



المركز الوطني لحقوق الإنسان

The National Center for Human Rights

**The sixth periodical report on correction and
rehabilitation centers in
The Hashemite Kingdom of Jordan**

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Jordanian prisons: Reality and Ambitions

The aim of correction and rehabilitation centers is to safeguard inmates and provide them with the necessary care and reform programs to enable them to return to society and carry on with their normal lives.

Article 4 from the Reform and Rehabilitation Law No. 9 of 2004.

Jordanian prisons: Reality and Ambitions

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Summary

Prison conditions in Jordan remain the Jordanian government's top priority in accordance with royal recommendations. This year has witnessed a number of positive reforms carried out by the Public Security Department PSD which are mentioned in this report. Some of these reforms focus on building new prisons in line with international standards and measurements to replace old prisons. In addition, the directorate has also implemented some correction and rehabilitation programs, educational and sport programs, and other training and rehabilitation programs for employees working in prisons.

The report has been prepared based on a methodology followed by the NCHR, which includes: unannounced and semi-unannounced field visits; studying reports pertaining to each center; interviews with current and past inmates and their families, civil society activists, and directors; and information provided by correction and rehabilitation centers, the Ombudsman's office, the Human Rights Center, the complaints office, and aid requests filed with the NCHR.

The report describes the prison environment in terms of buildings, amenities, service facilities, and service quality. It highlights some of the problems which prisons still experience, such as: limited service facilities, sanitary problems, poor building structure, continuous absence of maintenance in some prisons, and overcrowding problems found in some prisons. Unfortunately, these problems have negatively influenced various aspects of prisoners' lives. As a result, several phenomena have become frequent in some prisons: misusing facilities, selling services, bribes, and favoritism the right to use beds, being exempted from prison cell duty, the use of showers, etc.. The report also refers to new prisons like Al Muwaqar Prison 2, one of the most secured prisons in the Kingdom, which holds dangerous and violent prisoners. Due to its high level of risk, the report recommends a full re-evaluation of its operating mechanisms by following the recommendations found in this report.

The report has analyzed the form, quality and level of services offered to inmates in 10 Jordanian prisons, which hold an average of 7000-7500 inmates within a year, according to statistics prepared by the Public Security Department PSD. Some of the other problems these prisons suffer from include lack of health and psychological care services, continuous decrease in the number of medical and psychological

staff working in prisons, decrease in welfare services, and the absence of post-care programs. Also, judicial and legal aid services are still limited, in addition to water problems, the deficiency of cleaning tools and the spread of drugs.

Administrative arrest has turned out to be the most common of prison and prisoner problems. The number of Jordanian administrative detainees has risen to 11,870 since 30/8/2008 with around 1,313 foreign detainees. The report also touches on the overall legal and practical problems caused by administrative arrest, such as overcrowded prisons that fail to meet the categorization standards, which in turn lead to riots in some of the prisons, hunger strikes by prisoners, and problems related to the prisoners' families as well as the financial and administrative burdens the State Treasury has to incur as a result of the poor administrative decisions issued by officials who fail to follow legal procedures in courts. Such actions are considered clear violations of the provisions of the Crime Prevention Act. Another type of violation is the issuance of administrative decisions after the court acquits the defendant and he/she is then detained administratively, which is a clear encroachment of judicial decisions.

The report supports the reduction of the period of judicial detention. The NCHR advises judicial authorities to fully study the reasons behind not revealing the verdicts of cases presented to courts and prosecutors in the light of the increased number of detainees held by the court, compared with the number of sentenced prisoners since the beginning of the year 2008. As of 30/12/2008, the number of detainees awaiting trial reached 26,088 while the number of those sentenced reached 24,176.

The report also highlights other problems that prisoners still face inside prisons, like low wages for prison jobs, problems in transportation to hospitals and courts, beating and maltreatment, and many other common problems. Fortunately, the number of complaints has decreased this year compared to previous years, based on the decreased number of complaints sent to NCHR, the Ombudsman office and the Legal Affairs Department at the PSD, where the number of complaints reached 37 in 2008 compared to the year 2007, when it stood at 41.

The report unveils major shortcomings in the mechanism of national remedies for a number of cases linked to torture and mistreatment as well as the lack of legislation and its ineffectiveness in general in holding accountable those responsible for torturing prisoners and referring them to prosecution. Other shortcomings include the absence of witness and distressed victim protection programs and the absence of rehabilitation centers to look after distressed victims. As a result, the report suggests modifying the

amended article 208 of the Jordanian Penal Code and intensifying the punishment of perpetrators of torture crimes.

The report also focuses on the role of prison authorities and their role in organizing training and rehabilitation programs implemented during the year 2008, as well as correction and rehabilitation programs and projects designed for employees. The report takes note of the riots which occurred in some prisons during the year 2008, such as Al Muwaqar, Swaqa, Qafqafa and Juwaideh prison for men in April 2008 which resulted in the deaths of three prisoners and the injury of more than 93 at Al Muwaqar and 42 in Swaqa. Some of these riots have been controlled in Qafqafa and Juwaideh prison for men. The financial losses caused by such riots reached JD450,000, according to the PSD spokesman. The NCHR has issued a report summarizing the causes of the riots in Al Muwaqar Prison, being a result of mistreatment by some prison personnel, which coincided with unstudied transfer operations conducted by the PSD in line with its plan to implement the categorization and solitude system. The PSD has asserted that these events were a result of prisoners' objections to the implementation of the solitude system as well as to their transfer to jails far away from their families' places of residence. The investigation committees three of them concluded their work on 1/7/2008, leading to the prosecution of 60 inmates on charges of provoking riots, disobedience, arson and vandalism. These committees also prevented the prosecution of any police officer or any other PSD official citing lack of evidence. As a result of these events and the report issued by NCHR, The National Center for Human Rights was prohibited from visiting prisons from the period between mid-April and the beginning of August, 2008.

The report expresses concern regarding the increase in the number of suicide attempts inside jails to 93 cases, all of which were stopped by prison authorities. Unfortunately, the number of prisoners who have died in prisons has reached 24, of which 21 deaths were due natural causes, while the other three cases were a result of one suicide in Qafqafa jail, and two suicides caused by the intake of chemical substances in Ma'an jail. The report has requested that special attention be paid to suicide attempts in terms of paying more attention to the psychological conditions of prisoners.

The number of hunger strikes by inmates reached 1,112, in 10 Jordanian jails. The report states that such strikes are due to either their deteriorating conditions inside prisons, decisions made by administrative officials or judicial detainment. The report recommends transferring the supervision of prisons from the Ministry of Interior to

the Ministry of Justice as part of Jordan's commitment to implement international standards, which mandate jail supervision by a civil authority. Moreover, the NCHR has stressed the importance of conducting a comprehensive review of the legislation related to homicide and prison reform and synchronizing these laws with international agreements that Jordan has committed to implementing. The report recommends developing these laws as well as introducing alternative penalties and a judicial system for implementing sentence time in accordance with previously mentioned rules.

The report also highlights the most evident positive developments during the year 2008, which include the opening of a human rights office subsidiary to the NCHR in Swaqa Jail, to be the forerunner of other offices in the remaining prisons. It also highlights the Higher committee for Correction and rehabilitation's meetings, which were held twice during 2008 after a more than three-year break, and the appointment of seven general prosecutors to jails, in addition to other procedures related to religious reform and preparing a draft on motivational treatment instructions awaiting adoption by the Higher Committee for Correction and rehabilitation. The report stresses the necessity of amending the draft according to notes made by civil society organizations, NCHR and others.

The report also notes some of the negative developments which surfaced in 2008 such as prison riots and the prohibition of the NCHR's team from visiting the prisons from mid-April, 2008 until the beginning of August, 2008, following the release of NCHR's report on events at Al Muwaqar and Swaqa prisons.

Finally, like previous reports, the report directs several recommendations to executive authorities with the aim of improving the conditions of inmates and prisons, and enhancing the quality of performance in accomplishing reform in this field in view of the absence of strategic and national elements concerning prison reform. The report hopes that its recommendations be carried out, in line with the realistic and positive steps that were adopted by the PSD and are mentioned in this 2008 report, although, unfortunately, most of them have not been implemented yet.

Introduction

The sixth periodical report on the conditions of correction and rehabilitation centers seeks to shed light on the developments of prison conditions in the Kingdom in 2008, and determine if official authorities are working positively with regard to this issue or otherwise.

The NCHR issues this report in full awareness of the volume of challenges prisons face; attempting to change the treatment of inmates in a way that conforms to international legislations and ethics is perhaps considered the biggest challenge in this field. Changing workers' understandings of the nature of their jobs and the humanitarian role they should play also requires exceptional efforts in the field of choice, training and rehabilitating of prison staff. Moreover, the applied criminal justice policy should be changed with a judicial reform policy that takes into consideration the criminal offense and its motives in accordance with international law, humanitarian values and constitutional principles that aim to preserve an individual's dignity. Consequently, this requires studying the application of alternative provisions other than prison sentences while applying a judicial system that implements penalties and transferring the supervision of jails from the Ministry of Interior to the Ministry of Justice.

This year's report highlights the problems that jails face such as abuse of prisoners, distortions that hamper correction and rehabilitation efforts, and the most common problem of overcrowding and the rise in administrative arrest. Other problems include prolonged judicial detainment and its negative effects on the daily lives of prisoners; the lack of health, social and psychological care services; and the clear absence of supervision and monitoring in jails by judicial parties and other governmental monitoring authorities such as the Human Rights Directorates at the Ministry of Interior and the Ministry of Justice.

The report also highlights the developments that took place in 2008 regarding the custodial environment and the implementation of correction and rehabilitation programs in some prisons as well as vocational training.

The NCHR values and supports development projects implemented by correction and rehabilitation centers, despite their limited human and financial resources and capabilities as well as the inadequate efforts of other authorities concerned with jails, the

clear absence of strategic and national efforts related to prison reform. Other obstacles they face include weak procedures and solutions in solving human rights violations and enhancing rights in accordance with Jordan's commitment to international pacts like the Convention Against Torture and the national laws in force. Unfortunately, these efforts will remain too scattered and limited to achieve comprehensive reform in prisons.

Despite NCHR's continuous recommendations to authorities to improve prisons and prisoners' conditions, many of these recommendations were not taken into consideration. As a result, this non-cooperation further proved the limits of these authorities' interest in and commitment to this issue. Their defiance will be brought up later in this report in order to motivate these authorities to carry out their legal responsibility towards improving prisons by following the NCHR's recommendations in the future.

We would like to thank our partners in the Office of the Ombudsman for Human Rights at the PSD for their efforts and fruitful cooperation that enabled us to perform our mission in following prison conditions and issuing this special report on this issue.

Commissioner General

Muhyiddine Touq

Methodology

The NCHR has continued to follow a clear methodology and set of principles during the preparation of its reports, which are used to evaluate the conditions of inmates in prisons and correction and rehabilitation centers. The report is fully aware of the defects these fields have and clearly displays them. This methodology is based on:

1. Unannounced and semi-announced field visits to prisons and correction and rehabilitation centers in coordination with the Office of the Ombudsman for Human Rights, the PSD and the Correction and rehabilitation Unit's team at the NCHR.
2. Documenting reports in all centers spread across the Kingdom.
3. Interviewing inmates, detainees and administrators.
4. Reviewing the practices and services provided as well as the treatment prisoners and detainees receive.
5. Interviewing former and current inmates and detainees in addition to families of some inmates and civil society activists
6. Making use of information provided by the administration of correction and rehabilitation centers, the Office of the Ombudsman for Human Rights, and some security directorates.
7. Studying and analyzing complaints and aid offers presented to the NCHR during the year 2008.

Evaluation of correction and rehabilitation centers' status

Evaluating the conditions of jails and assessing the treatment prisoners receive, the abuse they are subjected to, their needs, and their performance requires more than just a visit. There is a need for a training strategy involving prison employees while conducting an individual evaluation of their performance and a periodical check up of their needs in addition to being aware of the allocated budget for prisons and ways of spending it plus studying the relationship between the inadequate allocation and adequacy of performance.

The NCHR conducted a series of unannounced visits to 10 correction and rehabilitation centers as part of its permanent visit program aimed at checking the conditions of those centers and evaluating their developments excluding the period from mid-April till the beginning of August, during which the NCHR was prohibited from implementing its visits after issuing its report on riots in prisons mid April 2008. These visits were conducted in coordination with the Office of the Ombudsman for Human Rights at the PSD; the center's team made 32 visits, each of which lasted between three and six hours. The following shows the conclusions made by the center.

The critical evaluation of the conditions of jails and inmates should be objective, comprehensive, and based on a well-studied methodology. As a result, this report will cover most of the aspects related to prisons and prisoners as follows:

1. All the 10 centers visited are located in different governorates: Qafqafa – Jerash, Balqa'a – Balqa'a, Berein – Zarqa'a, Al Juwaideh Men – Amman, Al Juwaideh Women – Amman, Swaqa – Amman, Karak – Karak, Ma'an – Ma'an, Aqaba – Aqaba, Al Muwaqar – Amman. This report uses the following vocabulary: Prison – prisons, The Prison's Administration, Center – Correction and rehabilitation Centers and Center's Management – Correction and rehabilitation Centers in order to preserve the linguistic, legal and humanitarian wording which leads to the right meaning. Prison is described as a special place for restricting freedom under conditions determined by law. The report uses prisoners as a synonym for inmates in a number of cases to differentiate between detainees and custodians.

First: Prison environment, including buildings, facilities, their equipment and the services provided.

Second: Conditions of Prisoners

Third: Problems of prisoners

Fourth: Prison administrations

Fifth: Notes related to events including riots, deaths and suicides inside prisons, strikes, judicial supervision of prisons and the transfer of supervision from the Ministry of Interior to the Ministry of Justice.

Sixth: Conclusions and recommendations

First: Prison environment: Buildings, facilities, level of provided services

The prison system in Jordan consists of ten old, medium-aged and modern prisons see Annex No. 1. It has been noticed that some prisons were built without taking into consideration the needed equipment and construction before being converted into prisons such as Al Balqa'a. During the year 2007-2008, the PSD sought to build new prisons in accordance with international standards as an alternative for the old ones such as Al Juwaideh Men and Al Balqa'a. Moreover, two out of five prisons were established in the year 2008: Salhoub and Al Muwaqar 2. It is expected that these prisons will start their operations and open in the beginning of the year 2009. Other prisons - Al Zarqa'a, Al Rmaimain and Marka - will be ready within two years. Old prisons will be rehabilitated. Al Muwaqar Prison 2 is one of the Supermax prisons in which the area of each room does not exceed 2 x 3 meters; each room includes a toilet, bed, bath and a small balcony for prisoners to stand up and get fresh air; but these prisons don't allow prisoners to meet each other and communicate, in order to isolate dangerous or violent prisoners from the others.

These prisons are designed for solitary confinement for periods longer than that allowed under Article 38 of the Correction and rehabilitation Centers Law No. 9, 2004, which is one week. The negative effects of these prisons include psychological and mental disorders. The NCHR hopes that these prisons will not be used for isolating prisoners and calls for reviewing the mechanism behind opening such prisons so that inmates are not subjected to additional penalties other than those stipulated by the law unless the said law is modified. The NCHR is aware that the correction and rehabilitation Centers requested that the Ministry of Health assign a resident psychiatrist at every center to start work at the beginning of 2009.

- Some prisons suffer from limited facilities and services due to insufficient space. There is no space to establish libraries or programs for educating prisoners or for sports or entertainment activities in Al Karak, Ma'an and Aqaba prisons. These problems prohibit staff at these carrying out the categorization of inmates and isolation measurements, as is the case at Al Karak prison, or allow only limited categorization in other prisons such as Al Balqa'a, Ma'an and Al Aqaba.

- Most of the prisons suffer from the absence of a healthy environment, suitable facilities and proper maintenance, which negatively affects prisoners' health. The infrastructure of prisons can not accommodate the current number of prisoners and the quality of the buildings is extremely poor. The overcrowding problem has negatively and directly influenced different aspects of prisoners' lives. A number of negative phenomena still occur in prisons such as bribery, selling services, misuse of equipment, nepotism, and exemption from room service, showers and other privileges. Many of the poor prisoners provide services to other prisoners in their rooms such as washing their clothes, cleaning and other chores.

It is noted that capacity is still determined based on the number of beds available in the center or on the size of allocated areas where inmates sleep, which is considered inaccurate.

A number of factors should be taken into consideration when determining the suitable capacity for prisoners such as the number of beds, size of rooms and prisoner's share in using the sports, health, educational and dining halls in addition to their share in taking part in training and rehabilitation activities. If these measurements are not taken into account, then prisons will remain overcrowded and no prisoner will receive his fair share of the services he is entitled to.

A failure was noted in the categorization of prisoners on the basis of age, type of crime, level of danger, and the period of penalty to distribute inmates to rooms group residence system. This phenomenon is evident in most of the prisons. The PSD has categorized and isolated the custodians from the detainees in the year 2008 by allocating some prisons for detainees as follows: Swaqa, Al Muwaqar, Um Al Lolo and other prisons for custodians. This procedure is considered a positive initiative that is in line with applying the categorization process, which should be activated to promote an effective system in categorizing prisoners and providing them with specialized training and rehabilitation programs. Incidents of riots occurred in some prisons due to the transfer of some prisoners to prisons that are far away from their families' places of residence.

A number of developments were made in 2008 in the field of educational, sports, cultural and entertainment programs implemented by the PSD with some authorities as follows:

1. Implementing two cultural sessions for prisoners organized by the administration of the correction and rehabilitation centers for a period of six months and in all prisons. The components of the program included awareness lectures on diseases, such as AIDS, mental disorders and other illnesses. Both sessions were implemented in cooperation with the Ministry of Social Development as well as the Chief Justice, The Ministry of Health, NCHR, and the anti- narcotics and anti-counterfeiting administrations.
2. Printing and distributing 6,000 copies of the guide to the rights and obligations of inmates of correction and rehabilitation centers within the national legislation in cooperation and coordination with the NCHR.
3. Presenting theatrical performances for prisoners in the rehabilitation centers as well as equipping Swaqa in May and June.
4. Implementing a sports season for five months, which includes the following sport activities: football, handball and basketball. A quantity of sports equipment presented by the Red Cross Society will be provided to prisoners. Areas to expose prisoners to sunshine outdoor have been designated in Al Muwaqar.

As for the level of rehabilitation and training programs or the working areas, they are still in fairly good condition and are found in only five prisons: Berein, Swaqa, Qafqafa and Al Juwaideh Women and Al Muwaqar. Al Muwaqar was equipped with the needed tools in order to activate the craft operators during the fourth quarter of the year 2008.

Farming projects as well as animal rearing and shoe production projects are available at Swaqa Prison in addition to the production of chemical detergents, sweets and other various products. As for Al Juwaideh Women's prison, it offers sewing, knitting, embroidery and other types of craft projects and hobbies to be practiced by women. But those projects serve only a few prisoners. As for the majority of prisoners, they don't benefit from these programs due to a shortage in the number of programs implemented in comparison with the number of prisoners and their psychological conditions.

Second: Prisoners' situations

The number of prisoners in the 10 correction and rehabilitation and centers ranges between 7000 – 7500 prisoners according to statistics collected by the PSD on December 30th. See appendix 2. The following shows an analysis of the status of prisoners as well as the quality and type of services provided in light of the international standards related to the national laws.

1 – A great number of prisoners are illiterate and there is a limited number of literacy courses offered by prisons in general. Fourteen courses were given during the year 2008 in different prisons in Jordan. The number of prisoners who benefited from those courses was 493. Also, Al Tawba Illiteracy School was opened in Al Muwaqar Prison in addition to the evening studies' center in Swaqa prison which opened in the year 2005. Al Muwaqar and Swaqa prisons were allocated for convicted inmates.

In 2008, The PSD gave approval to 42 inmates from all prisons to perform the General Secondary Tawjihi Exam and provided them with the required facilities and appropriate circumstances in jails in order to help them study.

2- Little judicial and legal assistance is provided to prisoners in general, except for the limited legal assistance provided by the legal team which works for the benefit of human rights "Meezan", which provides a service for women inmates in Al Juwaideh Women's Prison, as well as the limited legal assistance provided by the correction and rehabilitation centers' affairs unit at the NCHR which provides legal advice only. The financial status of prisoners plays a great role in the lacking of legal assistance offered to them to get a lawyer to represent them in courts and perform the legal procedures or in paying their fines. We hope that civil society organizations and the Lawyers' Association Bar Association will play a better role in the future in this field. A human rights office has been opened in Swaqa prison on February 3rd 2008 in order to offer legal assistance to prisoners. We hope that other offices will open soon in the remaining prisons.

We should note that this lack of legal assistance is also due to the unsuitable conditions of the halls in which lawyers meet their prisoners in some prisons, such as Swaqa, Qafqafa, Berein and Karak, in addition to the treatment those lawyers receive from police when they visit their prisoners where they are placed under a thorough security check according to some of the notes that were presented by lawyers to the NCHR during the year 2008.

The role of the association should be activated in providing legal assistance to prisoners who are unable to pay for a lawyer.

3- The tight control on letters and phone calls belonging to prisoners.

A prisoner is not ensured his right to preserve the privacy of his letters and phone calls. Although the PSD has provided additional cabins for prisoners to call their families more often, these cabin are still not enough. Moreover, the time of the call is too short. The provided information shows that a number of prisoners illegally own mobile phones which were found in their rooms. As a result of this finding, the administrations of prisons are trying their best to put an end to this problem.

4- Social care services in most prisons are not provided as required and are not enough in all means and forms. The role of the Ministry of Social Affairs inside prisons is still vague as it only offers services related to providing the families of prisoners with a salary through the National Aid Fund. As for tasks related to providing the prisoner with the means to call his family in order to go back to society as a normal person without feeling that he is a threat to society is still vague. The provided information does not show that the Ministry of Social Affairs is looking forward to implementing more care programs in cooperation with civil society organizations, despite the vital role of these programs in preparing the prisoner for the stage when he goes back to society after his release. Moreover, there are no specialized studies of the reasons for crime or how to find solutions or reasons for the continuity of crimes. We hope that the social care offices in jails will improve their performance and the capabilities of their workers in prisons.

5 – Lack of health care services. This includes the following problems:

A - Lack of an active medical team in the medical units in jails that is equipped with the required tools to match the number of prisoners while providing them with the necessary treatment. The GP at Al Juwaideh Men’s Prison also works in Al Juwaideh Women’s Prison, and treats more than 100 prisoners on a daily basis. As for the dermatologist and the dentist, they visit the prison once a week, which is considered a health care deficiency situation. Moreover, there are no female doctors in women’s jails to give them a periodical check-up. The total number of medical professionals working in jails is 50. The

following schedule shows the number of doctors in jails according to their specialization:

Specialization	General Practitioners	Dentists	Nurses	Medical Observers	Pharmacy Assistants	Technical Assistants
Number	14	9	17	3	6	1

A dental clinic opened in the year 2008 at Al Juwaideh Women Prison.

- B- Most of the prisons suffer from a lack of fully equipped clinics needed to facilitate the process of inspection and testing. Those prisons also suffer from a lack of necessary medical tools and equipment.
- C- Not performing surgeries for prisoners on time due to a lack in the number of beds designated to inmates of correction and rehabilitation centers in government hospitals 24 beds only.
- D- The spread of skin diseases such as allergies in addition to chest diseases in overcrowded prisons.
- E- Lack of periodical check-ups for women.
- F- Weak health monitoring of food, nutrition and clothes of prisoners.
- G- Lack of necessary medicines and treatments that are considered expensive but paid by the inmate. Prisoners are not allowed to take their medicines with them when they are sent to prison.
- H- Unsuitable and unethical behavior of doctors and hospitals towards some prisoners, not taking into consideration the humanitarian duty related to their job which requires them not to discriminate against prisoners.
- I- The absence of health release guarantees to prisoners as part of the Correction and Rehabilitation Centers' Law. Some dangerous health conditions of prisoners are guaranteed a release with a special amnesty.
An unreleased study by the Red Cross International Committee described the health care of prisoners as "Good" Al Ghad Newspaper, August 12th, 2008.

6 - The poor psychiatric care as well as the limited services provided by psychiatrists. This service is lacking due to the following reasons:

A – The lack of doctors and nurses within this specialization in the Ministry of Health 35 doctors.

B – The limited number of beds at the National Center for Psychiatry which is reflected in the continually high number of mentally disturbed prisoners in most of the prisons, keeping in mind that the capacity of the center is 55 beds for prisoners.

C – Lack of psychiatrists working in prisons to rehabilitate mentally sick people in terms of behavior.

7 – The lack of libraries in some prisons has decreased the capacity for educating prisoners. Moreover, the available libraries consist of a simple wooden cupboard with a small collection of books that don't meet all the prisoners' needs and desires. Some of the books are too old and need binding. Prisons' libraries were provided with many books and brochures in 2008 through coordination with private and public universities.

8 – Water scarcity and lack of cleaning tools provided by the administration of some prisons, which result in the spread of foul odors.

9 – The spread of drug abuse among prisoners in some prisons despite the administration's efforts in those prisons to control this issue and put an end to it.

10 – Lack of special and suitable uniforms for female prisoners.

11 – Poor ventilation in some prisons and the presence of problems in the sewage system Al Juwaideh Men's prison, which lead to the spread of some insects and termites.

12 – Lack of bed covers, mattresses and sheets in crowded prisons.

13 – The lack of privacy for prisoners due to their desire in failing to apply this code in accordance with the survey conducted by the PSD on 3000 detainees.

Third: Problems of prisoners

1. Administrative detention

This problem is considered one of the biggest violations of human rights and freedoms as described by international law. The number of administrative detainees has increased since the beginning of the year through December 30th, 2008, reaching 11,870 Jordanian administrative detainees. The number of foreign administrative detainees is 1,313, awaiting deportation due to violations of the residency regulations or other laws. Many of them were not allowed to be released despite their readiness to pay their required bail.

The administrative detention problem is one of the major problems facing the NCHR due to the practical and legal issues it causes, such as overcrowded prisons, additional financial and administrative burdens for which the State Treasury is responsible, prisoners' hunger strikes or riots, and the impact on prisoners' families of their psychological, economic and social conditions.

Administrative detention is a penalty imposed by an administrative governor that is considered valid in juvenile justice only. The NCHR stated that the administrative governors do not abide by the legal procedures and standards before issuing the arrest warrant in most of cases, which is considered a breach of the law's articles against crimes.

An issue which should also be discussed regarding administrative detention is the continuity of preserving those people in prisons to protect society and preserve security in addition to other justifications as if we are saying that jail is the last resort due to the failure of all efforts to rehabilitate and reform these people noting that our prisons are considered as correction and rehabilitation centers and that there are correction and rehabilitation programs offered to prisoners. Here we should ask if the prisoners took these programs or not, and if they failed in them in order to continue torturing them.

The Crime Prevention Law should not be applied by security authorities merely on the assumption that a prisoner might commit a crime or might intend

to do so based on his previous criminal acts. Administrative governors should ask authorities to provide documents confirming whether a prisoner might commit another crime in the future to avoid making wrong decisions based on their beliefs.

Among the policies related to further punishment and maltreatment of detainees, the continuity of administrative governors' actions in relocating suspects to places far from their residences. Despite the spread of prisons in the kingdom's governorates, the administrative governors do not just punish the prisoner, but also his family, by requiring them to pay a certain amount of money when they plan to visit him.

The administrative detention practice is considered an obvious infringement on the courts of acquittal or lack of responsibility when it is re-sentenced to those of the judicial decisions to jail in light of an administrative warrant letter issued by the administrative governors noting that they are ex-prisoners who committed crimes in the past and that they are dangerous to society and should not be released unless they pay a certain amount of money or carry out some social or legal procedures and commitments. The NCHR has previously asked for restudying the crime prevention act with regard to its previous reports while considering the committee formed by the Ministry of Interior, the PSD, the Ministry of Justice and the NCHR's representative, which gave its recommendations to the committee's chairperson The Minister of Justice on August 30th, 2006 See prisons' report 2006-2007. We hoped that these recommendations would be taken into consideration due to the effects of administrative detentions. A number of releases were made for some administrative detainees especially after the events that occurred at Al Muwaqar, Swaqa and Qafqafa prisons, when the municipality's governor released 98 administrative detainees on May 7th, 2008 and Zarqa's governor released 75 administrative detainees. Also, a committee was formed to study and categorize the administrative detainees' cases. On the occasion of the Holy Month of Ramadan, Eid Al Adha and Eid Al Fitr, Amman's municipality's governor released 132 out of 250-300 administrative detainees, 50 of whom were females. Police controls were lifted on 615 people in the year 2008, when a specialized committee was formed to study all the police control decisions in accordance with the rehabilitation principle as well as helping prisoners according to the municipality's notes in June 10th, 2008, Ad Dustour Newspaper.

2. Prolonged judicial custody

The number of detainees as of December 30th, 2008 reached 26088 detainees in addition to 3290 foreign detainees, according to the public prosecutors and courts. The number of detainees at the Attorney General of the State Security Court reached 7676 among whom many have been detained for more than seven months without being indicted or brought to trial. The number of detainees has exceeded the number of sentenced prisoners from the beginning of the year through December 30th, 2008, reaching 24176. This is due to the indictment decision which comes as the first procedure when a person is being investigated or for some other reasons which include slow court procedures as well as informing the witnesses or the attendance of the indicted people which calls for the need of some judicial authorities to study the reasons if there is a lack of action in speeding up issues required to be provided to the courts in light of the international measurements and standards where continued detention is widespread for long periods that sometimes exceed the penalty's period or sometimes the usage of the detention as well as its renewal as a means of pressure on people seeking reconciliation of their opponents.

The arrest of some people was monitored for a period exceeding three years before the court issued decisions acquitting them of charges or dropping their charges. All of these cases need to be reviewed by judicial authorities so that judicial detention is not used as a penalty, in clear violation of the right to a fair trial and other legal safeguards guaranteed by the constitution as well as related national laws. The constitution states that the accused is innocent until proven guilty. Legislation should be amended to offer compensation for judicial detention when not guilty decisions are made by courts.

3. Re-arresting: Real humanitarian suffering is caused by security centers as well as police directorates through adding notes on the prisoner's file that he should be brought from the correction and rehabilitation center to the security center after being released if he was detained or sentenced in order to take an administrative action against him or transferring him to be under arrest for another case. As soon as the prisoner is referred to the administrative governor, he will be asked to write an obligation or take action against him constraint residence, all of which are procedures that violate the laws governing the roles and powers of the administrative governor according to the Crime Prevention Law.

Those procedures should be studied and all violations should be stopped according to a clear mechanism that calls for an end to aggressiveness, abuse and violations of the law.

4. Working in prison and low wages

Some of the inmates do some cleaning and kitchen work as well as serving the jail's officers without being paid despite not being sentenced for hard labor. Some of those prisoners work in other facilities at the correction and rehabilitation centers for a very low salary which ranges between JD 14-15 per month, which is considered an unfair payment for the prisoners' hard efforts and long working hours.

5. Behavioral penalties

Some prisoners complained about the behavioral procedures taken by the administration against them without the investigation required by the law and without listening to the inmate's defense.

6. Transfer to hospitals.

Prisoners still suffer from the delay in their transfer to hospitals when they are sick due to administrative procedures and to the fact that they are being transferred in prison vehicles while handcuffed, which reflects inhumanity and aggressiveness in addition to some negative health effects on the patient especially if he suffers from problems in his backbone or chest diseases. Also, the way they are handcuffed is dangerous as it gives them bruises when the car stops suddenly.

7. **A number of inmates complained** about being subjected to abuse and mistreatment by police officers in some prisons, especially during riots to be discussed under prison riots. Moreover, some individual complaints of mistreatment of prisoners by the jail's guards were presented during their transfer to courts and hospitals. The number of individual complaints concerning abuse has decreased, according to the NCHR's visits to the jails excluding the period when the NCHR was prohibited from visiting the prisons from the middle of April until the beginning of August, 2008.

It was noticed that The PSD investigated all the complaints received during the year 2008 and didn't ignore any of them, and that they were all monitored and referred to the Police Court. The number of complaints

that were sent to The Ombudsman and Human Rights Office in the PSD has reached 28, six of which were reserved upon complainers' request; six simple complaints that weren't related to the Police Court were presented to the court, which were related to violating instructions. 16 Complaints were referred to the Police Court and they were redressed with the penalties required by law such as imprisonment and fines. The NCHR received nine complaints, which it investigated and then discussed with the PSD; one complaint was reserved upon the complainer's request, one complaint was closed due to the lack of proof of violation, one complaint was referred to the Police Court and four other complaints were referred to the court for the Unit's Leader as they are simple cases related to violations of instructions. Two complaints are still pending; they are being monitored and followed up. The following schedule shows the decrease in the number of complaints presented to the NCHR and the PSD during the year 2008 from the year 2007:

The number of complaints in 2007	41
The number of complaints in 2008	37

Jordan has fulfilled its obligations according to the anti-torture agreement by applying certain procedures and a number of legal reforms that aim at consolidating the standards of human rights into national laws. But we can see a clear failure in the mechanisms of national regulations in torture cases despite the latest modification that was made to article 208 of the Jordanian Penal Code, and its ineffectiveness in holding people responsible for torturing prisoners by presenting them to courts. This failure calls for a review of the investigations of the complaints as well as studying their effectiveness in preventing torture. Jordan's commitment to fighting torture requires more than just fighting it when it occurs; it also requires providing protection to the victims and witnesses or even rehabilitating them. There are no specialized centers for rehabilitating victims of torture or programs for protecting the witnesses in Jordan and taking measures to prevent torture. Preventive commitment is necessary in order to ensure the right to be physically protected and not be subjected to torture. This requires legislative proceedings that guarantee criminal accountability by Order Courts instead of Special Courts, which lacks fair judgment as the judges are appointed by the PSD, as well as forming an independent judicial committee to investigate all torture cases in order to make sure that the people responsible

for such actions are punished as required by another amendment to item 208 of the Penalties Code No. 16 for the year 1960, which was modified in October 2007 to include the definition of torture and its penalty for the first time in the national law.

The international Human Rights Watch organization issued a report on October 8th, 2008 entitled “Torture and Impunity in Jordan’s Prisons - Reforms fail to tackle widespread abuse” which confirmed that torture of prisoners remains widespread and routine in Jordan’s prisons. The PSD on October 9th, 2008 accused the organization’s report of being non-scientific and including many contradictions, describing it as a political tool which does not aim at focusing on human rights cases. The PSD also mentioned the procedures it undertakes for the benefit of human rights inside jails, such as employing general prosecutors in seven jails to receive and monitor as well as follow up prisoners’ complaints, and that it has opened an office for the National Center for Human Rights and has trained and rehabilitated the workers in jails to know how to best deal with prisoners in addition to applying a number of reforms as part of the PSD’s policy to improve prisons’ conditions. On the other hand, the NCHR confirmed in a statement issued and published in October 22nd, 2008 that the recommendations mentioned in the Human Rights Watch report were included in the NCHR’s previous reports in 2005-2006-2007 to be mentioned in the conclusions and recommendations appendix.

The report called on the government to take the necessary procedures and actions into consideration by implementing them as soon as possible as well as setting national strategies in order to put an end to torture and ensure the presence of the Attorney General to play its role in protecting the victims as well as to make sure that the accused people in torture cases do not remain at work so that they cannot take any retributive action against the victims.

8. Other problems

Prisoners suffer from unsanitary drinking water in most of the prisons and inadequate breakfast and dinner meals as well as coldness in winter in some prisons due to the lack of bed covers and heating in rooms in addition to the lack of hot water in bathrooms in winter. Prisoners also have to put up with being late to their court trials due to the overcrowding and delay of prison buses and cars.

Fourth: Prisons' administrations/Correction and Rehabilitation Centers

A number of well-trained, experienced and qualified officers are heading and managing the correction and rehabilitation centers in Jordan in addition to some other officers who were trained and are qualified for such positions by the correction and rehabilitation centers, but it seems that the training they have received is not enough for them to perform all their tasks completely because working in such centers requires specialized training for administrators, officers and guards of the prison. The variability of the experiences in different administrations in the PSD is not considered as a limited measurement alone, since we can also note the following points:

- 1 – The training and rehabilitation of the centers' directors: A number of workshops were organized for them in coordination with the Red Crescent's committee and the National Center for Human Rights NCHR. As for the individuals working in these centers, the correction and rehabilitation development office organized a number of courses in the beginning of the year 2008 aiming at preparing and qualifying the workers in the correction and rehabilitation centers; 314 officers benefited from those courses.
- 2 – Workers in prisons excluding some seniors do not receive decent benefits considering the difficulty and danger of their jobs. The pay and benefits in these centers do not form an adequate motivation for the best people to compete in getting such jobs. Many policemen do not like to apply for jobs in prisons as they consider this job a decrease in their chances of taking on more important positions. A motivating policy should be adopted to encourage people to work in prisons through imposing financial raises or promotions by taking into consideration their real desire to work and understanding the meaning of their role in rehabilitation and reform.
- 3 – The lack of clear measurements for evaluating the working staff officers, individuals and civilians at correction and rehabilitation centers in accordance with the capacity of each center. This affects the quality of care and service provided in each prison as there is a clear difference in the services provided among prisons.

- 4 – A number of opportunities were provided during the year 2008 to review the experiences of countries that apply international standards in treating prisoners and inmates, which requires working on specialized training programs in the correction and rehabilitation process of administrations in addition to the workers in the reform centers by finding a periodical evaluating method. The presence of the prisons' managers during the year 2008 was observed and mentioned in the report.

- 5 – The PSD started implementing a joint project with Austria aimed at developing and enhancing the foundational and managerial capabilities of the correction and rehabilitation centers in order to find an effective system to categorize the inmates and rehabilitate as well as train the officers in addition to implementing a deal with the European Union to purchase tools, computers, and telecommunications systems for the correction and rehabilitation centers. The motivation and promotion system for workers in prisons has been modified and updated aiming at improving their performance. Another project will be implemented in cooperation with the Anti-Torture Organization in Denmark and a number of Jordanian partners such as the Ministry of Justice and Meezan as well as the NCHR. The project is called Karama and aims at organizing rehabilitation and training workshops for the staff working in prisons to promote their capabilities in fighting torture in Jordan.

Fifth: Notes on special events

For the purposes of describing the conditions of prisons and prisoners, we find that a number of issues are significant and should be mentioned, such as prison riots, deaths in prisons, judicial monitoring in prisons, suicide incidents, strikes and transfer of monitoring of prisons from the Ministry of Interior to the Ministry of Justice.

1. Prison riots

The NCHR reported that riots in prisons have become a weapon for prisoners to object to any of the procedures taken against them or to the ill-treatment they receive. The first riot occurred at Berein Jail on February 26th, 2008, instigated by a number of administrative detainees who used dangerous weapons from the prison's beds and windows causing the injury of 25 inmates. The main reason for these riots was their objection to the detainment decisions made by administrative governors as well as linking their release to financial fines that they considered too expensive for them to afford.

Qafqafa's prison's riots occurred on April 4th, 2008, when a number of inmates objected to their transfer from a number of prisons to Qafqafa as an implementation of the PSD's plan to isolate inmates. The inmates injured themselves and were transferred to Jerash Government Hospital.

The largest riots of the year 2008 began in Al Muwaqar Prison on April 14th, 2008, when three inmates died due to burns and 93 inmates were injured. The events continued, spreading to Swaqa, Qafqafa and Al Juwaideh Men's prisons. The report of the NCHR published noted that the events that occurred in Al Muwaqar prison were due to mistreatment as well as their transfer in order to isolate and categorize them without any logical reason. The inmates injured themselves and set fires inside their rooms. The report also pointed out that inadequate measures were taken by the prison administration and civil defense staff to control the fires and protect the prisoners. The NCHR team was prohibited from meeting the 18 prisoners in their rooms as they were placed in solitary confinement, making it difficult for the team to highlight the circumstances of the three prisoners who burned to death. The NCHR's report called for the need for reports from the forensic and investigation departments and committees to discover the reasons behind deaths in prisons.

The NCHR's report was subject to some criticism by the government and the PSD. The freedom committees have had reservations on the findings of the report and the PSD described it as a "hasty and cut-off" report, according to one of the officials in the Public Security System Al Rai Newspaper April 18th, 2008. Human Rights Watch issued a report on June 8th, 2008 calling for King Abdullah to form an independent authority to investigate the riots and the events that occurred in the prisons. This report also mentioned that the ill-treatment of prisoners by police officers led to the events Jordan: death cases in prisons due to burns need an independent investigation and that these events spread and reached Swaqa prison on April 15th, 2008 where 42 suffocated due to the fire in corridors, while another 40 injured themselves. About 400 prisoners were brought outdoors knowing that the NCHR's staff wasn't allowed to enter the prison. As for Qafqafa prison's events, about 5 inmates set fire to their bed covers and sheets on April 16th, 2008, but the situation was controlled by security. As for Al Juwaideh Men's prison, a number of protective measures were taken to prevent any similar action in the future.

The events which occurred in prisons led to the interference of soldiers in order to control those events and riots without the support of the PSD. These forces were used to practice aggressiveness and violence against prisoners even while transferring them to hospitals. The PSD estimated the losses caused by the events in Al Muwaqar and Swaqa prisons at JD450,000 and confirmed via its spokesman that these events were due to the prisoners' objection to the isolation and transfer scheme, wherein some of them were sent very far from their families. Prisoners set fires and injured themselves by setting agreements with their weekly visitors. On July 1st, 2008, three investigating committees under the PSD referred 60 inmates to court on charges of provoking riots and setting fires as well as damaging the prison. The court prohibited police officers from facing charges due to lack of evidence.

As a result of these events and the report issued by the NCHR published, the NCHR was prohibited from visiting prisons from April 2008 until the beginning of August 2008.

2.Deaths and suicide incidents in prisons

Deaths in prisons are due to old age, dangerous diseases, lack of health care, lack of proper medical attention, or torture. The number of deaths in prisons during the year 2008 was 24, two of whom died as a result of ingesting large amounts of cologne after collecting it in plastic bottles subsequent to purchasing them from the prison's shop. Eighteen of the 24 prisoners who died, lost their lives because of natural causes according to forensics reports as well as the investigation committee's findings and the medical history of some of the prisoners.

The following schedule shows the distribution of deaths in different prisons:

Swaqa Prison	3 natural deaths
Al Muwaqar Prison	7 deaths. 3 of them burnt to death+1 liver pandemic + 3 natural deaths
Al Balqa'a Prison	1 natural death
Al Karak Prison	-
Ma'an Prison	3 deaths, 1 suicide + 2 because of excessive intake of cologne
Al Aqaba Prison	1 natural death
Al Juwaideh Women Prison	1 natural death
Berein Prison	3 natural deaths
Al Juwaideh Men Prison	3 natural deaths
Qafqafa Prison	2 natural deaths

One case of suicide occurred this year, with two cases that led to death in Qafqafa Prison in 2007 in addition to 93 suicide attempts. The prisoner tried to commit suicide by hanging clothes or bed sheets from the ceiling. Suicide attempts should be taken into consideration interviewing prisoners to stand at the reasons for such attempts as some of them say the reasons include depression, refusing to enjoy the break under the sunlight or other reasons noticed by the psychiatrist or the individuals working in correction and rehabilitation centers. The psychological state of the prisoner should be given more attention and care by psychiatrists and the quality of the prisoner's life should be improved through various sports, educational and other activities.

As for the deaths resulting from torture and in light of international standards, the forensics' role is prominent in the process of reliable documentation of torture when it occurs so that it can be discovered. Unfortunately, the National Forensics Center is not providing the NCHR with detailed and periodical reports and despite attempts by the NCHR, no response was received from the forensic center until now. The NCHR is still getting the said reports via the PSD. This was the case despite the powers the NCHR enjoys under Article 9 of its law which authorizes it to request the information needed to accomplish its goals from the authorities responsible for prisons, who are required to provide the NCHR with this information without delay.

3. Strikes

The year 2008 witnessed 1,112 hunger strikes blamed on the bad living conditions of prisoners inside jails. Lack of adequate food, water, sunlight, heating, clothing, or communication with family members, plus bans on newspapers, books and pens, mistreatment of visitors, prolonged detention, and checking procedures motivated the prisoners to inform the public of their terrible situation in the prisons and to voice objection to the administrative decisions made by some of the administrative judges. These strikes broke the blackout on prisons as they attracted media and public attention to some sensitive cases. The NCHR's staff positively cooperated with the prisons' administrations with regard to these cases, monitoring the health situation of strikers by providing them with daily medical supervision and responding to some of the inmates' demands which are not contrary to the national and international standards. Some authorities also interfered to put an end to the prisoners' problems.

- Strikes in prisons were distributed as follows:

Prison	Number of strikes
Swaqa Prison	61
Al Juwaideh Men Prison	249
Qafqafa Prison	175
Berein Prison	116
Al Muwaqar Prison	223
Al Karak Prison	35
Ma'an Prison	36
Al Aqaba Prison	57
Al Balqa'a Prison	100
Al Juwaideh Women Prison	61

4. Judicial supervision of prisons

The role of judicial authorities is still superficial, inactive and lacking a clear mechanism of periodical supervision due to a number of reasons, foremost of which is the failure to set a system to supervise the checking procedures provided for in Article 8 of the Correction and Rehabilitation Centers Law No. 9 for the year 2004. As for the other reasons, it might be the multiple tasks vested in the judicial authority, which results in a lack of effective inspection procedures. The number of visits made by public prosecutors and judicial authorities to correction and rehabilitation centers reached 53 in the year 2008.

5. Transfer of the supervision of prisons from The Ministry of Interior to the Ministry of Justice

The Ministry of Justice, in cooperation with the Ministry of Interior, the Ministry of Health, the PSD and the National Center for Human Rights, began to look into the necessity and feasibility of transferring the supervision of prisons from the Ministry of Interior to the Ministry of Justice in line with international standards. Jordan has drawn a clear scheme that aims to comply with the international standards stipulating the supervision of prisons by a civilian authority in addition to the rules pertaining to the treatment of prisoners in place since 1957: rule 64/3, and rule 2/45 of the European rules related to prisons and police ethics. The need for a civilian prison system is crucial to the human rights goals set to improve the prison's circumstances and correction and rehabilitation of inmates and their situations. But the goal cannot be accomplished through this procedure only, as it requires other conditions such as conducting a comprehensive review of the legislation governing criminal and prison reform as well as adapting those laws to the international agreements to which Jordan is committed., in addition to designing alternative penalties and a new regulation that details these novel penalties..

Developments in 2008

A number of positive and negative developments occurred in the year 2008. They are summarized as follows:

1. Positive developments:

- Construction of two prisons; Al Muwaqar 2 and Salhoub, according to the international standards and measurements to replace old prisons.
- A special amnesty for 325 inmates on the occasion of Eid Al Fitr.
- Opening of a Human Rights office at the Swaqa Correction and Rehabilitation Center – where responsibilities were handed over to the NCHR on February 3rd, 2008. The office is tasked with monitoring all the requests and complaints of prisoners for all of the legal, health and social aspects in cooperation with concerned authorities. This is the first and main office to be opened; More such facilities will open in other centers soon.
- Meeting of the higher committee for correction and rehabilitation centers twice during the year 2008 on January 3rd, 2008 and November 10th, 2008, in addition to the announcement made by the Minister of Interior, who chairs the committee, during its second meeting on November 10th, 2008 that a number of employees at the ministries that are members in the higher committee were appointed as representatives of correction and rehabilitation centers to coordinate between the PSD and other authorities to provide educational, health and other services.
- The appointment of babysitters for Al Juwaideh Women's Prison's nursery to receive the inmates' babies until the age of three. The nursery is expected to open in the beginning of the year 2009. The PSD director announced that each female prisoner is allowed to keep her baby with her in the prison's nursery.
- Launching a website for the correction and rehabilitation center: www.crc.psd.gov.jo
- The Minister of Culture's announcement regarding the implementation of various cultural programs for prisoners such as cinematic and theatrical shows. The center allocated 120,740 books for the prisoners

and the National Committee for the Care of Prisoners provided 10,000 books for prisoners.

- The NCHR and The PSD agreed to form a joint committee on August 20th, 2008 in order to draw a dual plan to enhance and improve the human rights' concepts among all workers in addition to developing the performance of the correction and rehabilitation centers.
- Appointing seven public prosecutors subsidized to the legal department of the PSD in seven Jordanian prisons to receive prisoners' complaints.
- Positive first steps related to some reform programs including:
- **The religious program in some prisons** aimed at individual reform in cooperation with some preachers and guides from the University of Jordan and the Ministry of Awqaf. Those programs started in Al Juwaideh prison for 36 prisoners who are considered non-believers of God. Those prisoners went through seven sessions of religious conversations from Eid Al Fitr through Eid Al Adha.

A report issued by Al Rai Newspaper on February 25th, 2008 and February 16th, 2008 described those prisoners as places of penitents.

Those penitents will be transferred to other prisons in order to merge them with other inmates that are not classified as dangerous and for them to be under intensive supervision to monitor changes in their attitude and behavior as well as the way they deal with other prisoners, according to the statement made by the directorate of correction and rehabilitation centers.

- **Preparing a draft to encourage treatment** through motivating inmates according to articles 34 and 35 of the Correction and Rehabilitation Centers Law No. 9 for the year 2004, which allows the prisoner to be released before his/her term ends, where a quarter of the duration can be deducted no matter what the prisoner's behavior was. As part of the suggested draft, prisoners will be separated from each other. This draft was criticized by some civil society organizations in its suggested formula during the workshop that was organized by the PSD at the Police Academy on August 20th, 2008, especially with regards to the encouragement of the treatment committee the center's director and a group of members Article 6 of the suggested encouragement of the treatment's instructions in the fields of discriminating between prisoners who are benefiting from the deducted period Article 13 of the suggested encouragement of the

treatment's instructions and other notes. The center hopes that those instructions will not be adopted by the higher committee of the correction and rehabilitation centers with its suggested formula and that it will be amended in light of the notes of all the authorities on hand with this appendix aiming at preserving the prisoner's rights stated in article 34 of the Correction and rehabilitation Center's law No. 9 for the year 2004.

A number of negative developments occurred in the year 2008, summarized as follows:

2. Negative developments

- 1) Prison riots, which were stated previously.
- 2) Barring the NCHR from visiting prisons from the middle of April 2008 until the beginning of August 2008.

Findings and recommendations

As the report has shown, the National Center of Human Rights NCHR calls for the following effective managerial, judicial and legislative procedures to improve the situation of prisons and the treatment of prisoners in the kingdom:

- 1- **Forming an independent management for the correction and rehabilitation centers that is subsidized to the Ministry of Justice** and works according to the judicial police system and other tasks that help in preserving justice and implementing codes.
- 2- Conduct specialized field studies and scientific research regarding the conditions of the staff so as to improve their conditions and raise the level of their habilitation.
- 3- **Choosing a suitable number of workers in centers** by applying a national standard to identify the number of people working in each center according to the number of inmates and according to their roles in order to improve their performance level in the rehabilitation field, providing them with the required training, and providing workers and guards financial motivations as well as promotions for the danger of their jobs.
- 4- Applying qualitative standards to identify the capacity of prisons taking into consideration a number of circumstances, elements, relations, financial and legal situations such as:

The total area of the prison, the specialized area for facilities and services, the allocated area for the prison's administration, the allocated area for each prisoner's room, the size of the center's administration and if it suits the number of inmates, the quality of services and facilities as well as the form of care provided to prisoners, the tasks of authorities responsible for prisons, detention periods, social traditions and values and many other elements that enable the

application of international standards in building and managing prisons and the treatment of prisoners.

- 5- Reducing the penalties that deprive prisoners of their short period of freedom and replacing them with preventative procedures and alternative, non-custodial penalties after forming special legislation aiming at solving the problem of overcrowding in prisons.
- 6- Renovating prisons or building new ones that are designed according to special standards that provide protection, care, and rehabilitation, as well as establishing new models and forms of prisons open prisons and semi-open ones that are consistent with the new penal concept and work on reducing the overcrowding problem in prisons in addition to reducing the high costs to the State Treasury of closed prisons, and activating the special legislative statement of suspending the implementation of the penalty as well as taking into consideration the concept of implementing the penalty and the parole according to the penal legislation.
- 7- Building a specialized center inside jails to rehabilitate drug and alcohol addicts to cure them before their custody period is over. Another solution can be allocating a section for curing those addicts in the National Center for Addiction.
- 8- Solving the judicial detention issue through seeking to apply a national standard for a reasonable detention period before the trial and working on the development of judicial legislations and practices in order to speed up trials. Reducing notification problems between prisons and courts and setting a clear mechanism as well as renewing the detention memos as part of the legal timings without automatically renewing them and activating the checking procedures by the judicial authority.
- 9- Solving the administrative detention issue and the increasing number of administrative detainees in prisons by:
 - A. Transferring authority to the judicial monitoring authorities instead of administrative judges.

- B. Ensuring respect for judicial decisions and final decisions of release or innocence made by the court and committing to them.
 - C. Transferring the residence imposition to the judicial authority.
 - D. The administrative governor should not be responsible for investigative procedures made by the police, so that he may not put people in custody and investigate them for long periods.
 - E. Referring the accused and suspects to the public prosecutor as part of the limited period in The Code of Criminal Procedure.
 - F. Ensuring the commitment of administrative governors, according to the article 4 of the Crime Prevention Act, to the procedures that should be followed when resorting to administrative detention related to issuing an arrest warrant, in addition to listening to the prisoner's confessions and then issuing an administrative detention warrant.
 - G. Studying and analyzing the Crime Prevention Act and aiming at modifying or cancelling it.
- 10- Addressing the continuous complaints related to the mistreatment of prisoners by police, which is considered an important issue that requires the following suggested legislations:
- A. Ratifying the optional protocol attached to the anti-torture agreement and formally announcing the presence of the anti-torture committee which will receive people and countries' complaints related to its violation as stated in the law numbers 21 and 22.
 - B. Enabling inmates to communicate with their lawyers and families.
 - C. Making sure that responsible employees abide by the laws and that people

- working in the medical sector who participate in detaining any individual respect the absolute prohibition of torture.
- D. Conducting legislative modifications to provide a chance for victims of torture to file a lawsuit.
 - E. Applying a periodical medical checkup system by doctors for prisoners or detainees and activating this medical report.
 - F. Providing prisoners with written information about the systems and regulations applied inside jail in addition to their rights to complain or ask for information as soon as they enter the prison.
 - G. Forming an independent judiciary committee to investigate torture by administrators and officials, to penalize these perpetrators and to allow victims can receive fair compensation.
 - H. Conducting media awareness campaigns about the legal and cultural methods of treating prisoners and detainees, focusing on the prohibition of any practices that are against the law including all forms of torture.
 - I. The need for each country's commitment to compensating and rehabilitating torture victims whether the causers were recognized or not.
 - J. Condemnation of torture and mistreatment officially through newspapers and television and all kinds of media.
 - K. Establishing special centers for rehabilitating victims of torture and implementing the witness protection program for torture victims.
 - L. Applying the required modifications to article 208 of the Jordanian Penal Code in a way that is consistent with the anti-torture agreement.

11 – Improving the psychological and medical care provided by The Ministry of Health to prisoners and inmates inside jails through:

- A. Applying comprehensive medical tests for correction and rehabilitation centers' inmates, prisoners and detainees.
- B. Increasing the number of beds allocated for the correction and rehabilitation centers' inmates at governmental hospitals and the National Center for Psychiatry.
- C. Providing a female doctor at Al Juwaideh Women's Prison.
- D. Increasing the number of medical staff working in jails.
- E. Opening comprehensive medical units in jails that don't have such medical units.
- F. Increasing the number of psychiatrists monitoring and treating mentally ill prisoners.
- G. Conducting legislative modifications on the correction and rehabilitation centers in a way that allows the medical release of some prisoners who are infected with dangerous diseases.

12 - Improving the social care of prisoners through:

- A. Speeding up the employment of social specialists in jails.
- B. Improving the activation of social care services inside correction and rehabilitation centers in order to expand the concept of case study, as well as implementing social studies to find a solution for the continuity of the presence of crime. The percentage of prisoners who go back to committing crimes among men and women is 33% according to a study conducted by The PSD for this year.

C. Enhancing the subsequent care programs and preparing the prisoner for his release in cooperation between The Ministry of Social Development and civil society.

13 – Taking necessary action to preserve the inmates’ rights in correction and rehabilitation centers through:

A. Solving the visits problem, which includes the long waiting period of visitors and the way in which they are checked and monitored.

B. Setting a mechanism to solve the problem of letters and phone calls.

C. Finding a solution for the quality and quantity of meals prisoners receive, especially breakfast and dinner.

14 – Activating the role of the higher committee of the correction and rehabilitation centers to ensure it is fully aware of its tasks as stated in article No. 32 of the Correction and rehabilitation Centers’ Act.

15 – Increasing public awareness regarding the role of correction and rehabilitation centers and their workers in addition to emphasizing the role of society in this continuous process after the release of the inmate from jail, which can be done through different kinds of media.

Appendix 1

Prisons in the Kingdom

Prison	Date of founding\Capacity
Al Juwaideh Men	In 1986, capacity is 1072 inmates
Al Juwaideh Women	In 2000, capacity is 450 inmates
Berein	In 1988, capacity is 608 inmates
Qafqafa	In 1987, capacity is 1212 inmates
Ma'an	In 1987, capacity is 200 inmates
Al Aqaba	In 2004, capacity is 200 inmates
Al Karak	In 1998, capacity is 102 inmates
Al Muwaqar	In 2007, capacity is 806 inmates
Al Balqa'a	In 2001, capacity is 448 inmates
Swaqa	In 1988, capacity is 2400

Appendix 2

Statistics for the number of convicted and detained prisoners in 30\12\2008

Prison	# of convicts	# of detainees	# of administrative detainees	# of prisoners in each prison
Swaqa convicts	1913	2	31	1946
Al Muwaqar convicts	717	34	-	751
Qafqafa detainees	175	1049	36	1260
Al Juwaideh detainees	62	1025	22	1309
Berein detainees	14	544	20	578
Al Balqa'a	22	479	13	514
Al Karak	64	44	8	116
Al Aqaba	94	41	24	159
Al Juwaideh Women	53	109	65	227
Ma'an	129	35	7	171
Total	Total of convicts 3243	3362	426	7031 prisoners

