

Mandates of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association

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(Please use this reference in your reply)

19 December 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the right to development; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the human rights of migrants, pursuant to Human Rights Council resolutions 52/10, 51/7, 52/9, 50/17 and 52/20.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **recent demolitions, forced displacement, and planned evictions affecting residents of Al-Mahatta Palestinian refugee camp in East Amman**.

According to the information received:

Context with regard to Palestinian Refugees in Jordan

Jordan hosts the largest number of Palestinian refugees among UNRWA's five regions, with 2.2 million registered refugees as of 2023. This population includes individuals who fled during the 1948 Nakba and the 1967 Naksa, as well as those subsequently displaced due to ongoing military actions and economic hardships.

Following the 1948 Nakba, four official refugee camps were initially established, with three more added between 1951 and 1954. In the wake of the 1967 Naksa, additional temporary camps were set up in the Jordan Valley, which were later relocated for security concerns. By 1968, six new camps had been created, and UNRWA ceased establishing new camps during the 1970s.

In 1950, Jordan granted citizenship to Palestinian refugees, thereby extending them full rights, except for those originating from Gaza, who receive only temporary passports without full citizenship rights. This policy facilitated social integration while allowing Palestinian refugees to retain their national identity. After Jordan's disengagement from the West Bank in 1988, the Ministry of Occupied Territories Affairs was replaced by the Department of Palestinian Affairs. This department oversees the welfare of Palestinian refugees and displaced persons in Jordan, coordinating with UNRWA and local committees to improve infrastructure in the camps, including roads,

water, and sewage systems.

As of 2023, Jordan hosts 10 official UNRWA-recognized camps and three unofficial camps (Prince Hassan Camp, Madaba Camp, and Sukhna Camp). Approximately 396,000 refugees reside in the official camps, constituting about 17.4% of the total registered refugees in Jordan. These camps, located across six governorates, allegedly face similar socio-economic challenges. While UNRWA provides schools and health centers, it does not maintain roads or sanitation in unofficial camps.

Context with regard to Al-Mahatta Refugee Camp

Al-Mahatta Palestinian refugee camp was established during the 1948 Nakba and currently houses around 8,000 displaced refugees. Despite long-standing efforts, this camp remains unrecognized by both UNRWA and the Department of Palestinian Affairs. Its residents, who have built small homes and businesses, have allegedly endured multiple demolition campaigns over the years, including relocations within Amman for road expansion and development projects. The camp's unrecognized status has reportedly complicated access to essential services such as healthcare and education.

In 2023, the Director of the Department of Palestinian Affairs recommended that the Greater Amman Municipality reclassify Al-Mahatta as a neighborhood rather than a refugee camp. This effort failed amidst criticism from Parliament Members, who argued that formal recognition as a refugee camp is necessary to preserve its status and ensure adequate support for its residents. The lack of recognition has also been characterized as a political issue, exacerbating ongoing hardships for those living in the camp. Local leaders and parliamentarians reportedly continue to advocate for official recognition and improved assistance for Al-Mahatta's inhabitants.

Recent Evictions and Demolitions in Al-Mahatta Refugee Camp

Al-Mahatta refugee camp in East Amman has reportedly faced repeated threats of eviction and attempts of demolition since 1976, the most recent incidents occurring between 2016 and 2019. During that period, sustained protests and alleged intervention by former Prime Minister Omar al-Razzaz resulted in a royal grant ensuring the camp's continued existence, the resident's right to remain in the camp, and the termination of legal proceedings filed by landowners.

However, the situation has since deteriorated. In 2024, the Amman Municipality initiated a road expansion and area development project requiring mass evictions of residents who, while not owning the land, reportedly own the buildings and facilities constructed within the camp. Eviction notices were reportedly issued with inadequate warning, ranging from two weeks to one month, and proposed compensation of 80 Jordanian Dinar (JOD) per square meter (equivalent to 113 USD) was reported as insufficient for securing alternative housing.

In October 2024, the Greater Amman Municipality began demolishing homes and businesses deemed illegal, presumably for road expansion and to create a green area and improve services, focusing on buildings located on municipality-owned land.

On 13 November 2024, it was reported that the Director of the Health and Food Control Department at the Greater Amman Municipality announced plans to demolish 24 homes and 19 commercial properties in Al-Mahatta camp. Some of these homes were already abandoned. The municipality reported that property owners were notified over three months ago and were given until 20 November 2024 to vacate. The targeted properties reportedly lacked proper licenses and were situated on municipality-owned land. The municipality stated it would provide compensation to owners and tenants, that encroachments on state-owned land had persisted for over 50 years, and that demolitions were part of a broader area development plan.

On 19 November 2024, Al-Mahatta camp residents staged a sit-in protest demanding the suspension of the demolition orders. Security personnel allegedly dispersed the gathering within a few hours. One resident tragically suffered a fatal stroke upon learning that his home was scheduled for demolition.

On 20 November 2024, nine shops essential to the residents' livelihoods were demolished. Approximately 45 owners of homes and businesses have received eviction notices, affecting over 400 people who live in the camp or rely on its businesses for their livelihood. 24 of the 45 homes were scheduled for demolition on 30 November 2024.

On 21 November 2024, Jordanian intelligence services detained two camp organizers for several hours, and it remains unclear whether they have since been released or not.

Inadequate Alternatives, Media Restrictions, and Conflicting Narratives

Initially, there were reportedly no plans to offer compensation. However, protests and interventions by newly elected parliament members prompted discussions on compensation. Residents demanded fair and adequate measures, preferably a new house for each demolished home. In response, residents of Al-Mahatta were reportedly offered JOD 80 for homes with zinc roofs, JOD 100 for those with concrete roofs, plus an additional JOD 15 per home, capped at a maximum of JOD 2,000.

According to the information received, there is a media blackout on this matter, which is reportedly caused by the intimidation to which several media professionals have been subjected by State security forces, leading to a chilling effect on media coverage and to self-censorship. Residents have reported speaking with several media outlets; however, coverage has not materialized. Additionally, other local media have adopted the official government narrative, indicating that the expulsions have taken place legitimately under legal technicalities, without providing space to dissident voices.

On 24 and 26 November 2024, the Greater Amman Municipality proceeded with demolitions of homes and businesses deemed illegal by the government, reportedly as part of its development plan. This action reportedly created significant fear and uncertainty among the camp's inhabitants, many of whom have resided there since 1948. While the government cited urban development and safety concerns, residents maintained that their homes were neither abandoned nor rented, and that they had no viable alternatives if evicted. The demolitions led to protests and the formation of human chains, as residents demanded fair compensation and suitable alternative housing. Although the authorities promised financial compensation, residents continued to insist on a "house for a house" arrangement, expressing doubts that monetary compensation would suffice to cover their losses.

On 11 December 2024, a spokesperson for the residents of Al-Mahatta and their defense committee reported that a delegation of affected residents met with the Deputy Mayor of Amman. The meeting, attended by parliament members and other officials, discussed the demolition decision and its implications. The delegation of camp residents claimed that no prior warnings were issued before 30 October 2024 and reiterated their demand to postpone the demolition and to have fair compensation, ideally a "house for a house." The Deputy Mayor, in turn, assured the residents that the demolition schedule would be reconsidered, with each house's situation reviewed individually and compensation calculated carefully, considering the house's size, number of occupants, construction costs, and interior finishes, to ensure satisfactory compensation for all homeowners.

Without prejudging the accuracy of the information received, we wish to express our serious concern about the impact of home demolitions, forced evictions, lack of resettlement, lack of security of tenure, and arbitrary displacement of the Palestinian refugee community from their homes and productive lands in Al-Mahatta camp. Further concerns are raised on the possible unbearable situation of homelessness and dispossession that could accompany the lack of adequate compensation and housing security caused to Al-Mahatta camp residents including children, older persons, women, people with disabilities, and other vulnerable groups. If these allegations were to be confirmed, they would amount to a violation of Jordan's obligations under international human rights law. These imposed conditions, if confirmed, would be gravely infringing on the enjoyment and fulfilment of fundamental human rights of the Palestinian refugee communities, including their right to an adequate standard of living, particularly their right to adequate housing, food, water and sanitation, and children's right to education.

The allegations mentioned above underscore the alarming reality of Palestinian refugees living in Al-Mahatta camp and similar unrecognized refugee camps. Beyond the immediate physical displacement, experts are concerned that the dispossession and displacement of Palestinian refugees in Al-Mahatta camp leads to a complex situation where inadequate housing conditions, homelessness, and loss of livelihoods intersect with the socioeconomic well-being and mental health of those affected. The forced disruption of community life, displacement from homes and businesses, and the severing of long-established social support networks could have

severe repercussions, particularly for children who may be required to relocate far from their schools, potentially hindering their access to education. Displacement could similarly impact older persons, women, and persons with disabilities, making it more difficult for them to access essential health and social services.

We are also concerned about the reports of a media blackout and alleged intimidation of journalists by State security forces, which is prone to create a notable chilling effect on the media and self-censorship, preventing impartial, independent reporting on the situation in Al-Mahatta camp. Such incidents of intimidation undermine the right to freedom of opinion and expression and media freedom, hinder public scrutiny, and limit the broader community's understanding of the circumstances faced by the affected Palestinian refugee population.

Concern is also expressed at the recent reprisals, use of force, intimidation, arbitrary arrests and detentions, for some incommunicado, of several Palestinian refugee camp residents for what appears to be directly related to their legitimate exercise of their freedom of opinion, expression, association, and peaceful assembly and to their claims for respect for their rights to information and to participate meaningfully in public affairs, including by raising concerns and criticisms regarding the demolitions and forced displacement caused by the government development projects. While those arrested were released within hours, these arrests are perceived as an attempt to intimidate the community and deter resistance or advocacy.

Finally, we wish to reiterate our concerns about how forced evictions, arbitrary housing demolitions, and forced displacement are contrary to both international human rights law and international humanitarian law, and we are concerned that the allegations described above may constitute an act of domicile (A/77/190). In our view, the evictions and demolitions, faced by Palestinian refugees living in Al-Mahatta camp, violate several human rights enshrined in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information about the planned evictions of the Palestinian refugee community in Al-Mahatta camp, including detailed information about why measures to avoid or reduce resettlement were not pursued, when and how the concerned the Palestinian refugee community in Al-Mahatta camp were consulted and details concerning any respective resettlement action plans, adequate compensation

schemes, the provision of long-term housing options, and access to productive land and essential services provided at resettlement sites.

3. Please provide detailed information with regard to the arrests mentioned above and indicate the measures undertaken by the Jordanian authorities to ensure the application of due process and the effective protection of the rights of the Palestinian refugees in Al-Mahatta camp before the law.
4. Please provide information concerning all measures that have been taken by your Government to ensure the effective protection and equal enjoyment by Al-Mahatta camp Palestinian refugee community of their fundamental rights, including their right to an adequate standard of living, which encompasses the right to adequate housing and the right to food, the right to a clean, healthy and sustainable environment as well as their cultural rights.
5. Please clarify what measures were taken to identify feasible alternatives to the displacement of the affected communities, why such displacement was considered unavoidable, and what measures were taken to ensure displacement was carried out in a manner that upheld the rights to life, dignity, liberty, security, and family life of those affected, in accordance with international human rights law and standards.
6. Please explain what measures your Excellency's Government has undertaken to ensure that no one is evicted into homelessness and that everyone receives an adequate compensation for any property lost, alongside all other relevant measures that have been taken or are envisaged to ensure durable solutions for those affected, including access to effective remedies and reparation for any human right violation experienced during displacement.
7. Please provide information on any specific measures taken by your Government to prevent the negative human rights impact of the evictions and home demolitions, including the rights of residents to adequate housing (both emergency shelter and long-term accommodation solutions), health, water and sanitation, food, education, cultural rights, and not to be arbitrarily displaced.
8. Please clarify what protection and assistance measures were put in place or planned for those displaced and evicted, and detail how the Government intends to ensure that they are resettled in conformity with international human rights law and standards, including alternative adequate housing, safe drinking water, adequate food and medical services, health and education services, means of livelihood, and other forms of humanitarian and/or legal assistance.
9. Please indicate the measures adopted to investigate the allegations of intimidation of journalists and media workers by State security forces,

or any other incident that may curtail media coverage on this matter. Please indicate the steps taken to ensure that media can report freely, impartially, and independently on this matter, without fear of reprisals.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to recall your Excellency's government's obligations under international human rights laws, norms and standards, as well as authoritative guidance on their interpretation.

The right of everyone to an adequate standard of living, including the right to adequate housing, the right to food, the right to water and sanitation, is protected under international law and is enshrined in article 25 of the Universal Declaration of Human Rights and article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Jordan is a party since 28 May 1975. These articles must be read in conjunction with article 2.2 of the Covenant, which provides for the exercise of any right under the Covenant without discrimination of any kind, as well as article 17 of the International Covenant on Civil and Political Rights and article 16 of the International Convention on the Rights of the Child, which provide for protection against unlawful interference or attacks against one's home.

In its general comment No. 4, the Committee on Economic, Social and Cultural Rights has stated that the right to housing should not be interpreted in a narrow or restrictive sense by assigning to it a meaning of "merely having a roof over one's head", but it should rather be seen as the right to live somewhere in security, peace and dignity. The Committee has also underscored the State's obligation to ensure security of tenure and legal protection against forced eviction, harassment, and other threats, "notwithstanding the type of tenure", including (as the Committee has stated) "owner-occupation, emergency housing and informal settlements, including occupation of land or property" (paragraphs 7 and 8). In its general comment No. 7, the Committee concluded that forced evictions are "prima facie incompatible with the requirements of the Covenant" and are performed "against the will of individuals families and/or communities" and "without the provision of, and access to, appropriate forms of legal or other protection" (general comment No. 7, paragraphs 1 and 3). Hence, forced evictions are a gross violation of the right to adequate housing and may also result in violations of other human rights, such as the right to life, the right to security of the person, the right to non-interference with privacy, family and home and the right to the peaceful enjoyment of possessions. Paragraph 15 of the same general comment provides that if an eviction is to take place, procedural protections are essential, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation made available in a reasonable time, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness nor vulnerability to the violation of other human rights (paragraph 16), and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available to affected individuals, where they are unable to provide for themselves. We wish to underscore that, notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Furthermore, evictions are only legitimate under international human rights law if they strictly comply with the Basic Principles and Guidelines on development-based Evictions and Displacement (A/HRC/4/18, annex).

The basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), further state that urban planning and development processes should involve all those likely to be affected and should include: appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives; effective dissemination by the authorities of relevant information in advance, including proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; a reasonable time period for public review of, comment on, and/or objection to the proposed plan; opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities. Moreover, these Principles and Guidelines underscore that States must give priority to exploring strategies that minimize harm. Comprehensive impact assessments should be carried out prior to the initiation of any project that could result in development-based evictions and displacement, with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. The State must make provision for the adoption of all appropriate measures, to the maximum of its available resources, especially for those who are unable to provide for themselves, to ensure that adequate alternative housing, and resettlement, is available and provided.

We would also like to recall one of the latest reports of the current Special Rapporteur on the right to adequate housing dedicated to the Human Rights Council (A/HRC/55/53) in which the Special Rapporteur called upon States to “recognize in law, policy and practice that all human beings have a right to remain where they live and that, if they are forced to leave, they have a right to return, or, where return is not feasible or desired, a right to resettlement that is fully consistent with international human rights norms and standards”. Resettlement must be treated as a last option to be resorted to when it becomes unavoidable. Resettlement should never unlawfully restrict the freedom of choice of residence. Nobody should be forced to resettle in a particular location or community. Resettlement must comply with human rights standards, be proportionate, avoid recourse to force and ensure benefit-sharing through negotiated agreements with affected persons. In his second report on resettlement, the Special Rapporteur further noted that intentional displacement and the concomitant resettlement of communities in the name of development is no longer acceptable from a human rights perspective, and that resettlement should be permitted only in cases in which it is called for due to overwhelming and persistent threats to the survival of communities such as those resulting from conflict or climate change (A/79/317).

Moreover, we wish to underscore that the systematic or widespread destruction of housing, including of informal settlements, may amount to “domicide” if they form part of an attack directed against any civilian population. In the report on the right to adequate housing during violent conflict, the Special Rapporteur on the right to adequate housing established that the deliberate destruction of homes may also constitute a crime against humanity (A/77/190). He also called upon government officials and military and security forces to ensure that their actions “are compliant

with international humanitarian law, international human rights law and international criminal law.”

In addition to the above, we would like to recall another report by the Special Rapporteur on the right to adequate housing on spatial segregation (A/HRC/49/48) in which the Special Rapporteur called upon States to “refrain and desist from actively pursuing segregationist policies and practices, resulting in the violation of the right to adequate housing and the prohibition of discrimination.”

We would also like to refer to the Guiding Principles on Internal Displacement of 1998 (E/CN.4/1998/53/Add.2), which establishes that every human being shall have the right to be protected against being arbitrarily displaced from his or her home, including due to serious violations of human rights, discrimination and fear of persecution (principle 6). Guiding principle 7(1), establishes that “Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether”. Guiding principle 7(2) also stipulates that “The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated”; and guiding principle 7(3) states that “(b) adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation; (c) the free and informed consent of those to be displaced shall be sought; (d) the authorities concerned shall endeavor to involve those affected, particularly women, in the planning and management of their relocation; (f) the right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

We would also like to refer to article 19 of the ICCPR which guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (CCPR/C/GC/34, para. 11). The Committee states that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output.

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation

and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that “all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress” (para. 23).

Finally, we would like to recall that any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. (CCPR/C/GC/34, para. 34).