



Jordan - Researched and compiled by the Refugee Documentation Centre of Ireland on 13 August 2010

Re: Is there any information about impunity of people with power who commit crimes - especially murder?

The *United States Department of States* report on Jordan says:

“The law provides criminal penalties for official corruption, and the government increased investigations of alleged corruption; however, there were few convictions for corruption during the year, raising criticisms that officials enjoyed impunity. The use of family, business, and other personal connections to advance personal business interests was widespread; there were allegations of lack of transparency in government procurement, government appointments, and dispute settlement. A study by the Jordan Transparency Forum released on December 9 found that 81.3 percent of citizens believed favoritism was still rampant despite government efforts to curb corruption.” (United States Department of State (11 March 2010) *Country Report on Human Rights Practices 2009 - Jordan*)

A report on Jordan from *Amnesty International* states:

“Twenty-four women were reported to have been victims of “honour killings” by family members. Perpetrators of such killings continued to benefit from inappropriately lenient sentences under Article 98 of the Penal Code, which allows courts discretion to impose sentences of a minimum of three months’ imprisonment on defendants considered to have killed while in a “fit of rage caused by an unlawful or dangerous act on the part of the victim”. In August, the authorities established a special tribunal to try defendants accused of “honour crimes”. In September, the Justice Minister said that the government planned to amend the Penal Code, including Article 98, but the proposed amendments were still awaited at the end of the year.

In May, the government told the UN Secretary-General that it would withdraw its reservation to Article 15(4) of the Convention on the Elimination of All Forms of Discrimination against Women, which guarantees women freedom of mobility and to choose their place of residence, but would maintain its reservation to other elements of Article 15, including that guaranteeing women equality under the law with men.” (Amnesty International (28 May 2010) *Jordan: “Amnesty International Report 2010 - The State of the World’s Human Rights”*)

A *UN Committee Against Torture* report on Jordan states:

“18. The Committee notes with concern that violence against women, as a form of discrimination against women, is a deeply rooted problem in Jordan and, as a result, a culture of impunity towards domestic and gender-based violence has evolved. In this respect, the Committee expresses its serious concern that crimes, where a family’s “honour” is thought to be breached, often go unpunished, and when they are punished, the sentences are far less than for equally violent crimes without this “honour” dimension (arts. 1, 2, 4, 13 and 16). The Committee calls upon the State party to amend, without delay, applicable provisions of the Penal Code to ensure that perpetrators of “honour” crimes do not benefit from a reduction of penalty under

article 340; that perpetrators of premeditated "honour" crimes do not benefit from a reduction of penalty under article 98; and that article 99 is not applicable to "honour" crimes or other cases where the victim is related to the perpetrator. The Committee also urges the State party to ensure that "honour" crimes are treated as seriously as other violent crimes with regard to investigation and prosecution, and that effective prevention efforts are put in place." (UN Committee Against Torture (25 May 2010) *Jordan: "Concluding Observations of the Committee; Jordan [CAT/C/JOR/CO/2]"*)

A *European Commission* report on Jordan states:

"Some progress can be reported as regards honour crimes (some 20 cases still occur every year), following the Ministry of Justice's decision to establish in August 2009 a special court to handle cases of honour killings. In October 2009 the court issued its first verdict, imposing EN 5 EN a 15 years imprisonment sentence on a man who committed an honour crime. However, additional efforts are needed to further treat cases of honour crimes as ordinary crimes and to make sentences less lenient." (European Commission (12 May 2010) *Jordan: "Implementation of the European Neighbourhood Policy in 2009 Progress Report Jordan [SEC(2010) 525]"*)

A report from *Human Rights Watch* states:

"The portions of the penal code in question include Article 340, which reduces the sentence for killing a relative caught in an "illicit" sexual act (sex outside marriage). Furthermore, Article 98 provides for reduced sentences if the perpetrator committed his crime in a state of extreme "rage." In addition, when the victim's family, which, in "honor" crimes, of course, is also the perpetrator's family, waives its personal right to litigate, then courts have also reduced sentences by up to half based on "extenuating" circumstances provided in articles 99 and 100 of the penal code. However, those articles say nothing about private rights, and it appears that courts have wide discretion to invoke an absence of private rights litigation in order to make a finding of extenuating circumstances warranting a reduced sentence. Efforts to reform the penal code in 1999 and 2000 to address the issue failed due to the obstruction of the Jordanian Lower House of Parliament." (Human Rights Watch (08 September 2009) *Jordan: "Tribunals No Substitute for Reforms on "Honor Killings"'*)

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