



**International Covenant on
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Human Rights Committee

**Consideration of reports submitted by States
parties under article 40 of the Covenant**

Fifth periodic reports of States parties due in October 2014

Jordan*

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I. Introduction

- The Hashemite Kingdom of Jordan has the honour to submit to the Human Rights Committee its fifth periodic report under article 40 of the International Covenant on Civil and Political Rights. The report describes recent developments that have taken place with regard to the rights set forth in the International Covenant on Civil and Political Rights. The Covenant was published in the Official Gazette and has become part of Jordanian law.
- Jordan attaches great importance to the protection and promotion of human rights and endeavours at all times to develop and foster them. In this, it relies upon the country's great cultural heritage, the deep-rooted principles of national institutions and the enlightened, progressive, Hashemite leadership of His Majesty King Abdullah II Bin Al-Hussein, which have made democratic change and comprehensive reform designed to advance human rights along an unswerving trajectory, notwithstanding the changes unfolding in the Middle East and the considerable challenges and obstacles posed by regional conditions.
- As His Majesty King Abdullah II Bin Al-Hussein has noted on more than one occasion, the "Arab Spring" represented an opportunity for Jordan to move forward with the reforms that it has pursued ever since His Majesty assumed his constitutional powers. Indeed, since 2011, Jordan has been able to carry out unprecedented reforms at a time of great historical change for the country. These changes have been translated on the ground into a series of significant achievements that have furthered human rights. The country's reform path involves continuous, gradual development, based on consensus, inclusivity, democratic change, plurality, respect for and acceptance of the views of others and action to build upon achievements in response to the hopes and aspirations of the Jordanian people.
- Jordan has made amendments to 42 articles of its Constitution (approximately one third of the total number). These amendments are designed to consolidate the principle of the separation and balance of powers, strengthen the independence of the judiciary and further the principles of justice and equality. Articles 6, 7, 8, 15, 16, 18, 20 and 101 of the Constitution in particular are intended to strengthen human rights and fundamental freedoms and promote the dignity of the citizen; they prohibit the infliction of any form of physical or mental abuse on citizens, give all Jordanians the right to form trade unions and political parties and guarantee the right to free, compulsory education, as well as the right to work. They accord legal protection for mothers, children, older persons and persons with special needs and make it obligatory to protect such persons from abuse and exploitation. Furthermore, the amendments were introduced to guarantee freedom of opinion, the press and publishing, the media and literary, artistic, cultural and sporting creativity. They guarantee freedoms with respect to the use of postal, telegraphic, telephone and other forms of communication, affirming the confidential nature of such communications, which are not subject to censorship, monitoring, suspension or confiscation without a judicial order. They stipulate that civilians may only be tried by civilian judges in criminal proceedings.
- A raft of political legislation has been updated, including the laws on political parties, elections, public gatherings and the press and publications. Furthermore, the Independent Election Commission was established as an independent body that oversees and administers the electoral process and promotes impartiality and transparency.

- A group of constitutional oversight institutions has been established, including the Constitutional Court, which is tasked with interpreting the articles of the Constitution and monitoring the constitutionality of laws and regulations. The Jordanian Teachers' Syndicate was established in 2011.
- In 2013, Jordan was able to take two important steps on the path towards democracy and comprehensive reform. The first of these was the holding of parliamentary elections in January 2013, overseen and administered by the Independent Election Commission. The second was the holding of municipal elections in August 2013, overseen by the Independent Election Commission and administered by the Ministry of Municipal Affairs, with local and international monitoring. To consolidate the reform measures, a constitutional amendment was introduced whereby the mandate of the Independent Election Commission was extended to include oversight and the administration of municipal elections.
- The State Security Court Act was amended to limit the Court's constitutional powers to hearing crimes of treason, espionage, terrorism, narcotics offences and counterfeiting of currency.
- In March 2016, the Comprehensive National Plan for Human Rights (2016-2025) was launched to give real support to the human rights system in Jordan. Under the Plan, the Government is required to achieve a set of key human rights goals with a substantive focus on civil, political, economic and social rights and the rights of groups most vulnerable to abuse, particularly children, women and persons with special needs.

II. Recommendations of the final report of the Committee discussing Jordan's fourth periodic report

Recommendation 1

The State party should ensure that the process for selecting members and directors of the National Centre for Human Rights is transparent and that the Centre is provided with adequate human, financial and technical resources.

- The National Centre for Human Rights is overseen and administered by a board of trustees, consisting of not more than 21 members, the chair and members who are appointed by royal decree based on a recommendation by the Prime Minister. The term of any member of the board may be terminated and a substitute appointed for the remaining term under the same procedure. The board elects, from among its members, a vice-chair to replace the chair during the latter's absence. Note that the term of the board is four years. The Centre's financial resources consist of government subsidies and income from financial and cultural activities and projects, as well as donations, gifts and any other lawful resources the board decides to accept; Cabinet approval is required if the source is non-Jordanian.
- Ministries and national human rights organizations cooperate with the National Centre for Human Rights and other human rights organizations. They maintain an open-door policy and deal in a positive and open manner with the requests and comments that they receive and this in order to eliminate abusive practices and violations of human rights. The Government's human rights coordinator and human rights coordination team are responsible for replying to the reports and recommendations prepared by the National Centre for Human Rights.

Recommendation 2

The State party should review the Prevention of Terrorism Act and ensure that it defines terrorism and terrorist acts in a manner that is precise and compatible with the Covenant.

- The Prevention of Terrorism Act is designed to prevent the financing of terrorism and recruitment of terrorists in accordance with the international commitments of Jordan relating to the fight against terrorism and to protect the right to life and security, which are fundamental human rights.
- Although it is recognized that there is no international consensus on the definition of terrorism, the Jordanian legislature accepted, for the purposes of the Prevention of Terrorism Act (2006), the definition set out in the Arab Convention for the Suppression of Terrorism, a regional convention concluded under the auspices of the League of Arab States.
- In 2014, the definition was revised to include forms of terrorism involving the use of modern telecommunications and social media and this in order to provide for action to address the methods of committing terrorism to which terrorist groups now resort. Thus, it is now an offence to use information systems, the Internet and websites to facilitate the commission and promotion of terrorist acts and acts designed to spoil the good relations that Jordan maintains with foreign countries or to put Jordanians and their property at risk. It is an offence to join or attempt to join a terrorist group and to possess, manufacture, import, export, sell or supply explosive, toxic, chemical or bacterial substances or the like with the intention of using such substances in the commission of terrorist acts or for unlawful purposes.
- All decisions taken in accordance with the Prevention of Terrorism Act are compatible with the International Covenant on Civil and Political Rights, being provided for under law as measures necessary for the protection of national security and public order. Furthermore, such decisions are taken pursuant to court judgements that may be appealed. Any person accused of committing a terrorist crime is brought before the competent court and guaranteed a fair trial as required under the Covenant.

Recommendation 3

The State party should bring its legislation, including the Personal Status Act, into conformity with the Covenant and ensure that women are not subjected to de jure or de facto discrimination, inter alia in matters of marriage, divorce, custody of children, inheritance or the transmittal of nationality to children. The State party should also continue and strengthen its efforts to address discriminatory traditions and customs, including polygamy, through education and awareness-raising campaigns. In this connection, the Committee draws the attention of the State party to its general comment No. 28 (2000) concerning equality of rights between men and women.

(i) Marriage

- Article 5 of the Personal Status Act states that marriage is a contract between a man and a woman, providing a legitimate framework for the creation of a family and production of issue. The Act stipulates that the man and the woman are equal partners in the marriage contract, that marriage cannot be properly concluded without the freely given consent of the woman and that any deficit or deficiency of

will on the part of either renders the marriage invalid. The law is carefully designed to ensure that the woman is not the victim of deception; it stipulates, in her interest, that the husband must be a suitable partner. Furthermore, article 6 of the Act makes it clear that a marriage cannot be concluded without an offer by one party and acceptance by the other at the signing of the contract. It is universally established procedure that the parties to the contract are those who initiate it directly or through legal representatives. The Act uses the phrase “one of the betrothed parties gives utterance and the other accepts” (these are the two parties to the marriage contract — the man and the woman). As such, a woman has full right to enter into marriage of her own free, sound and unimpaired will.

(ii) Divorce

- The Personal Status Act stipulates that it is a woman’s right to terminate the marital relationship, regardless of the wishes of the husband. A woman is allowed to stipulate in the marriage contract that she remains free to divorce when she wishes, while retaining all her rights arising from the marriage contract, as if the husband had divorced her himself. The Act grants a woman the right to a separation on a number of grounds, which are intended to enable a woman to terminate the marital relationship, if she wants. These include separation on grounds of serious sexual incompatibility, sexual disease, repulsive physical defects, abandonment, impotence, refusal or failure to pay alimony or an inability to pay the advance dowry. Furthermore, in order to safeguard a woman’s right to motherhood, the Act introduces new grounds for separation, namely infertility of the husband. The Act expands the meaning of harm in cases of separation due to discord and dispute, stating that any physical or mental suffering inflicted on the woman constitutes grounds for seeking a separation, if the woman requests one. Furthermore, the Act includes a new principle in respect of evidence, stating that the woman is no longer required to furnish indisputable evidence but that an investigation (even one that does not produce absolute proof) is sufficient. The Act regulates a husband’s financial obligations to his wife, if he divorces her unilaterally; in this case he must pay any outstanding advance and deferred dowry in full, as well as compensation for arbitrary divorce, support during the period immediately following divorce during which remarriage is not permitted (*idda*), custody support, housing support, child support, education support and medical support.

Under the sharia a man has the right to divorce his wife unilaterally, however, he also must assume all the financial consequences arising therefrom, including payment of the deferred dowry, *idda* support, compensation for arbitrary divorce, custody support, housing support, child support (including the cost of children’s education and medical treatment) and other expenses. At the same time, under Islamic law a woman has the right to request a separation on the above grounds without incurring any financial liability and while still retaining her rights under the marriage contract.

(iii) Custody

- Both the sharia and Jordanian law accord women precedence over men in respect of entitlement to custody of children, whether the marriage bond still exists or has been dissolved. Indeed, men lag behind women in this regard. The aim is to ensure the best interests of the child, while upholding the right of the woman. Furthermore, pursuant to the Act, the age of the child at which the mother is entitled to custody has been raised to 15 years. Once the child’s best interests have been established, the child is allowed to choose which parent he/ she wants to live with. The Act introduces new provisions relating to seeing and visiting a child. Regardless of

which parent has custody of the child, the other parent has equal visitation rights. If custody is granted to another woman or the father, then the mother retains the right to request that the child spends the night with her, as long as the child's interests are guaranteed. This is to uphold the right of the mother. Furthermore, the Act grants a mother the right to travel outside the country with her young child under rules and conditions which protect and uphold the interests of the child.

(iv) Inheritance

- The concept of inheritance in the Personal Status Act is derived from the sharia. The great majority of the inhabitants of Jordan are Muslims and are content — indeed, keen — to apply Islamic law in their daily lives, including in matters of inheritance. Islamic law addresses inheritance in a detailed and precise manner, constituting an integrated, inviolate mathematical system. It is definitive and leaves no room for discretion or interpretation. The principle underlying inheritance is that of justice, based on the heir's need of the inheritance and the obligations of the heir to the legator while alive, in keeping with the degree of kinship between them. As such, a female may inherit in a number of ways. In some cases, a female may inherit the same as a male; in other cases a female alone may inherit, preventing a male from inheriting. In yet others cases a female may inherit more than a male. It is to be noted that the provisions on inheritance in the new Personal Status Act are detailed, unlike in the previous Act, where they were presented in a manner that did not enable people readily to understand their rights.

(v) Polygamy

- The Personal Status Act allows a man to take another wife, subject to certain terms and conditions and on condition that the first wife has given her consent. If she has made a prior stipulation that he is not to take another wife and he proceeds to do so and thus violates the condition, the act of concluding the second marriage contract gives her the right to apply for termination of the marital relationship, while retaining all her financial rights, including the advance and deferred dowry, *idda* support etc. Moreover, even if she has not made such prior stipulation, the first wife has the right to terminate the marital relationship by claiming that the second marriage, which she has not consented to or acquiesced in, has caused her psychological pain and suffering, which constitutes a reason for requesting a separation on grounds of discord between the two.. The Act regulates polygamy very well and a second marriage can only be concluded after a judge has ascertained that husband has the means to pay the dowry and support those he is obliged to support, including the first and second wives and children. The fiancée must be informed that her fiancé is already married and the first wife must be informed of the marriage contract as soon as it has been concluded.

(vi) Transmittal of nationality to children

- On 9 November 2014, the Jordanian Government decided to grant the children of Jordanian women married to foreign nationals privileges regarding health, education, employment, residence and driving licenses. The number of Jordanian women married to foreign nationals is estimated at approximately 88,983 and some 355,932 children will benefit from these privileges. These figures are high and will add to the burden on the public budget. The resulting financial cost is estimated to be around 63 million Jordanian dinars (JD).

Recommendation 4

The State party should strengthen the legal framework for the protection of women against domestic violence, sexual violence and other forms of violence to which they are subjected. The State party should also take all appropriate measures to ensure that victims fleeing an abusive partner or husband have access to assistance and can take refuge in crisis centres. The State party should immediately terminate its practice of placing women in “protective” custody and instead provide women at risk of violence with protection and support in a way that does not violate their rights.

- Jordanian law takes the family to be the fundamental unit of society. As such, article 5 of the Personal Status Act defines the marriage contract as a contract between a man and a woman, providing a legitimate framework for the creation of a family and production of issue. That one of the purposes of marriage is the creation of a family is thus explicitly recognised in law. Furthermore, several laws have been enacted to protect and safeguard the family, including the Protection from Domestic Violence Act (2008). A new bill affording protection against domestic violence is at the constitutional stage prior to adoption.¹ The State, in its role as guardian of the family, has created a special body, namely the Family Protection Department. Under the Code of Sharia Court Procedure, the Family Reconciliation and Mediation Offices Regulation was adopted, designed to protect and safeguard families and enable them to overcome problems which may arise in life. In 2013, a major family protection event was launched under the auspices of the Supreme Judge Department.
- The Personal Status Act regulates the marital relationship and the relationship between the members of the family, setting out the rights and duties of each in a detailed and precise manner and building a set of criteria for the proper protection of each. Furthermore, the laws regulating the sharia courts elaborate in simple fashion a mechanism for the discharge and satisfaction of rights in law, in addition to all matters relating to the custody of children, child visits, child support, education support, medical support and supervision. This is done in a manner that safeguards the children’s best interests.
- The Family Protection Homes Regulation No. 48 (2004) provides for the establishment of homes for the protection of the family under the auspices of the Ministry of Social Development. Under article 4 of the Regulation, these homes provide protection for women who are at risk of various forms of domestic violence, including from those responsible for looking after them. The homes take in a woman or girl and offer opportunities for mediation between her and the members of her family. The goal is to bring about mutual understanding and coexistence within the family, thereby preserving its cohesion and ensuring its stability and advancement.

Recommendation 5

The State party should establish an effective and independent mechanism to deal with allegations of torture. It should also ensure that all cases of torture and ill-treatment are properly investigated and prosecuted, that the perpetrators are

¹ The new bill is designed to clarify the powers and measures available to service providing bodies with regard to reporting and registering cases, provide a fuller clarification of the concept of the family and give legal protection to those who file a report. It introduces conflict resolution measures within specific timeframes, gives the Sharia court a role in protecting a child whose interests conflict with those of his or her representative and sets a fine for breaching a protection order, made more severe in the event of a repeat offence.

sentenced by ordinary civilian courts and that victims of torture and ill-treatment receive adequate reparation and compensation. The State party should further ensure that all detainees can have immediate access to a lawyer of their choice and an independent medical examination.

- Article 256 of the Civil Code states that a victim has the right to claim compensation for harm incurred. Article 288 (1.b) of the Civil Code stipulates that a superior shall be responsible for harm caused by his subordinate if committed by the latter during or in the course of duty, as long as the condition of actual authority, supervision and direction is met.
- A memorandum of understanding was signed by the Public Security Directorate and the Jordan Bar Association allowing lawyers to enter security centres where temporary detention facilities have been established in order to meet with detained persons and attend initial questioning with their clients. Furthermore, the Public Security Directorate has issued instructions to all police directorates and security departments stating that, upon arrest, a person is allowed to call his family to tell them where he is being held.
- A detained person may only be placed in a correction and rehabilitation centre or detention facility in a security centre after being given a medical check-up. If the person is found to be suffering from a health condition or asks to be sent for treatment, he or she will be referred to the government hospital within the relevant jurisdiction for a full medical examination and will only be admitted to a correction and rehabilitation centre or temporary detention facility after obtaining a medical report stating that he or she is in good health and not suffering from any illness.
- The Public Security Directorate has created an effective means for dealing with allegations and complaints of torture, in the form of the Office for Transparency and Human Rights. Attached to the Public Security Directorate, this is a national mechanism for redress, designed to achieve the maximum degree of justice for citizens, ensure that their rights and freedoms are not violated and reach out to human rights-related bodies and organizations. Complaints are received by handing them in to the office in person, sending them through official and unofficial channels or delivering them by various means of communication, such as email. Once received, complaints are investigated and followed up at once in an effective, thorough and impartial manner. In 2014, the office received 135 complaints, of which 100 have been settled and the remaining 35 are still being looked into. The following table shows this:

<i>Type of complaint</i>	<i>No.</i>	<i>Upheld</i>	<i>Not upheld</i>	<i>Under consideration</i>
Breach of orders and instructions	119	2	88	29
Physical abuse	14	-	9	5
Verbal abuse	1	-	-	1
Deception	1	1	-	-
Total	135	3	97	35

- It is worth noting that the office makes periodic, unannounced inspection visits to correction and rehabilitation centres and temporary detention facilities either jointly with the National Centre for Human Rights or by itself. Furthermore, public prosecutors have been appointed to correction and rehabilitation centres. A human rights office with links to the National Centre for Human Rights has been opened in

Suwaqa Correction and Rehabilitation Centre and forms and records have been introduced to follow up and systematise inmates' complaints.

- Complaints are looked into by the public prosecutors attached to the Department of Legal Affairs, who enjoy complete independence in respect of decision-making and report only to the Attorney General at the Public Security Directorate. If a decision is made concerning an accusation of torture, the case is referred to the Police Court, which provides full guarantees of a fair trial.
- Between 2010 and 2015, three cases of torture were referred to the Police Court. In the same period, the total number of cases of mistreatment of civilians by members of the police was as follows:

<i>Year</i>	<i>Complaints referred to the Police Court</i>	<i>Complaints it was decided to try before the unit commander</i>	<i>Complaints under consideration</i>	<i>Total</i>
2010	77	120	-	197
2011	46	55	8	109
2012	63	100	8	171
2013	94	60	90	244
2014	35	50	132	217

- Members of the Public Security Directorate accused of committing offences of any kind, in particular torture and ill-treatment, do not enjoy any form of immunity from criminal prosecution but are treated just like ordinary citizens as far as their conduct and the crimes they may have committed are concerned. They are subject to the Penal Code and other laws, including the Public Security Act and Military Penal Code. The whole purpose of this is to prevent public security personnel from breaking the law, breaching military discipline or damaging the reputation of the Public Security Directorate.
- Any person who commits an offence stipulated in law is tried and punished in accordance with the law. The penalty is prescribed by law and consists of either a custodial sentence (such as imprisonment) or financial sanction (such as a fine).
- A police code of conduct has been drawn up, called the "Constitution of Police Honour", which acts as a reference for the principles and rules of professional and personal conduct which must be observed by members of the Public Security Directorate, the most important of which is respect for human rights. The code of conduct has been distributed to all ranks and is included in the curriculum of all training institutes.
- Written and oral instructions exist in the General Intelligence Directorate that absolutely forbid the subjection of any person who presents himself or detained person to any type of coercion or mistreatment.
- The General Intelligence Directorate receives complaints and enquiries from the National Centre for Human Rights via the directorate's liaison officer with the centre. Complaints are then investigated, the appropriate measures taken and a reply sent to the centre, in a transparent and flexible manner. Complaints are also received by the directorate via email and a reply sent to the relevant body.

The right to an attorney

- Article 208 of the Code of Criminal Procedure, no. 9 (1961), on the provision of legal aid, stipulates the following: (1) After the public prosecutor lodges the case file

with the court, the president of the court or the court judge deputizing for him must, in capital offences or crimes carrying a sentence of hard labour for life or life imprisonment, call the accused and ask him if he has chosen a defence attorney. If he has not done so and his financial situation does not permit him to appoint one, an attorney shall be appointed for him by the court president or his deputy. (2) An attorney so appointed shall be paid the sum of JOD 10 for each sitting he attends, with the proviso that his fees shall not be less than JOD 200 or more than JOD 500; fees shall be paid by the State treasury.

- Article 21 of the Juveniles Act, no. 32 (2014) — promulgated on 2 November 2014 and coming into force on 2 January 2015 — stipulates the following: (1) If a juvenile in a criminal case does not have an attorney or is unable to appoint one, an attorney shall be appointed for him by the court; the attorney's fees shall be paid by the State treasury in accordance with the Code of Criminal Procedure. (b) An attorney acting on behalf of a juvenile shall attend all interrogations and trial sessions.
- Article 78.8 of the Bar Association Act no. 11 (1972, amended), stipulates that the Cabinet will issue the regulations necessary to implement the act, including the legal aid regulation. It is worth mentioning that article 5.5 of the Bar Association Act, no. 11 (1972) stipulates that the association's goals include "... providing legal assistance to citizens who are not in a position to pay". Furthermore, article 100 (a.7) of the act stipulates that the president of the association may task any lawyer once a year with performing a professional service, free of charge, for the association. Such *pro bono* service shall be confined to defending the association or any person established by the president to be too poor to pay the fees of an attorney. The president or person commissioned by him shall draw up an agreement between the particular lawyer and the person applying for assistance to estimate the fees in the event the applicant wins his case.
- On 5 April 2015, the Ministry of Justice issued instructions on legal aid, which came into effect four months later. Article 4 of these instructions stipulates that the duties and powers of the ministry's Legal Aid Department are to include: developing criteria and principles for entitlement to legal aid, developing mechanisms to verify the applicability of these criteria, recommending the granting or refusal of legal aid, arranging a procedure whereby groups entitled to legal aid are referred to bodies providing legal services in line with ministry-approved principles and criteria, providing direct legal aid in coordination with the Bar Association in line with ministry-approved principles and criteria, and developing mechanisms of cooperation, coordination, liaison and coordination with civil society organizations (CSOs) and regional and international organizations working the field of human rights and legal aid.

Development of the institutional structure of the legal aid system

- An office has been allocated to the Legal Aid Department in the Human Rights and Family Affairs Directorate of the Ministry of Justice and the Department's needs, including the equipment, material and supplies to carry out its work, have been provided.
- A draft outline of the organizational structure for the Ministry's Legal Aid Department and the courts has been developed.
- Staff working in the Legal Aid Department and its branches have been given draft job descriptions and assigned jobs on the basis of these. The descriptions show the duties of each employee, as well as the reporting line and contact information.

Development of the procedural framework of the legal aid system

- On 14 October 2014, a memorandum of understanding between the Ministry of Justice and the Justice Centre for Legal Aid was signed to institutionalize the mechanics of legal aid provision and ensure that their collaboration covers the entire country.
- On 18 February 2015, a memorandum of understanding on legal aid was signed by the Ministry of Justice and the Bar Association.
- A further memorandum was signed on 18 February 2015 by the Ministry of Justice and the Bar Association, on digital connectivity. Article 2 (w) of this memorandum, on modes of collaboration, stipulates “to facilitate digital connectivity between the two legal aid bodies by two teams to be created for this purpose”.
- The draft working procedures to be adopted within the Legal Aid Department have been developed. These include an application form for legal representation, an application form for legal consultation, a form to transfer a legal aid application to a partner and a form to monitor the legal representation process.
- Pursuant to legal aid instructions no. 1 (2015), issued by the Ministry of Justice, the sixth and final draft of the criteria for entitlement to legal aid has been drawn up.
- Pursuant to article 6 of legal aid instructions no. 1 (2015), issued by the Ministry of Justice, a legal aid application form has been developed.
- The first and second phases of the Dignity (Karama) programme have been implemented by the Ministry of Justice with support from the Danish Institute against Torture (Dignity). Work is currently underway on implementing the third phase. The programme aims to improve the treatment and conditions of persons detained in correction and rehabilitation centres in Jordan, eliminate all forms of ill-treatment and torture, criminalize and investigate such acts, prosecute and punish the perpetrators and provide treatment for victims in accordance with the international legal commitments of Jordan.
- The second edition of the “Public prosecutors’ guide to investigating and proving crimes of torture” was published in 2015 by the Ministry of Justice / Public Prosecution Service as part of the *Karama* programme to combat torture and improve the conditions of persons deprived of liberty in Jordan, in collaboration with the Danish Institute against Torture (Dignity). It was posted on the Ministry of Justice website.
- A computerized register has been created in each department of the Public Prosecution Service in Jordan and a central computerized register of crimes of torture has been created by the head of the Public Prosecution Service.

Electronic surveillance as an alternative to detention

- The committee on electronic surveillance (tagging) completed its work and submitted a detailed report covering the legislative, economic and social aspects, in addition to a detailed technical and social study of the electronic surveillance system and a technical study of the cellular network coverage necessary for the system to work. The results were put before the Cabinet, which took the decision to commence implementation of the electronic surveillance system in 2016, upon completion of the necessary technical arrangements.

Recommendation 6

The State party should create a system of independent visits to all places of deprivation of liberty, including the facilities of the General Intelligence Directorate. In this connection, the State party is invited to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

- Article 8 of the Correction and Rehabilitation Centres Act, no. 9, grants the Minister of Justice, head of the Public Prosecution Service, presidents of the Court of Appeal, Court of First Instance and Supreme Criminal Court, the Attorney General and members of the Public Prosecution Service, each in his or her respective sphere of competence, the right to enter reform centres to ascertain that no inmate is held illegally, that decisions by the courts and Public Prosecution Service are being properly implemented, that no inmate who has not been sentenced to a term of labour is put to work except for the purpose of his rehabilitation, and that each category of prisoner is kept separate and treated in accordance with the provisions of the act. In addition, they may follow up a complaint filed by an inmate regarding abuse committed against him or her or a report of an unlawful act committed against another.
- The Minister of Justice may delegate the authority granted to him under paragraph (a) of the same article to any Ministry of Justice staff with competence and experience in human rights.
- The Correction and Rehabilitation Centres Unit in the Ministry of Justice has taken a number of measures relating to visits to detention facilities; the following are worth pointing out:
 - A number of the unit's legal researchers have been authorised by the Minister of Justice to make inspection visits to all correction and rehabilitation centres in Jordan under a timetable prepared for this purpose and approved by the minister.
 - Some 85 visits to correction and rehabilitation centres were made by a team from the unit up to the middle of November 2014. The team accompanied the Minister of Justice on his inspection visit to Marka Correction and Rehabilitation Centre on 26 May 2014.
 - Reports on inspection visits include observations on issues arising during the visits and ensuing outcomes and recommendations. Reports are submitted by the unit director to the Minister of Justice for further instruction.
 - Petitions and complaints filed by inmates and sent by the administration of correction and rehabilitation centres to the Correction and Rehabilitation Centres Unit are followed up; inmates' enquiries are replied to. Legal aid is provided to the extent possible and may result in: concurrency of sentences, retrial and cassation by written order, release, pardon, setting of trial date, interviews with the public prosecutor and other types of judicial assistance.
 - The team from the Correction and Rehabilitation Centres Unit interviews male and female inmates pursuant to petitions received by the unit from the correction and rehabilitation centres. These interviews observe gender requirements.
 - Reports on the monthly visits made by public prosecutors to correction and rehabilitation centres and sent to the head of the Public Prosecution Service are followed up by the centres concerned.

- A register of cases of torture has been prepared by the Correction and Rehabilitation Centres Unit and each case is followed up separately according to ministerial directives.
- In collaboration with Penal Reform International, the Correction and Rehabilitation Centres Unit is preparing a special procedural guide designed to standardize inspection procedures for all correction and rehabilitation centres in the country on the basis of international standards and Jordanian law. The guide will play an effective role in institutionalizing the supervision and inspection process.
- The National Centre for Human Rights was established pursuant to Act no. 51 (2006), which states explicitly that the centre shall enjoy corporate personality and financial and administrative independence. Article 7 of the act states that the centre is responsible for monitoring and striving to prevent human rights abuses and infringements of civil liberties in Jordan. Under article 10, staff of the centre have the right to visit correction and rehabilitation centres, detention centres and juvenile homes subject to the relevant regulations, and to visit any public place where human rights abuses are reported to have taken place or to be taking place.
- A number of CSOs and other stakeholders make visits to detention facilities in accordance with the regulations; these include the International Committee of the Red Cross, prisoners' welfare societies, diplomatic corps, clerics and sectarian leaders and the High Commissioner.
- It should be pointed out that the General Intelligence Directorate detention centre is a declared facility subject to the Correction and Rehabilitation Centres Act, which is consistent with international standards and rules for the treatment of inmates. Persons are detained therein in accordance with the law. Furthermore, regular, systematic visits are made to the General Intelligence Directorate detention centre by international and local rights organizations (the ICRC and National Centre for Human Rights); the centre has been visited by Human Rights Watch. Note that during all visits services are inspected and individual interviews conducted with detainees to ascertain their health situation and living conditions and to hear their observations and complaints, if any. Visits by the National Centre for Human Rights are made in accordance with the Correction and Rehabilitation Centres Act, under which the centre has the right to visit correction and rehabilitation centres and detention facilities, including the General Intelligence Directorate detention centre.
- Regarding the fact that Jordan has not acceded to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it should be pointed out that ratification of the optional protocol is not obligatory for States and that the "national preventive mechanism" stipulated by the protocol exists on the ground in the form of the National Centre for Human Rights,² which visits and inspects places of detention, arrest and remand. Furthermore, international bodies such as the ICRC, as well as local organizations, carry out

² The National Centre for Human Rights was established pursuant to a special act, which states explicitly that the centre shall enjoy corporate personality and financial and administrative independence. The centre is responsible for monitoring and striving to prevent human rights abuses and infringements of civil liberties in Jordan. The centre can ask institutions to provide it with the information, data and statistics it deems necessary to achieve its goals, and its requests must be met without hesitation or delay. Staff of the centre have the right to visit correction and rehabilitation centres, detention centres and juvenile homes subject to the relevant regulations, and to visit any public place where human rights abuses are reported to have taken place or to be taking place.

checks and inspections of detention facilities. Additionally, such places are subject to administrative oversight by the Ministry of Interior and Ministry of Justice and judicial oversight by the Ministry of Justice (in the form of the Correction and Rehabilitation Centres Unit).

Recommendation 7

The State party should end the practice of administrative detention currently in force, amend the Law on Crime Prevention so as to make it consistent with the Covenant and release or bring to justice immediately all persons who are detained under this law.

- Such law enforcement measures and procedures are of a preventive nature, designed to protect public order from being violated by anticipating and forestalling contingencies. They are taken by administrative decision, subject to judicial and administrative oversight and liable to cancellation and prompt payment of compensation without resort to litigation.
- The Prevention of Crime Act was promulgated pursuant to the provisions of the Constitution, having passed through the constitutional stages necessary for the adoption of laws. The act does not conflict with the principles of human rights. It contains a set of precautionary and preventive measures and procedures designed to ensure that the person concerned is treated fairly and in accordance with human rights standards, as affirmed by article 5 of the act. These include the procedural aspects of the investigation, the hearing of witnesses, the presence of legal counsel and the entitlement of an aggrieved party to lodge an appeal with the Administrative Court against administrative decisions. Furthermore, the act does not allow an administrative governor to imprison a person appearing before him unless that person fails to provide an undertaking to keep the peace or refrain from committing acts designed to disturb public order.
- Accordingly, we find that administrative detention, as a precautionary law enforcement measure, is justified by the need to maintain public order. The public interest requires a balance to be established between the rights and freedoms guaranteed to individuals by the Constitution and the public order which the executive seeks to maintain.
- The Ministry of Interior has signed a memorandum of understanding with the Bar Association to facilitate proceedings before an administrative governor in cases of persons subject to administrative detention. Furthermore, the ministry has issued a number of circulars to administrative governors on the need to apply the act by restricting it to cases presenting a serious risk to security and public order and to follow the measures adopted in the Code of Criminal Procedure.
- It should also be noted that administrative detention is restricted to persons with a criminal record who are known to the security services and who, if they remain at large, pose a threat to individual and collective security and to public and private property.

Recommendation 8

The Committee reiterates its 1994 recommendation that the State party consider abolishing the State Security Court.

- The Jordanian Constitution guarantees the principle of the independence of all types of court (civil, religious and special) and of non-interference with court proceedings. The rules states that a civilian may not be tried before a military court. The five crimes which fall within the jurisdiction of the State Security Court (which is a special court, not an extraordinary court) are an exception to this.
- The State Security Court Act was amended by Act no. 19 (2014) to restrict the court's jurisdiction to hearing five types of crime only, namely treason, espionage, terrorism, narcotics and counterfeiting of currency.
- The Code of Criminal Procedure applied in civilian criminal courts and which provides guarantees of a fair trial is the same code as that applied in the State Security Court. Rulings of the State Security Court are not final but subject to cassation.

Recommendation 9

The Committee reiterates its 1994 recommendation that the State party should take further measures to guarantee freedom of religion.

- Article 14 of the Jordanian Constitution guarantees freedom of religion, stipulating that the State “shall safeguard the free exercise of the rites of religions and creeds in accordance with the customs observed in the Kingdom, if not inconsistent with public order or morality”.
- Sharia law guarantees freedom of belief and expression, as evidenced by a number of unambiguous Koranic texts. Thus Koran 2: 256 states: *There is no compulsion in religion*, while Koran 10: 99 asks: *Would you compel people to believe?* As such, freedom of belief and worship are protected under Islamic law and no-one may be forced to enter Islam under any circumstances. Accordingly, a non-Muslim woman cannot be forced to change her religion upon marriage to a Muslim man. She has full right to practice religious rites and rituals in the marital home, in church and in places of worship and her husband has absolutely no right to prevent her from doing so. Indeed, the law states that it is a husband's duty to enable his non-Muslim wife to practice her religious rites and he has no right in religious or civil law to prevent her from doing so.

Recommendation 10

The State party should review its legislation and practice to ensure that journalists and media outlets are not penalized as a consequence of expressing critical views, and that any restriction on the press and media activities is strictly compatible with the provisions of article 19, paragraph 3, of the Covenant.

- Article 15 of the Constitution was amended by the addition of: “The State shall guarantee freedom of scientific research and guarantee literary, artistic and cultural creativity”. Under the amended Press and Publications Act, no. 16 (2011), punishments involving deprivation of liberty have been abolished and specialized, fast-track judicial chambers created in courts of first instance and appeal to hear cases relating to press and publications. The chamber at the Amman Court of First Instance was granted exclusive jurisdiction over cases related to press and publications affecting the internal and external security of the State as set forth in the Press and Publications Act.

- Positive developments regarding the right to express an opinion include extension of the General Amnesty Act, no. 15 (2011) to cases related to publications and publishing and launch of the Jordan Media Strategy (2011-2015), which seeks to provide an appropriate legal, political and administrative environment in which to develop the media sector and foster and protect the independence of the official and private media. The strategy further seeks to provide a legal, political, social and scientific environment conducive to developing the plurality of the media and ensuring right of access to information.
- On 14 May 2014, the Cabinet adopted the amended Press and Publications Bill (2014), abolishing the Press and Publications Department and replacing it with the Media Commission, as part of a vision to consolidate Jordanian media bodies. This step facilitates the work of journalists by simplifying registration and licensing procedures and putting in place a standardized procedure to speed up accreditation.
- **Amendment of the Civil Service Code:** In October 2014, the Government adopted amendments to the Civil Service Code. Under the amendment to article 17 (b) of the original code (2013), journalism is considered a profession; a royal decree was issued approving the amendment.
- **Press Association Act, no. 15 (1998):** A joint committee of senators and deputies approved the bill on 28 April 2014 and the amended act was promulgated by royal decree on 15 May 2014. The amendments considerably widen the association's membership base by including groups working in the new satellite broadcasting and digital media sectors. The amendments are designed to enable the association to provide its members with social and cultural services, extend the umbrella provided by the association to include all Jordanian journalists working in the public and private press and media sectors inside and outside the country, systematise records and facilitate procedures for electing the president, deputy president and members of the council.
- **Audio-Visual Media Act**
 - The Audio-Visual Media Act, no. 71 (2002) was adopted on 27 January 2015. The act states that the Cabinet, pursuant to the recommendation of the minister, acting on the advice of the director, may exempt Government departments and institutions from broadcasting licence fees on condition that they do not broadcast commercial advertisements. Furthermore, the act abolishes imprisonment.
 - The act was adopted following meetings of the Government with the parliamentary National Guidance and Media Committee; these meetings were open to the media. Prior to this, a wide-ranging national dialogue that involved listening to all points of view and observations was conducted, in addition to brainstorming sessions attended by the Government team, the president of the Press Association and representatives of journalists and local CSOs.
- **Guarantee of Access to Information Act**
 - The Government has sent the proposed amendments to the Guarantee of Access to Information Act to the House of Representatives. The most significant of these are the reduction in the response time to requests for information from 30 to 15 days and the stipulation that the Information Council submit a report to the Cabinet, House of Representatives and the Senate on its work, including the number of requests received and number of requests replied to. The proposed amendments further include expanding

membership of the Information Council to include the presidents of the Bar Association and Press Association and ensuring the right of access to information for everyone resident in Jordan, not only Jordanians.

- The Media Commission and Information Council have adopted an orderly approach to dealing with the right of the media to information. This involves a journalist completing a form stating the information he wants and the commission providing him with the information he has requested.
- Further to the Government's belief in the need to cooperate with journalists by providing them with the information they need, the Prime Minister issued an official communication on 8 September 2015 instructing all ministries, Government departments and public institutions and authorities to provide the request for information form to those seeking access to information. The form contains details on the applicant and the purpose for which the information is sought. Under the act, if a request is refused, the reasons for refusal must be given. Failure to respond with the set time is considered refusal. If the applicant is refused access to the information, he has the right to file a complaint with the Information Council via the Information Commissioner/ Director General of the Department of the National Library.
- It is worth pointing out that, by adopting this act in 2007, Jordan became the first Arab country to guarantee a journalist's right to access to information.

- **Media strategy**

- In collaboration with partners from the media sector, the Government launched the Jordan Media Strategy (2011-2015), which is designed to enable the national media — both public and private sector — to report on the country with a high level of professionalism and national responsibility. Directed by His Majesty to prepare a media strategy based on the principles of freedom and responsibility, taking into account modern means of communication and other contemporary developments, the Government worked tirelessly to prepare a strategy that expressed His Majesty's vision for a pioneering media that serves as a platform for all hues of opinion, reflects the culture of Jordanian society and promotes the views of Jordanians and the visions of Jordanian institutions. The Government worked in partnership with all the relevant sectors to develop the features of the desired national media, taking into account the need to interact positively with contemporary developments and adopt methods of scientific research and information-based investigation to create a professional media that is the equal of any.
- The Government took the view that the strategy should develop the legislation regulating the media — including amendment of the Press and Publications Act, no. 8 (1998), the Penal Code, no. 16 (1960, amended), the Protection of State Secrets and Documents Act, no. 50 (1971), the Press Association Act, no. 15 (1998), the Audio-Visual Media Act, no. 71 (2002) and the Guarantee of Access to Information Act, no. 47 (2007)) — within a specific timeframe. Most of the amendments have been implemented. The strategy includes the creation of a media training centre, covering print and audio-visual media and electronic journalism, and the introduction of the King Abdullah II Award for Media Excellence to encourage investigative journalism. A media complaints council is to be established. Furthermore, the strategy calls upon all official and private sector media organizations to adopt a national code of conduct to uphold ethical standards in journalism and the media. A Cultural and Media Development Fund is to be established. The

strategy also includes measures to develop Jordanian radio and television, official media, electronic media and social media, as well as the Petra news agency and other media organizations and bodies.

- **Establishment of a media complaints council:** Within the context of the Government's orientation toward media self-regulation, the parliamentary committee has been working to establish a media complaints council, the structure and workings of which should be independent. It should be pointed out that the council has not yet come into being and the committee charged with implementing the media strategy is still at the stage of consultation on mode of operation, number of members, board of trustees and other details. The Minister of State for Media Affairs has indicated that the committee will study all views and reach consensus before commencing to form the council. It is hoped that this process will be c at the same time as implementation of the media strategy is complete.
- **Independent Public Media Station:** A recent achievement has been the launch of public service television, enshrining the Government's effort to strengthen the democratic process and freedom of expression and consolidate the principle of freedom of the media. On 22 June 2015, Regulation no. 53 (2015) was published in the Official Gazette, stipulating that the board of directors of the Independent Public Media Station is to be appointed by royal decree at the recommendation of the Prime Minister for a period of three years renewable. Primarily, the station has been created to promote discussion of all the issues that concern Jordanians and provide variety in the Jordanian media, while maintaining the independence of public service television broadcasting and providing real guarantees of this independence in the form of legislation, the method of appointing senior management and the station's sources of funding. The chairman and members of the board of the Independent Public Media Station were appointed on 8 October 2015.
- It should be pointed out that the Government has established a network of media spokespersons as a fundamental part of the official media system, connecting the government to citizens and responding to their questions in each ministry.

Recommendation 11

The State party should amend the Public Assembly Act and take the necessary steps to ensure that any restriction on freedom of peaceful assembly is strictly compatible with the provisions of article 21 of the Covenant and not subordinate to political considerations.

- The Public Assembly Act, no. 5 (2011, amended) abolishes the need for the prior approval of the administrative governor for a public meeting, requiring only that he be notified that a meeting or march is to take place (for the purpose of maintaining security, order and the safety of organizers and participants). Furthermore, article 3 of the amendment excludes numerous rallies and meetings from the requirement to give notice.
- Under the amended Public Assembly Act, no authority has the right to stop meetings being held or marches being organized or to set their time and place. However, the instructions regulating public assemblies, rallies and marches (2011) issued pursuant to the act require organizers to adhere to the time and place stated in the notification. No invitation or announcement is to be made before notifying the administrative governor of the intention to hold a public meeting, rally or march. Furthermore, no slogans, chants, pictures, photographs or symbols are to be used that violate the sovereignty of the State, national unity, public security or public order. Additionally,

no weapons or sharp instruments may be carried or any instrument that could be used to commit a crime or violate security or order. The flow of traffic may not be impeded and neither public nor private facilities are to be put at risk.

- While a meeting or march is in progress, the administrative governor must take all the measures necessary to preserve security and order and protect public and private property. He may instruct the agencies at his disposal to carry out these duties. Furthermore, he must order the meeting to break up or the march to disperse, if he believes that events may result in lives being lost, public or private property put at risk or public security violated.

Recommendation 12

The State party should amend the Societies Act and take appropriate steps to ensure that any restriction on freedom of association is strictly compatible with the provisions of article 22 of the Covenant.

- It has been decided to start preparing a bill amending the Societies Act. A participatory approach involving all societies and federations will be adopted during the process of drafting the bill and themes relating to the registration of societies and acceptance of external funding, as well as other issues, will be taken into consideration.

Recommendation 13

The State party should take all necessary measures to combat child labour, particularly by reviewing its legislation to ensure protection for all children, including those who work in family enterprises and agriculture.

- The National Framework to Combat Child Labour was ratified recently by the Prime Ministry and will be implemented in a gradual manner across the entire country by stakeholders, namely the Ministry of Labour, Ministry of Social Development and Ministry of Education. Implementation of the national framework will include addressing all cases of child labour, even those not covered by the definition of “labourer” in the Jordanian Labour Code; this will be undertaken by the Ministry of Labour, acting in coordination with other ministries and bodies. The National Framework to Combat Child Labour defines child labour as “any mental or physical effort expended by a child, whether permanent, casual, temporary or seasonal in exchange for or without pay, which is mentally, physically, socially or morally harmful to the child, interferes with his or her schooling and deprives him of the opportunity to continue at school by obliging him to leave school prematurely or requiring him to attempt to combine school attendance with intensive labour”.
- Articles 73-77 of the Jordanian Labour Code set out the terms for the employment of minors and the penalties incurred by an employer who violates these. No minor under sixteen may be employed in any way. No minor under seventeen may be employed in hard or dangerous work or work that is injurious to health. The articles set out the hours of work and rest for minors and the penalties incurred by an employer who violates these, up to a maximum fine of JOD 500.
- **Strategies for combating child labour, including the National Framework to Combat Child Labour:** This instrument represents the first national attempt to protect child workers and is tantamount to a national frame of reference that sets out the principles for dealing with cases of child labour and defines the roles and

responsibilities of the relevant bodies, namely the Ministry of Labour, Ministry of Social Development and Ministry of Education. The framework document aims to:

- Help curb the problem of child labour;
- Clarify the roles of the organizations concerned with child labour and the principles of coordination between them;
- Formulate a nation-wide theoretical and practical approach to child labour by elaborating a clear mechanism for investigating and responding to the phenomenon;
- Formulate principles for monitoring and evaluating programmes and services;
- Ensure that there is no duplication of effort between service providers.

The national framework will be applied across the country by stakeholders and include addressing all cases of child labour, even those not covered by the definition of “labourer” in the Jordanian Labour Code; this will be undertaken by the Ministry of Labour, acting in coordination with other ministries and bodies. The national framework defines child labour as “any mental or physical effort expended by a child, whether permanent, casual, temporary or seasonal in exchange for or without pay, which is mentally, physically, socially or morally harmful to the child, interferes with his or her schooling and deprives him of the opportunity to continue at school by obliging him to leave school prematurely or requiring him to attempt to combine school attendance with intensive labour”. The 2011 decision on work that is onerous and unhealthy for minors has been updated and published. It classifies dangerous, onerous and unhealthy jobs on scientific bases in consultation with stakeholders.

- In 2015, the Child Labour Department of the Ministry of Labour stepped up inspection visits to establishments employing child labour in violation of the Jordanian Labour Code, no. 8 (1996, amended). The results of these visits were as follows:
 - No. of inspection visits: 1,441;
 - No. of child labourers: 1,273, of whom 516 were non-Jordanian;
 - Legal measures taken: 576 warnings, 440 fines, 257 recommendations;
 - No. of undertakings given by companies to rectify child labour violations: 206.
- **Complaints:** In 2015, the Child Labour Department received 39 complaints, all of which were resolved. Some 119 child labourers were removed, three inspection campaigns were carried out and five awareness-raising workshops were held. In addition, 10 training courses were delivered for 119 labour inspectors and a number of television and radio interviews conducted.

Recommendation 14

The State party should take adequate steps to further guarantee free and transparent elections, including the establishment of an independent electoral commission responsible for systematic election monitoring.

- The Independent Election Commission (IEC) was established pursuant to Act no. 11 (2012) as part of the process of political reform pursued by Jordan. Constitutional

amendments were made in August 2014, under which the commission's task was widened to include the administration and oversight of municipal elections, in addition to the administration and oversight of all stages of the parliamentary election process and any other elections to be decided by the Cabinet. The commission adopts the decisions and measures necessary to enable it to administer and conduct impartial, neutral and transparent elections, based on the principles of fairness, equality, equal opportunity and rule of law. The commission administered the 2013 parliamentary elections, helping to boost confidence in their impartiality.

- To ensure free expression of the will of the electorate and allow all citizens without discrimination to enjoy the opportunity of participating in impartial elections, the IEC has a board of commissioners which is responsible (pursuant to article 12 of the Independent Election Commission Act), for drawing up general IEC policy, setting polling date, endorsing the timetable, plans and programmes necessary to implement the electoral process in an impartial, transparent and neutral manner, taking the measures necessary to register voters and candidates of both sexes, including checking, updating and recording objections to the electoral register, and publishing the electoral register and names of candidates on the IEC website and any other means of publication determined by the Electoral Act. The board of commissioners is further responsible for formulating rules and procedures governing election publicity and monitoring these in accordance with executive instructions, raising voter awareness of the importance of participating in political life and elections, appointing the chairpersons and members of the committees needed to conduct parliamentary elections as required by the Electoral Act, and approving the specifications for ballot boxes, ballot papers and official seals of the ballot committee. It is also responsible for formulating rules for the accreditation of candidates' representatives at polling stations and counting centres, of representatives of civil society and media organizations and of local and international monitors and observers, extending the voting period in accordance with the Electoral Act, formulating executive instructions on the posting of initial results, recording objections, declaring final results, publishing a detailed, final report on all stages of each parliamentary election and proposing draft legislation essential to the working of the IEC.

Recommendation 15

The State party should take all necessary measures to increase women's participation in the various areas of public life, raise awareness and increase the minimum quotas for women in the House of Representatives (currently 10 per cent) and in municipal councils (20 per cent).

- The Election of the House of Representatives Act (2016) allocates 15 seats to women under a quota system. It abolishes the one person, one vote system and replaces it with open list proportional representation.
- A national coalition to support the political participation of women was formed under the leadership of the Jordanian National Commission for Women (JNCW) with the participation of several ministries, including the Ministry of Political Development and Parliamentary Affairs and Ministry of Interior, as well as the Independent Election Commission, National Centre for Human Rights and CSOs. The coalition formulated a strategy for 2012-2017 to boost women's political participation in electoral bodies at the level of parliamentary, municipal, union and chamber of commerce and industry elections by raising awareness of the importance of women being partners in decision-making. It offers intensive training

programmes for women who wish to become involved in political life to boost their leadership skills and negotiating capacities and to develop and foster the capacities of female parliamentarians. Several CSOs are also engaged in developing the political capacities of women.

- The proportion of women in the House of Representatives rose from 10.8 per cent in 2009 to 12 per cent in the 2013 elections, with 18 women winning seats. Of these, 15 won the seats allocated to women under the law and three won seats outside the quota system. In 2013, the Women and Family Affairs Committee was added to the existing 20 standing committees in the House of Representatives. The committee's tasks are defined by the rules of procedure as to study laws and issues relating to women, the family and children and to monitor the policies, plans and programmes necessary to empower women in all respects. Three female deputies occupy the position of chair of a House standing committee, while two occupy the position of deputy chair; seven committee rapporteurs are women. Under the Senate rules of procedure, a women's standing committee was created in November 2013, consisting of senators of both sexes, to scrutinize legislation, programmes and policy pertaining to women's rights and any law put before the Senate to ensure that it contains no discrimination against women, and to liaise with CSOs and women's organizations. The proportion of women in the Senate is 12 per cent, occupying positions of Deputy Speaker, committee chairperson and rapporteur of two standing committees.
- Article 6 (a) of the Political Parties Act, no. 39 (2015) stipulates that the number of founding members of a party must not be less than 150, instead of the 500 previously stipulated; there are no other limitations. The act adopts 18 as the age of majority instead of 21 and allows certain declared and acknowledged grants, gifts and donations from Jordanians to be accepted.
- The Municipalities Act (2011) raised the allocation for women from 20 to 25 per cent, resulting in women winning 35.9 per cent in the 2013 elections. It is worth noting that the new Municipalities Act, no. 41 (2015) retains the proportion of seats allocated to women.
- In the judiciary, the number of female judges rose from 48 in 2009 to 142 in 2013 (15.5 per cent of the total). By 2015, the number had risen to 172, with women occupying several senior positions, including president of a court of first instance, Attorney General, Court of Appeal bench president, public prosecutor, deputy administrative prosecutor and investigating judge.
- Jordanian women represent the country in international quarters and at regional and international meetings and conferences. They occupy diplomatic positions, such as head of mission, working diplomat and attaché, and participate effectively as members of international delegations. Women hold a number of ministerial portfolios, and some governments have included up to four female ministers. In addition, women occupy such senior positions as secretary general of a ministry and secretary general of several national institutions and councils.
- The Women's Employment Directorate of the Ministry of Labour has implemented a series of media and awareness-raising campaigns designed to increase social acceptance of female employment and the important role women play in development.

III. Articles of the Covenant

Article 1

Right of peoples to self-determination

- The Hashemite Kingdom of Jordan affirms the right of all peoples to self-determination, including the right to determine their political status and pursue their economic, social and cultural development. Jordan further affirms that all peoples may freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international law and international economic co-operation, based upon the principle of mutual benefit. Jordan's support for this basic right is consistent with its international obligations, especially the Charter of the United Nations, which affirms the right of peoples to self-determination, the International Covenant on Economic, Social and Cultural Rights, ratified by Jordan in 1975, and the Arab Charter on Human Rights, ratified by Jordan in 2004. The latter is an effective regional human rights mechanism, which makes explicit reference to the right of peoples to self-determination.
- In this regard, we might draw attention to Jordan's crucial role in support of the right of the Palestinian people to self-determination. Jordan supports all efforts aimed at establishing an independent, contiguous and viable Palestinian State within the borders of 4 June 1967, with East Jerusalem as its capital. Under the leadership of His Majesty King Abdullah II Bin Al-Hussein, Jordan continues to be an influential force in international and regional quarters in support of the establishment of a Palestinian State.

Article 2

Ensuring the rights of all individuals without discrimination

- The Jordanian Constitution stipulates that all Jordanians are equal before the law without any distinction as to their rights and duties and regardless of differences of ethnic identity, language or religion. The fact that the criterion of sex is not mentioned in this article is not a shortcoming as the Constitution is a general text that applies to both males and females. In addition, other laws guarantee women equal rights with men (the right to work, right to education, right to participate in political life, right to occupy public posts, etc.). Under the Jordanian National Charter, Jordanians, both men and women, have equal rights and obligations. The Jordanian National Agenda contains recommendations on applying a number of principles to achieve equality for Jordanian women and ensure that they participate in legislative assemblies and public office.
- Jordan's membership of the United Nations Human Rights Council provided an incentive to ratify the treaties which further the rights of Jordanians and to publish them in the Official Gazette, thereby endowing them with the force of law. Hence, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women have all been published in the Official Gazette in recent years. In civil and criminal proceedings before Jordanian courts, nationals and foreign residents are afforded equality of treatment without any discrimination on grounds of colour, race, sex, language or religion, in keeping with the rights set out

in article 6 of the Constitution. This point is underscored by several court judgements.

- Article 14 of the Jordanian Constitution stipulates that: “The State shall safeguard the freedom to engage in all forms of worship and in religious rites in accordance with the customs observed in the Kingdom and without prejudice to public order or public decency”.
- In addition to the Constitution, Jordanian law affirms equality and the absence of discrimination on grounds of race, language or religion. For example, article 5 of the Political Parties Act, no. 39 (2015) stipulates the following:
 - A party is to be founded on the basis of citizenship and equality between Jordanians, commitment to democracy and respect for political plurality.
 - No party may be founded on a religious, sectarian, ethnic or factional basis or discriminate on grounds of gender or origin.
- All acts of violence and incitement against persons or a group on account of their race, colour, descent or ethnic or racial origin constitute offences punishable under Jordanian law. Article 150 of the Penal Code states: “A term of from six months to three years’ imprisonment and a fine of up to JOD 50 shall be imposed for any piece of writing, speech or act which has the intention or effect of stirring up confessional or racial strife or of creating conflict between different confessional groups and other members of the nation”.
- Article 278 of the Penal Code, act no. 16 (1960) criminalizes a number of acts which offend the religious sentiment or beliefs of individuals.
- Article 20 of the Audio-Visual Media Act, no. 71 (2002) states: “The licensee shall not broadcast or rebroadcast any material that is likely to provoke confessional and inter-ethnic strife, undermine national unity, instigate terrorism, racism or religious intolerance or damage Jordan’s relations with other States”.
- Article 7 of the Press and Publications Act, no. 8 (1998) sets out the ethical rules that apply to journalism and the professional conduct of journalists. These rules are based on freedom of conscience, opinion and expression and freedom of information, which are rights afforded to both journalists and citizens. Publication of material likely to incite violence or propaganda designed to stir up division between citizens in any way is prohibited. Article 38 of the act states that it is prohibited to denigrate religious sentiment or beliefs or to provoke confessional strife; under article 46, such acts are punishable by a fine of between JOD 10,000 and JOD 20,000.

Article 3

Ensuring the equal right of men and women to the enjoyment of all economic, social and cultural rights

- The Jordanian Constitution provides for the principle of equality between Jordanians. This principle is enshrined in the Jordanian National Charter, which makes it clear that Jordanian men and women are equal in respect of rights and responsibilities, particularly in relation to the legal value of testimony given by a woman, which has the same legal value as the testimony of a man. The Evidence Act, no. 30 (1950) does not contain any text that accords the testimony of a woman a different legal value from that given to the testimony of a man. The Jordanian Government published the Convention on the Elimination of all Forms of

Discrimination against Women in the Official Gazette on 1 August 2007. Furthermore, Jordan has ratified major international conventions on the rights of women, such as the Convention on the Political Rights of Women, the Convention on the Nationality of Married Women and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

- A number of laws promoting the enjoyment by women of their economic, social and cultural rights have been amended; these include the Personal Status Act (2010), to which reference was made in the reply to Recommendation 3 of this report. Furthermore, women's political participation has been promoted; this will be discussed in the reply to article 25.

Article 4

States of emergency

- The Jordanian Constitution contains provisions regulating and framing extraordinary powers in cases of emergency. It also places limits on these powers:
 - Thus article 124 of the Constitution states that, if a state of emergency should arise requiring the defence of the country, an act to be called the Defence Act shall be enacted, giving authority to the person specified by the act to take the necessary actions and measures, including suspension of the ordinary laws of the State, in order to ensure the defence of the country. The Defence Act shall come into force when a state of emergency is declared by royal decree, issued on the basis of a Cabinet decision.
 - In the event of a serious emergency, where the above actions and measures are considered insufficient for the defence of the realm, the King may, pursuant to a decision of the Cabinet, declare martial law throughout the entire country or in any part thereof (article 125 of the Constitution).
 - If martial law is declared, the King may issue by royal decree any instructions as may be necessary for the purposes of the defence of the realm, notwithstanding the provisions of any law in force. All persons charged with implementing such instructions shall remain subject to the legal liability arising from their actions under the provisions of the law until relieved of such liability by a special law to be formulated for this purpose.

Article 5

Activities and acts aimed at the destruction of rights and freedoms

- Jordan regards the rights recognized in the Covenant as a set of rights that must be enjoyed without any restriction thereon or derogation therefrom for any reason whatsoever except in accordance with the provisions of the Covenant and the public interest.

Article 6

Right to life

- The right to life is sacrosanct in all jurisdictions and assault on the life of one man is tantamount to an assault on the lives of all men. From this derives the right of a man not to be subject to torture and for his dignity and humanity to be respected. Jordan

guarantees this right and holds it to be a fundamental right. The following should be pointed out:

- Jordan acceded to the International Covenant on Civil and Political Rights in 1975. The Covenant guarantees the right to life and holds it to be inherent, affirming that no-one may be arbitrarily deprived of life.
- The Jordanian Penal Code, act no. 16 (1960, amended) guarantee a person's right to life and his or her right to physical integrity. It is forbidden for any authority or individual to end a person's life. Furthermore, no person may relinquish his right to life; this may not be contravened, even in the person's best interest.
- Pursuant to the above, the Penal Code criminalizes the crimes of murder and manslaughter, abortion and all forms of abuse. Jordanian law does not recognize any form of corporal punishment.
- It should be pointed out that the Hashemite Kingdom of Jordan applies capital punishment. However, it is confined to the most serious crimes and is compatible with international charters. Thus article 6 (2) of the International Covenant on Civil and Political Rights states that sentence of death may be imposed only for the most serious crimes. Furthermore, the United Nations Economic and Social Council has published two reports affirming the need to comply with minimum safeguards for the protection of the human rights of those facing the death penalty and stipulating that capital punishment may only be applied in cases of deliberate criminal acts having lethal consequences and only for a crime for which the death penalty is prescribed by law at the time the crime was committed. Persons below 18 years of age at the time the crime was committed are not to be sentenced to death, nor is the death sentence to be carried out on pregnant women or women who have recently given birth. The verdict must be handed down by a competent court after a fair trial and the Economic and Social Council further affirmed the need to ban all extra-judicial executions. Jordanian legislation applies all the above measures, confining capital punishment to the most serious criminal offences, not carrying out capital punishment in an arbitrary manner and not sentencing juveniles under the age of 18 or pregnant women to death.

Main safeguards surrounding capital punishment in national law

- If the accused does not have an attorney, the court must appoint one for him at State expense.
- Death sentences are appealed before the highest civil court, even if the condemned person does not seek leave to appeal.
- A person who commits an act punishable by death may benefit from any new law that abolishes capital punishment or imposes a lighter sentence as long as the new law is enacted before a final judgement in the case is delivered. If the act for which the perpetrator was sentenced is decriminalised, enforcement of the verdict is discontinued and its criminal effects terminated.
- When a sentence of death is handed down, the Director of Public Prosecutions sends the case file to the Minister of Justice with a report summing up the facts of the case, the evidence on which the judgement was based and the grounds for carrying out or commuting the death sentence. The Minister of Justice then submits the case file and the report to the Prime Minister for referral to the Cabinet. The Cabinet reviews the file and the report of the Director of Public Prosecutions and delivers an opinion as

to whether the death sentence should be carried out or commuted. The Cabinet decision and a statement of its opinion are then submitted to His Majesty the King.

- The death sentence is only carried out after ratification by His Majesty the King. All such verdicts are put before His Majesty by the Cabinet, together with a statement of its opinion.
- The death sentence may not be carried out during religious, national or official festivals.
- The death sentence is carried out by the Ministry of Interior, pursuant to a written request by the Director of Public Prosecutions. The request must show that all procedures have been completed. The sentence is carried out in the presence of the Director of Public Prosecutions or one his assistants, the clerk of the court which delivered the verdict, a physician, a cleric of the sect to which the condemned person belongs, the prison warden or one his assistants and the police chief of the region. The Director of Public Prosecutions or one his assistants asks the condemned if he has anything he wants to say and his words are recorded in a special report, which is signed by those present. Another report on execution of the sentence is prepared and kept in the condemned man's file.

Article 7

Torture and cruel treatment or punishment

- Jordan ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 13 November 1991 and the convention was published in the Official Gazette on 15 June 2006 (issue no. 4764), thereby becoming part of the Jordanian legal system and acquiring the force of law. The Constitution was amended and article 8 (2) now reads: "Any person who is arrested, detained, imprisoned or whose freedom is restricted shall be treated in a manner that preserves human dignity; he/ she may not be tortured in any manner, or physically or mentally abused and may not be detained in places other than those permitted by law; any statement uttered by any person under torture, abuse or threat shall be disregarded".
- The Penal Code, Act no. 16 (1960, amended) criminalises the act of torture, with article 208 stipulating the following:
 - "Anyone who inflicts on a person any type of torture in order to obtain a confession to or information about an offence shall be sentenced to between six months' and three years' imprisonment.
 - For the purposes of this article torture shall mean any act resulting in severe physical or mental pain or suffering intentionally inflicted on a person for the purpose of obtaining from him/her or from another person information or a confession or for the purpose of punishing him/her for an act he/she or another person has committed or is suspected of having committed or to intimidate that person or coerce him/her or another person, or inflict pain or suffering for any reason based on discrimination of any kind or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.
 - If the torture causes serious illness or injury, the penalty shall be hard labour.

- Notwithstanding the provisions of articles 54 bis and 100 of this code, the court may not suspend execution of a sentence handed down for the offences listed in this article, nor may any mitigating factors be taken into account.”
- It will thus be seen that the Jordanian legislature has made torture an unlawful, criminal act that, given the heinous nature of the act, must be punished under the country’s legal system in compliance with international obligations. Following orders from superiors cannot be adduced as grounds for justifying such an act and evading punishment. Article 61 of the Penal Code states: “The act committed shall not be considered a crime in any of the following circumstances: enforcement of the law or obeying an order issued by a competent authority that it is required by law to obey, unless that order is unlawful.” Since torture is illegal under article 208, it is not possible to justify such an act on the basis of article 61.
- Moreover, a confession obtained under torture produces no legal effect. Thus article 208 of the Code of Criminal Procedure, no. 9 (1961, amended) states that the testimony made by an accused, a suspect or a defendant in the absence of the Attorney General, in which he or she confesses to committing a crime, is only acceptable if the prosecution presents evidence of the circumstances in which the confession was made and if the court is confident that the accused, the suspect or the defendant made the confession voluntarily and by choice.

Article 8

Slavery and the slave trade

- Article 7 of the Jordanian Constitution guarantees personal liberty and article 13 states that compulsory labour may not be imposed on anyone. In this regard, we might draw attention to the Abolition of Slavery Act (1929), which prohibits the purchase, sale and enslavement of persons, gifting them against their will or as insurance for a debt or acting in any other way that is demeaning to human dignity and turns a person into a commodity to be traded.
- Article 3 of the Trafficking in Persons Act (2009) comprehensively defines trafficking in persons in a manner consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The said article contains special protection for children, defining trafficking in persons to include the luring, transporting, harbouring or receiving of a person under the age of 18 for the purpose of exploitation, even if this does not involve the threat or use of force etc.
- It must be noted that article 9 of the act prescribes aggravated penalties for human trafficking offences, with a maximum penalty of 10 years’ hard labour and a fine of from JOD 5,000 to JOD 20,000.
- The act protects the victims of human trafficking from prosecution (see article 12).
- Regulation no. 30 (2012), on shelters for victims of crimes of human trafficking and persons who have suffered harm as a result of such crimes, was issued pursuant to article 7 of the Trafficking in Persons Act, no. 9 (2009). The regulation is designed to provide protection and temporary shelter for victims until their problems are resolved and they are returned to their country of origin or country of their choosing that agrees to accept them. The shelter provides social care, accommodation, physical and psychological health services and the cultural and legal counselling essential for victims; the shelter also has a victim database at its disposal. Training,

qualification, physical and psychological recovery, awareness raising, health and counselling programmes are provided for victims, as well as legal assistance to help resolve their problems. Victims are given suitable opportunities to work through employment programmes and small-scale enterprises within the shelter, subject to available resources. Entertainment is provided for minors. A building in the city centre owned by the Ministry of Social Development has been taken over and refurbished as a shelter for the victims of human trafficking; it is currently housing four cases.

- To ensure that this crime is stamped out, article 153 of the Penal Code, amended by Act no. 8 (2011), provides aggravated penalties of a minimum two years' imprisonment or hard labour for those who commit the crime of people smuggling.
- Article 310 of the Penal Code, Act no. 16 (1960, amended) was amended, increasing the term of imprisonment from six months to three years and the fine from JOD 200 to JOD 500 for anyone who lures into prostitution a female who is not a prostitute.
- The Cybercrime Act, no. 27 (2015) provides aggravated penalties of a term of imprisonment of not less than three months and not more than one year and a fine of not less than JOD 300 and not more than JOD 5,000 for anyone who intentionally transmits or publishes through an information system or the internet any audio-visual or written material containing pornographic acts involving or relating to the sexual exploitation of those who have not attained the age of eighteen.
- Regulation no. 12 (2015, amended) deals with agencies that recruit and employ non-Jordanian domestic workers. The regulation is compatible with international labour protection standards and one of its most significant clauses is article 11 (e), which grants the Minister of Labour the power to cancel permanently the licence of an office that commits a serious violation of human rights or the law, as stipulated in article 16 of the regulation. A shelter is to be set up in collaboration with stakeholders for non-Jordanian domestic workers who refuse to work or have left their employment. The management, mode of funding and funding bodies of the shelter are to be determined.

Summary of Jordanian efforts to ban slavery and human trafficking

- The National Committee for the Prevention of Human Trafficking was established pursuant to article 4 of the Trafficking in Persons Act, no. 9 (2009). The committee is chaired by the Minister of Justice and its membership consists of the secretaries general of the ministries of justice, interior and labour, the commissioner general of the National Centre for Human Rights, representatives of the ministries of foreign affairs, social development, industry and trade and health, a senior officer of the Public Security Directorate and the secretary general of the National Council for Family Affairs.
- The first report of the National Committee for the Prevention of Human Trafficking (2009-2013) was published in the first quarter of 2014. The report provided an assessment of the situation in Jordan and set out a comprehensive policy to suppress human trafficking. It covered the legislative framework, particularly the Trafficking in Persons Act (2009), and national efforts to protect victims. It further covered the establishment of shelters for victims and the prosecution of crimes of trafficking. The report also addressed future challenges and relevant international conventions.
- In 2012, a memorandum of understanding was signed by the Ministry of Labour and Public Security Directorate, setting up a special anti-human trafficking unit. The unit, which is the executive arm of the National Committee for the Prevention of

Human Trafficking, began operations on 19 January 2013. The memorandum of understanding was renewed for the period 2015-2017.

- The technical support committee of the National Committee for the Prevention of Human Trafficking has been formed under the chairmanship of the Ministry of Justice.
- A referral mechanism for the victims of human trafficking has been adopted pursuant to the Trafficking in Persons Act, no. 9 (2009), specifically articles 4-6 thereof, to give effect to the second theme of the National Anti-Trafficking Strategy, on providing protection and support to the victims of human trafficking.³ The mechanism gives concrete expression to the roles of governmental and non-governmental agencies by formulating a general framework and principles for dealing with the victims of human trafficking and persons who have suffered as a result of such crimes. A participatory approach consistent with international and national standards is adopted from the moment a crime is known to have been committed and during all subsequent stages of assistance and protection until the victim is reintegrated into society or returned voluntarily to her own country to ensure she is not trafficked again.
- The National Committee for the Prevention of Human Trafficking has taken over a city centre building owned by the Ministry of Social Development as a shelter for the victims of human trafficking. The shelter — Dar Karama — aims to provide some of the services needed by victims of human trafficking, such as safe accommodation, food, psychological counselling and preventive and rehabilitation programmes. The shelter accommodates cases transferred from the anti- human trafficking unit of the Public Security Directorate until they can be reintegrated into the job market or returned voluntarily to their country of origin, as they wish.
- A number of measures have been adopted by the Jordanian judiciary pursuant to the Trafficking in Persons Act. Of these, we might mention by way of example, Decision no. 1410 (2012) of the Court of Cassation (criminal; five-member bench, 7 October 2012).
- The local community has been made aware of the dangers of human trafficking and the capacities of workers in various sectors have been developed in collaboration with the press and electronic media, which have published articles raising awareness of human trafficking, conducted radio and television interviews and organized educational campaigns. Workshops have been held across the country and Government staff working in this field have been given training by the anti- human trafficking unit of the Public Security Directorate.
- A manual has been produced to help identify and recognize victims of trafficking and provide them with services. The anti- human trafficking unit of the Public Security Directorate has taken the following measures:
 - A brochure has been printed showing how to recognize victims of trafficking; this has been distributed to border crossing points, police officers, Government organizations and the local community and relevant training has been provided in the form of workshops, courses and seminars.
 - Confidential hotlines have been set up to receive reports of suspected criminal activity, including human trafficking.

³ A referral mechanism for the victims of human trafficking and persons who have suffered as a result of such crimes was adopted at the 14th session of the National Committee for the Prevention of Human Trafficking on Wednesday, 20 January 2016.

- In coordination with CSOs and the Ministry of Social Development, victims of human trafficking and persons who have suffered as a result of such crimes have been provided with sheltered accommodation, including the Jordanian Women's Union shelter and recently, on a temporary basis, the Family Reconciliation shelter. Meeting on 4 February 2014, the Cabinet approved the establishment of a home for the victims of human trafficking, at the recommendation of the National Committee for the Prevention of Human Trafficking. Recently, the Ministry of Social Development identified a building owned by the ministry to be turned into a permanent shelter and work is currently underway on refurbishing the building and recruiting the necessary staff.
- Channels of communication with governmental and national and international non-governmental organizations have been strengthened by holding dialogue sessions on how to deal with human trafficking and migrant labour. Additionally, local, regional and international cooperation has been boosted, channels of communication established and information and experience exchanged.

Article 9

Right to liberty and security

- Article 7 of the Jordanian Constitution stipulates: "Personal freedom is guaranteed". Article 8 stipulates: "No person may be arrested, detained, imprisoned or have his or her liberty restricted save in accordance with the provisions of the law." These two articles are the legal basis for all criminal laws in Jordan. In this regard, the following should be noted:
 - Under the Code of Criminal Procedure, the legally permitted period during which an arrested person may be held at a police station is 24 hours. For crimes within the jurisdiction of the State Security Court, it is seven days. Detainees are provided with all essential services and logistical requirements during the period of detention. All detention facilities have been thoroughly developed, refurbished, refitted and expanded in accordance with national and international standards. Several committees have been formed to study and improve conditions in detention centres and a manual has been published and distributed to all public security units. Sustainable plans have been developed to improve living conditions for detainees and bring conditions into line with international standards.
 - A number of tools of oversight exist to ascertain the conditions of detainees. These include unannounced inspection visits by members of the Public Prosecution Service, the courts, officials of the Public Security Directorate and other stakeholders, such as the Office for Transparency and Human Rights. Inspection tours of all temporary detention facilities are normally carried out jointly with the National Centre for Human Rights.
 - The Public Security Directorate has installed surveillance cameras in detention facilities to allow monitoring by staff. Upon entering a detention facility, a detainee is allowed to contact his family and inform them where he is being held. This is documented by the recording device in each camera. Furthermore, attorneys are allowed to attend the initial questioning conducted by the police inside a police station. The attorney is allowed to communicate with his client and have him sign the power of attorney to act as his defence

counsel before the courts (implementing the memorandum of understanding signed by the Public Security Directorate and the Bar Association).

- Any person subjected to ill-treatment in a police station may file a complaint with the police superintendent or competent police prosecutor, whose job it is to hear citizens' complaints. Complaints may also be submitted to the Office for Transparency and Human Rights. If the complainant is unable to attend in person, his relatives may submit the complaint. The complaint will be investigated and the appropriate decision taken. Beating and ill-treatment of detainees are prohibited, criminal practices; if proven, they are punishable.

Article 10

Humane treatment of detainees

- The Public Security Directorate has issued instructions to all police stations and security departments to the effect that, if a person is arrested, he is allowed to make a telephone call to his relatives to tell them where he is being held. As regards inmates' rights and duties, correction and rehabilitation centres work in an open and transparent manner with all inmates on the basis of the Correction and Rehabilitation Centres Act, no. 9 (2004), the articles of which set out the rights and duties of inmates and the mechanism for dealing with them.
- In correction and rehabilitation centres, accused persons are kept separate from convicts and juvenile accused are kept separate from adults; they are referred separately to the courts for their cases to be decided.
- There are special detention centres for juveniles and women inside police stations. Furthermore, detainees in correction and rehabilitation centres are placed in categories consistent with international standards, matching the charge, sex and age of the suspect, seriousness of offence and whether or not it is a repeat offence etc. There is a separate correction and rehabilitation centre for women.
- **Cooperation with international and national bodies and inmates' organizations:** The Department of Correction and Reform Centres of the Public Security Directorate has worked tirelessly to regulate and develop relations with local, regional and international institutions and CSOs, concluding a series of agreements designed to strengthen cooperation and promote information exchange and coordination with these institutions and organizations as partners in the reform process. This is underscored by the increasing number of visits made to correction and rehabilitation centres by such bodies. The following schedule shows the number of visits between 2010 and 2013:

<i>Visiting body</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>Nature of assistance</i>
ICRC	49	56	58	64	Sports equipment
Prisoner welfare societies	8	10	18	8	Assistance in cash and kind
National Centre for Human Rights	18	27	43	87	Inspection visits
Members of the Public Prosecution Service	26	34	41	48	Inspection visits
Diplomatic bodies and embassies	124	134	139	140	Inspection visits
Clerics and sectarian leaders	22	29	21	53	Wheelchairs
CSOs	32	45	80	90	Inspection visits

<i>Visiting body</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>Nature of assistance</i>
Ministry of Social Development	10	12	16	6	Assistance in cash and kind
High Commissioner	11	24	10	41	Inspection visits
Total	300	410	426	537	

- **Application of the modern system of categorisation in Jordanian penal institutions:** Modern international standards of categorising inmates have been adopted, based on the principle of the criminal risk posed by the inmate at the time and not the type of crime, as was the case previously. The modern system of categorisation takes account of psychological, social and behavioural aspects with the aim of protecting inmates from each other and from themselves and providing a safe environment inside the centre.
- It should be pointed out that the General Intelligence Directorate detention centre is a declared facility subject the Correction and Rehabilitation Centres Act where all detainees are held under judicial writ and treated in accordance with the law. Furthermore, regular, systematic visits are made to the General Intelligence Directorate detention centre by international and local rights organizations (ICRC and the National Centre for Human Rights); the centre has been visited by Human Rights Watch. During all visits, services are inspected and individual interviews conducted with detainees to ascertain their health situation and living conditions and to hear their observations and complaints, if any.
- There is a medical clinic inside the detention centre, staffed by two doctors and two nurses available around the clock, in addition to a dental clinic and a pharmacy. All detainees are examined by a doctor and given the necessary treatment; a medical file is opened on each detainee. Furthermore, a counsellor is available to follow up and resolve detainees' psychological problems.
- Detainees are allowed into the open air each day for a sufficient period of time; there is a yard for this purpose within the detention centre. Each cell is provided with full hygiene facilities (good ventilation, anti-humidity device, a bed, heating, hot and cold water, bathing requirements, a copy of the Koran or Bible and a prayer rug). In addition, there is a twice weekly barber schedule for hair and beard grooming for those who wish it. Washing machines where detainees' clothes and blankets can be washed every other day are available. There is a kitchen for detainees and staff, serving three meals a day. Workers in the kitchen are checked on a regular basis. The quality of the food is checked by specialist supervisors. There is also a library stocked with religious, historical and scientific books; a register records books lent to detainees.
- A detainee is allowed to purchase personal requirements twice a week. If a detainee does not have the money, he is provided with his needs (toothbrush, toothpaste, underwear, shoes, cigarettes, etc.) at the expense of the centre.
- Detainees receive visits from their relatives every Friday from 9 am to 3 pm.

Article 11

Imprisonment for failure to meet a contractual obligation

- The Sharia Enforcement Act, no. 10 (2013) states that a debtor may not be imprisoned unless he refuses to discharge certain specific debts despite having funds. In respect of debts for which imprisonment is permissible, the act has

formulated rules and criteria for imprisonment and procedures that must be followed prior to sentencing to a term of procedural detention in enforcement cases, reducing the term of imprisonment for a single debt and limiting it for combined debts in the one year. This represents a qualitative leap forward at this stage in relation to procedural detention in cases of Sharia enforcement.

- The Sharia Enforcement Act is currently being reviewed to make the limitations and rules on procedural detention stricter.

Articles 12 and 13

Freedom of movement and residence

- Jordanian law is consistent with the provisions of the article on freedom of movement. Article 9 of the Constitution stipulates that no Jordanian may be expelled from Jordan or forced to live in any particular part of the country. Furthermore, article 6 of the Extradition Act states:
 - “A fugitive from justice may not be extradited if the offence for which extradition is sought is a political offence or if the magistrate before whom the fugitive is brought establishes that the purpose of the extradition request is to try or punish the offender for a political offence.
 - A fugitive may not be extradited to a foreign State unless the law of, or an agreement concluded with, that State precludes the detention or trial of the person for another offence committed in that State prior to extradition and which is not the offence for which extradition is sought and approved, unless the offender has been returned or allowed to return to Jordan.
 - A fugitive may not be extradited if he or she has been charged with committing an offence in Jordan other than that for which extradition is sought. If the person is in prison further to a conviction handed down by a Jordanian court, he or she may not be extradited until he or she is released after serving the sentence or after being acquitted or on any other grounds.
 - A fugitive may not be extradited until 15 days have elapsed from the date of detention in custody pending extradition.”
- Legally resident foreigners in Jordan enjoy freedom of movement in the country. Everyone has the right to leave Jordan at any time they want, unless prohibited from travelling due to a court order issued in connection with an offence of any kind. Several Supreme Court rulings have annulled expulsion decisions taken by the authorities against foreigners.

Article 14

Equality before the courts

- Recent constitutional amendments have strengthened the principle of judicial independence as a fundamental guarantee of a fair trial. Thus article 98 of the Constitution has been amended to read: (1) “Judges of the civil and sharia courts are appointed and removed by royal decree pursuant to the provisions of law; (2) A Judicial Council with responsibility for all the affairs of civil judges shall be established by law; (3) Without prejudice to paragraph (1) of this article, the Judicial Council shall have sole right to appoint civil judges in accordance with the law.”

- The constitutional amendments stipulate that there should be two levels of administrative jurisdiction, by transferring the system of appealing administrative court rulings to an administrative court of appeal, pursuant to article 100 of the Constitution. Furthermore, the Administrative Judiciary Act, no. 27 (2014) was promulgated. Article 101 of the Constitution stipulates: “(a) The courts shall be open to all and shall be immune from interference in their affairs; (b) No civilian may be tried in a criminal case where all the judges are not civilian, with the exception of crimes of treason, espionage, terrorism, narcotics offences and counterfeiting of currency; (c) Court hearings are public except when the court decides to hold the case in camera in the interests of public order or public morals. In all cases, the verdict shall be delivered in open session.”
- The Code of Criminal Procedure, no. 9 (1961) contains numerous articles guaranteeing the right to a fair trial; these include articles 147, 168 (1) and 171.
- Recent constitutional amendments include provision for the establishment of a Constitutional Court, tasked with interpreting the articles of the Constitution and monitoring the constitutionality of laws and regulations. They also include provision for the establishment by law of a Judicial Council with responsibility for looking into the affairs of civil judges, who are to be appointed exclusively by the council. Provision, too, is made for granting the civil judiciary jurisdiction to appeal the appointment of any public prosecutor; this was previously the prerogative of the House of Representatives. Furthermore, provision is made for trying ministers charged with crimes related to the performance of their duties before the civil courts; previously, they were tried before the Supreme Council.
- Keen to keep pace with developments in technology to provide guarantees of a fair trial, the legislature has stipulated in article 158 (3) of the Code of Criminal Procedure that the Attorney General or the court may, where necessary and on the basis of a reasoned decision, use modern technology to protect witnesses under 18 years of age when giving testimony, provided that any party to the case can cross-examine the witness during the trial. Such testimony is deemed admissible evidence in the case.
- A series of laws have recently been enacted that contain measures and provisions to promote the independence of the judiciary. These include the Juveniles Act, no. 32 (2014), Independence of the Judiciary Act, no. 29 (2014), Council of Christian Denominations Act, no. 28 (2014) and Administrative Judiciary Act, no. 27 (2014).

Article 15

Criminal conviction

- Article 3 of the Penal Code stipulates: “There is no crime or punishment except as provided by law”. Furthermore, no law imposing a higher penalty will be applied to an offence committed prior to that law entering into effect. A new law abolishing an existing penalty or imposing a lighter penalty must be applied to offences committed prior to its entry into effect (the law most favourable to the accused). Finally, article 4 of the Penal Code stipulates: “Any law which modifies the conditions of criminality in the interests of the defendant shall be applied to offences committed prior to the entry of that law into effect, unless an irrevocable judgement has already been handed down in respect of these offences”.

Article 16

Recognition as a person before the law

- Section 7 of the Personal Status Act, no. 36 (2010) addresses issues of legal capacity, including the capacity to dispose and capacity of possession. It also addresses several provisions in certain national legislation, starting with the Constitution, article 7 of which stipulates that personal freedom is guaranteed. The Personal Status Act holds that the unborn child has legal personality, given that it has been established that it has the right of ownership before birth as well as subsequently. This is the established approach of the Jordanian judiciary, on the basis of which legal personality is unique to a natural person, by virtue of which he is entitled to enjoy and benefit from all his rights, as he sees fit. Furthermore, article 207 of the Personal Status Act prohibits the renunciation of personal freedom and capacity or changing or infringing the provisions thereof in any way.

Article 17

Interference with privacy

- Several articles of the Constitution make reference to private life, emphasising the importance of upholding and maintaining its sanctity and precedence among other individual rights and freedoms. Reference is made in articles, 7, 10, 14, 15 and 18.
- Ordinary legislation contains references to protecting the sanctity of private life. Such legislation includes article 48 of the Civil Code, article 71 of the Communications Act, no. 13 (1995) and articles 210, 347, 348, 356 and 357 of the Penal Code, Act no. 16 (1960), as well as several articles in the Press and Publications Act, no. 8 (1998, amended), principally articles 4, 5 and 7.
- Jordan has introduced a number of intellectual property laws, including the Copyright Protection Act, no. 22 (1992), and has ratified several relevant international conventions. Intellectual property laws contain provisions designed to protect the reputation of the author.

Article 18

Freedom of thought and conscience

- Article 14 of the Constitution guarantees freedom of religion, stipulating that the State shall “safeguard the free exercise of the rites of religions and creeds in accordance with the customs observed in the Kingdom, if not inconsistent with public order or morality”.
- Sharia law guarantees freedom of belief and expression, as evidenced by a number of unambiguous Koranic texts. Thus Koran 2: 256 states: *There is no compulsion in religion*, while Koran 10: 99 asks: *Would you compel people to believe?* As such, freedom of belief and worship are safeguarded under Islamic law. Furthermore, the Personal Status Act, no. 36 (2010) protects the right of a non-Muslim woman married to a Muslim man to practice her religious rites and rituals in the marital home, in church and in places of worship and her husband has absolutely no right to prevent her from doing so. Indeed, the law states that it is a husband’s duty to enable his non-Muslim wife to practice her religion and he has no right in religious or civil law to prevent her from doing so.

- Jordan has adopted a raft of initiatives, including the Amman Message, A Common Word and Interfaith Harmony Week.

Article 19

Freedom of expression

- The Constitution guarantees freedom of opinion and expression and freedom of the press within a legal system guaranteeing this freedom. At the same time, however, the balance of freedoms between individuals is maintained in such a way that one individual's freedom of expression does not infringe that of another or prejudice national security. Thus article 15 was amended by the addition of: "The State shall guarantee freedom of scientific research and guarantee literary, artistic and cultural creativity".
- Positive developments regarding the right to express an opinion were the extension of the General Amnesty Act, no. 15 (2011) to cases related to publications and publishing and the rejection by the Senate of article 23 of the bill amending the Anti-Corruption Act (2011), which provided for a term of imprisonment and a fine for anyone who damages a person's reputation, impugns his dignity or traduces his character, in view of the restrictions which this article would place on freedom of expression, particularly by electronic means.
- The Jordan Media Strategy (2011-2015) was launched to provide an appropriate legal, political and administrative environment in which to develop the media sector and foster and protect the independence of the official and private media. The strategy further seeks to provide a legal, political, social and scientific environment conducive to development of plurality of the media and ensure the right of access to information.
- Under the amended Press and Publications Act, no. 16 (2011), specialized, judicial chambers have been created in courts of first instance and appeal to hear cases relating to press and publications. The chamber at the Amman Court of First Instance was granted exclusive jurisdiction over cases related to publications and publishing affecting the internal and external security of the State as set forth in the Press and Publications Act.
- The amendment to the Safeguarding of Culture Act, no. 29 (2009) abolished the 5 per cent tax on newspapers.

Article 20

Prohibition of the advocacy of national or racial hatred

- Jordanian law contains provisions intended to deal with the dissemination of racist and xenophobic ideologies, incitement of violence and racial discrimination and all acts of violence or incitement committed against any race or group on the basis of colour or ethnicity. To support racist activities, including by providing financing for them, is deemed a legally punishable offence. The same applies to illegal organizations and propaganda activities, whether organized or otherwise, conducted for the purposes of racial discrimination or the incitement thereof. Such organizations and activities are unlawful and participation in them is a legally punishable offence.
- All acts of violence and incitement against persons or groups on account of their race, colour, descent or ethnic or racial origin constitute offences under Jordanian

law. Article 150 of the Penal Code states: “A term of from six months to three years’ imprisonment and a fine of up to JOD 50 shall be imposed for any piece of writing, speech or act which has the intention or effect of stirring up confessional or racial strife or creating conflict between different confessional groups and other members of the nation”.

- Article 130 of the Penal Code states: “Any person in the Kingdom who, in time of war or at a time when war is expected to break out, spreads propaganda with a view to weakening national sentiment or stirring up racial or confessional bigotry shall be sentenced to a term of hard labour”.
- As for the criminalization of acts that lend support to racist activity, article 80 of the Penal Code, which regulates incitement and involvement in such offences, stipulates the following: (1) (a) An instigator is a person who induces or attempts to induce another person to commit an offence by giving that person money or a gift or by using threats, ruse, deception or abuse of position or authority to influence that other person. (b) The liability of an instigator is different from that of a perpetrator of a crime. (2) An accessory to a felony or misdemeanour is any person who: (a) Aids and abets the commission of an offence by providing information to help bring about the offence; (b) Provides the perpetrator with a weapon, an instrument or any other article that can be used to commit the offence; (c) Is present at the scene of the crime for the purpose of intimidating those who put up resistance, strengthening the resolve of the perpetrator or ensuring that the premeditated offence is committed; (d) Assists the perpetrator in preparing for, facilitating or committing the crime; (e) Colludes with the perpetrator or accessories before the commission of the crime or helps to conceal the offence or dispose of all or part of the proceeds of the crime or harbours one or more persons who took part in the crime or a notorious criminal who engages in robbery and acts of violence against State security or public safety or persons or property or gives such persons food, shelter, a hiding place or meeting place.
- Organizations and propaganda activities, whether organized or otherwise, which promote and incite racial discrimination are criminal organizations and activities, punishable by law. Article 151 of the Penal Code states that the same penalties — a term of from six months to three years in prison and a fine of up to JOD 50 — apply to all those who belong to an association founded for the purpose indicated in article 150 of the Code. The minimum prison term is raised to one year and the fine is increased by JD 10, if the culprit has an official function in such an association. In all cases, the association will be dissolved and its assets seized.

Article 21

Right to peaceful assembly

- Article 4 of the Public Assembly Act (2011, amended) allows a public meeting or demonstration to be organized without requiring the approval of the administrative governor, stipulating that it is sufficient for the organisers to inform him 48 hours in advance. Article 5 of the original act, concerning the period of time within which the administrative governor should approve the application to hold a public meeting or march, was abolished. This is consistent with article 4, requiring him only to be notified and removing the need to submit an application.

Article 22

Freedom to form associations and unions

- The Constitution guarantees the right to form associations, political parties and unions by allowing Jordanian citizens to establish and participate in associations, whether ordinary associations that regulate relations between groups with shared practices and customs or charitable or cultural associations (see articles 16, 22 and 23 of the Constitution).
- Article 7 of the Associations Act, no. 51 (2008) regulates the process of founding assemblies.
- Amendments have been made to the law on associations, including the introduction of a registry of associations to simplify registration procedures and conditions and remove the need for an association to obtain Cabinet approval. The legislation is designed to promote participation and raise public awareness. Under article 4 of the Associations Act (2008), the registry is managed by the registry board.
- In addition, trade union freedom is guaranteed under article 23 (f) of the Constitution. Professional unions regulate the work of professionals such as doctors, lawyers, pharmacists, engineers, teachers etc. There are 14 professional unions in Jordan and 17 trade unions which safeguard the interests of workers. The Labour Act, no. 8 (1996) regulates the process of founding unions.
- As for the right to form political parties which, as stated above, is guaranteed under the Constitution, the first party — the Jordanian People’s Party — was established in the Emirate of Transjordan in 1927, pursuant to the Ottoman Associations Act (August 1909). This was followed by the expansion of party political activity and the promulgation of laws regulating their activities. There are now some 37 registered political parties in Jordan.
- It is worth noting that a new Political Parties Act — Act no. 39 (2015) — has been promulgated, the main features of which are as follows:
 - Reduction of the number of founding members of a party from 500 to 150;
 - Abolition of the condition that the founders must be representative of five governorates; founders may now be from a single governorate or even one tribe;
 - Reduction of the age of a founding member from 21 to 18;
 - Formation of a committee in the Ministry of Political Development and Parliamentary Affairs, to be known as the Political Parties Committee, to consider applications to establish parties and monitor party affairs. The committee is chaired by the secretary general of the ministry and its membership consists of the secretaries general of the ministries of interior, justice and culture, a CSO representative and a representative of the National Centre for Human Rights;
 - Lifting the ban on the funding of political parties by corporate persons, whether public or private; furthermore, the act makes it possible to appeal to the Supreme Court a committee decision to refuse amendment of a party’s statutes or to refuse the merger of parties;
 - The new Political Parties Act affirms that citizens have the freedom to assemble in parties of their own choice without any restrictions, such as that a party can only be dissolved by judicial ruling.

Article 23

The family in society

- Jordanian law affirms that the family is the fundamental unit of society. This is explicitly recognised by the legislature, with article 2 of the Personal Status Act defining the marriage contract as “a contract between a man and a woman, providing a legitimate framework for the creation of a family and production of issue”. Several laws have been enacted to protect and safeguard the family, including the Protection from Domestic Violence Act (2008). A new bill affording protection against domestic violence is at the constitutional stage prior to adoption. The State, in its role as guardian of the family, has created a special body, namely the Family Protection Department. Under the Code of Sharia Court Procedure the Family Reconciliation and Mediation Offices Regulation was adopted, designed to protect and safeguard the family and enable it to overcome the problems that may arise in family life.
- Under articles 2 and 10 of the Personal Status Act, everyone who reaches marriageable age has the right to enjoy the right to marry and create a new family. The act affirms that every man and woman has the right to institute the marriage contract without coercion or compulsion and that the contract cannot be properly concluded without the freely given consent of the woman, free from any deficiency of will. The marriage contract is directly overseen by the Sharia courts in order to establish consent, free choice and the absence of coercion or compulsion; the presumption of coercion or compulsion prevents a contract from being properly concluded.
- The Personal Status Act regulates the marital relationship and the relationship between the members of the family, setting out the rights and duties of each in a detailed and precise manner. Furthermore, the laws regulating the Sharia judiciary elaborate in simple fashion a mechanism for the discharge and satisfaction of rights in law. To spread awareness of this, a number of lectures, seminars, workshops and television and radio programmes have been held. The official site of the Supreme Judge Department contains several manuals to make it easier for people to understand, enjoy and discharge their rights. Additionally, the act regulates all matters relating to the custody of children and visitation, child support, education support, medical support and supervision in a manner that safeguards the children’s best interests.

Article 24

Rights of the child

- The Department of Civil Status and Passports registers births of Jordanian nationals in Jordan and abroad and of foreign nationals born in Jordanian territory. It also issues birth certificates. Children born out of wedlock may be registered at any time without reference to any statutory time limits for registration of birth. Children born out of wedlock are recognized as persons before the law. The department registers their names in the civil register and issues them with national identity numbers. It adds their names to the family book and issues them with identity cards and passports. There is nothing distinctive about the national identity numbers they are given to suggest that they were born out of wedlock. In 2002, the legislature introduced an amendment to the Personal Status Act granting the departmental committee responsible for correcting names the power to correct the name of a child born out of wedlock or a foundling.

- Under Jordanian law, rights provided for in the Sharia are extended to children of unknown parentage, and such children are entitled to protection, care and education, among other rights. Thus, children of unknown parentage enjoy rights afforded under the Sharia, such as the right to maintenance, the right to own property, the right to custody, the right to receive care, the right to education and health and also the right to inherit, if the identity of one of the parents is known. These children are deemed to have full legal capacity, even when still unborn. Under the Sharia, a child's filiation may be established according to criteria that are very straightforward, easy to meet and formulated in such a way as to protect children's rights. Once established, no-one may deny a child's filiation.
- Children born out of wedlock are cared for by foster families under special conditions. Background checks must be conducted to verify the spouses' social circumstances, living conditions and level of education and check that they are healthy in mind and body and thus able to raise a child properly. The family must provide all necessary forms of care (child-raising, education, health, and psychological, material and social support) and meet the conditions established by the Ministry of Social Development.

Article 25

Opportunity to participate in the conduct of public affairs and to vote

- The legislature bases this right on a number of legal provisions, principally the Constitution, of which article 15 (1) requires freedom of opinion to be respected, while article 17 states that Jordanians are free to address the authorities on personal or public matters in the manner and conditions prescribed by law; article 101 (1) guarantees everyone the right of resort to the courts. Article 67 demands the integrity and impartiality of elections (in accordance with the methods available in law), the right of candidates to monitor the electoral process and the punishment of those tamper with the will of the voters.
- The recently amended article 67 (2) of the Constitution states: "An independent commission shall be established by law to supervise the parliamentary electoral process and to administer it at all stages. The commission shall supervise any other elections decided by the Cabinet". To give effect to this provision, the Independent Election Commission was established pursuant to Act no. 11 (2012), under which the commission enjoys corporate personality and financial and administrative independence. The act gives the commission the power to take the decisions and measures necessary to enable it to carry out its duties in an impartial, transparent and neutral manner.
- The Election of the House of Representatives Act (2016) allocates 15 seats to women under a quota system.
- Against a background of instability and increasing violence in the region, worsening domestic economic woes, rising oil prices, continuing popular demonstrations and the enormous material, social and political burden caused by the influx of large numbers of Syrian refugees, Jordan successfully held parliamentary and municipal elections in 2013 in a calm and peaceful atmosphere, with few objections and protests over the results.
- A feature of the 2013 parliamentary elections was the emergence of a number of new factors, including:

- For the first time in the history of Jordan, the IEC administered and supervised the elections.
- Under the new Electoral Act and for the first time in the history of Jordan, a mixed (parallel) electoral system was adopted, giving voters two votes: one for a candidate in their local constituency (individual vote) and one for the closed proportional list at national level.
- New measures were introduced to safeguard the transparency and impartiality of the elections and confidentiality of the ballot. These included an electoral register at each polling station and printed ballot papers showing the names and photographs of candidates in local constituencies and the names and symbols of national lists in order to address the problem of illiterate voting (so-called “public voting”).
- A large number of observers took part in the election process: on polling day, there were some 7,300 IEC-approved local observers from 13 oversight bodies and 306 international observers from nine international observer missions.
- The number of women members of the House of Representatives rose, with women winning 18 seats; three won seats outside the women’s quota (one woman topped an individual list and two women won in local constituencies). This is the greatest breakthrough to date achieved by women outside the quota system.
- A feature of the 2013 municipal elections was the emergence of a number of new factors, including:
 - For the first time in the history of Jordan, the IEC administered and supervised the elections.
 - The armed forces and security services did not take part in the electoral process, although the Municipalities Act allows them to do so.
 - New measures were introduced to safeguard the transparency and impartiality of elections, including the use of invisible ink and electoral registers at all polling stations. For the first time, the election administration adopted automatic registration based on citizens’ place of residence as per the civil status records.
 - It is important to note the extensive participation of electoral observers. In addition to two political parties, nine local bodies took part; there were 3,770 local observers. There were six international observer bodies with 44 observers and eight diplomatic missions with 53 observers.
- In 2015, the Decentralisation Act, no. 49 (2015) was promulgated, introducing for the first time in Jordanian history the principle of decentralisation at governorate level by granting local authorities greater powers and expanding the adoption of democratic elections as a way of running the State and increasing popular participation in development decision-making.
- The new Municipalities Act, no. 41 (2015) was promulgated to strengthen the independence of municipalities and widen their functions and responsibilities. The concept of decentralisation is promoted by the creation of local councils, which is the new element in the bill. Councils will consist of at least five members, depending on regional divisions and population, and the chairperson will be a member of the central municipality. Powers are to be divided between local and municipal councils. Furthermore, the act gives the IEC a mandate both to oversee

and administer the conduct of municipal and council elections and not simply to oversee them as in the past.

Article 26

Equality before the law

- The principle of equality between Jordanians, without discrimination, is affirmed by the Jordanian Constitution and enshrined in general and abstract form in national legislation. In keeping with this constitutional principle, the Jordanian National Charter states that Jordanians, both men and women, have equal rights and obligations. Furthermore, the Jordanian National Agenda contains recommendations on applying a number of principles to achieve equality for Jordanian women and to ensure that they participate in legislative assemblies and in public office.
- Jordan has ratified most of the conventions which further the rights of the Jordanian people and, in recent years, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women have been published in the Official Gazette.

Article 27

Freedom of ethnic, religious and linguistic minorities

- In Jordan, a number of institutions, agencies and centres play an active role in promoting a culture of tolerance, interfaith dialogue and acceptance of others. The Royal Aal al-Bayt Institute for Islamic Thought has launched on its website (<http://www.aalalbayt.org>) a project entitled, “A Common Word”, which seeks to deepen Muslim-Christian dialogue and affirm the common denominators between the followers of both religions.
- The Royal Institute for Inter-Faith Studies publishes a number of journals and periodicals calling for tolerance, coexistence and dialogue between the followers of different religions. The Jordanian Interfaith Coexistence Research Centre holds conferences which aim to promote the principles of tolerance, rejection of extremism and respect for other beliefs. The Ministry of Awqaf, Islamic Affairs and Holy Places has developed several programmes designed to promote those values, including scientific courses explaining the content of the Amman Message.
- Religious minorities are allowed to form associations and to preserve and present their heritage in the way they see best, in line with State policy, which promotes cultural pluralism. They are allowed to establish their own schools, which teach ethnic languages in addition to the national curriculum adopted by the Ministry of Education.
- Christians in Jordan are allowed to practise their religion in freedom and Jordan is keen to celebrate Christian holidays as an affirmation of the unity of Jordanian society. Official radio stations broadcast Mass on Sundays just as they broadcast Muslim prayers on Fridays. Christians employed in the public sector are permitted to practise their religion on Sundays and are given sufficient time to perform their religious duties without deducting time from their annual leave. They are also allowed to observe official Christian religious holidays.