Code, criminalising the exploitation of persons in “forced or compulsory labour” and punishing it with imprisonment of five to ten years and a fine.
- **Significance:** The inclusion of the direct criminalisation of forced labour in the body of the Penal Code reflects legal clarity and effective deterrence.

Republic of Tunisia

- **Protection of Victims:** Article 46 of Organic Law No. 61 of 2016 on the prevention of trafficking in persons stipulates that foreign victims have the right to remain in Tunisia until the end of legal proceedings, with the possibility of being granted a renewable special residence permit. Article 47 also allows victims to be granted work permits, and Article 49 stipulates that they shall not be punished for acts directly resulting from their exposure to trafficking.
- **Criminalisation:** Article 105 bis was added to the Penal Code, criminalising forced/ compulsory labour with a prison sentence of ten to twenty years, in addition to a fine.
- **Significance:** The Tunisian model provides a comprehensive package that combines strong protection for victims with strict criminal deterrence against perpetrators of forced labour.

Arab Republic of Egypt

- **Protection of Victims:** Article 22 of Law No. 64 of 2010 on combating human trafficking allows foreign victims to remain in the country throughout the investigation or trial and grants them temporary or permanent residence on humanitarian grounds (Article 23). Article 21 also obliges the state to provide legal protection and health, social and psychological care to victims.
- **Criminalisation:** Article 89 of the Egyptian Penal Code (Law No. 58 of 1937) criminalises “slavery and forced labour” and punishes them with aggravated imprisonment.
- **Significance:** The Egyptian legislature has classified forced labour as a serious crime, reflecting a high level of deterrence and international commitment.

Jordan (Old Law – Law No. 4 of 1934 on the Prevention of Compulsory Labour)

- **Protection of Victims:** Jordanian lawmakers have recognised the seriousness of forced labour since the era of the Emirate of Transjordan, with Article 3 of this law explicitly prohibiting the imposition of forced labour in Transjordan.
- **Definition:** Article 2 defined forced labour as “any work or service imposed on a person under threat of physical or moral harm if they do not perform it voluntarily,” with specific exceptions such as the execution of a court order under official supervision or in response to disasters and emergencies.
- **Criminalisation:** The law imposes penalties of up to imprisonment or a fine on anyone who violates its provisions.
- **Significance:** This early legislative legacy reflects the state’s commitment since its inception to rejecting forced labour and constitutes a historical reference that reinforces the demand for the explicit and independent criminalisation of forced labour in the current Penal Code, in line with the Jordanian Constitution (Article 13) and contemporary international obligations (International Labour Organisation conventions, Palermo Protocol).

It is clear that leading Arab countries have adopted mandatory protection provisions (residence, shelter, work permits, non-punishment) alongside the explicit criminalisation of forced labour in their criminal codes. This reinforces the importance of Jordanian legislation moving in the same direction to ensure regional and international harmonisation and improve its ranking in global human rights indicators.

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