



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 449th meeting

Held at Headquarters, New York, on Thursday, 20 January 2000, at 3 p.m.

Chairperson: Ms. González

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial and second reports of Jordan (CEDAW/C/JOR/1 and 2) (continued)

1. *At the invitation of the Chairperson, Ms. Sabbagh (Jordan) took a place at the Committee table.*

Article 7

2. **Ms. Ferrer** noted that in 1993, as a result of an initiative by the President of the Jordanian National Committee for Women, Princess Basma Bint Talal, 10 women had been elected in town council elections. In 1999, according to the information received that morning, there had been 35 women candidates and eight of them had been elected to lead their town councils. The first 10 women to be elected had clearly proved themselves competent; in view of that successful initiative, she would welcome any further information that could be given on the women's performance and the level of acceptance they had experienced among the population.

3. **Ms. Corti** welcomed the progress made in various areas, including the fact that, for the first time in the history of Jordan, there was a woman Deputy Prime Minister. As the issue of decision-making posts for women and their entry into politics was a crucial one in all countries, it seemed that the role of the Jordanian National Committee for Women should be much stronger in that area.

4. She wondered what strategy was being applied in Jordan to remedy the low levels of women's representation in Parliament. Reference had been made to a study by a non-governmental organization in which the failure to present more women candidates or to elect more women was attributed to society's perceptions, women's lack of the requisite qualifications, tribalism and a misunderstanding of religious tenets. Experience in other countries had shown that women had to organize and work together to advance women's issues in order to get into Parliament. Further groundwork was urgently needed in the area of public opinion and non-governmental organizations. In that connection, she asked what kind of financing was available to non-governmental organizations, whether the State made a contribution

and whether such organizations were able to help fund women's candidacies. As each voter could vote for one party only, she asked whether the Government was considering a change in the electoral law to help more women be elected.

5. While welcoming the fact that some women had been appointed to the Senate, she noted that the fact that they had been appointed by the Government or by a political party, rather than elected on their own list, could limit their ability to pursue their own policies. Political preparation for women was very important, so that they would be able to campaign, to help change voters' attitudes to women and to fulfil their role if elected. Women's lobbies had played a very important role in that respect in several countries, by operating as a free association of different non-governmental organizations which developed special programmes to gather information and provide organizational and financial support for women's candidacies for Parliament. That did not bring change overnight, but it was a slow and sure method for getting more women into Parliament, where changes to existing laws could then be made more easily.

6. **Ms. Ryel** said that there would only be change when there were more women in politics, and the proportion of women to men in politics must be equal in order to represent society fairly. The Nordic countries were known for having large numbers of women in politics. In Sweden, for example, there were 11 women and 9 men in the Cabinet. Such changes did not come by themselves. Tools were needed, and a sustained effort over a long period of time to establish quotas, carry out awareness-raising campaigns and encourage women to vote for women. In Jordan, a large proportion of women voted, but they voted for men, who were more visible in public life.

7. In connection with the voting procedure, she had not understood whether voting took place according to party lists, or for individuals. If lists were used, there should be a quota for women.

8. In every society, there were many local bodies which made decisions that were important to the community; women must be well represented in those bodies. Her country had experience in using quotas for that purpose, to good effect. A gender-neutral quota could be used, for instance, ensuring that the membership of such bodies was at least 40 per cent male or female. The issue of qualifications should not

be an obstacle, as local bodies should include people with different qualifications. It was important to use quotas in such bodies to make women more visible in society, thereby offering role models to other women, and facilitating women's later entry into politics.

9. **Ms. Kim Yung-chung** noted that the Jordanian National Committee for Women, in conjunction with the Ministry of Planning, had agreed not to assign a separate section to women's issues, but rather to include them in all areas of the national plan. She strongly supported that policy, which was in line with the specific call in the Beijing Platform for Action to take action in all areas.

10. She would like more information about the 99 women appointed to town and village councils. She wondered whether such appointments, or the scale of such appointments, were new, and whether the women concerned were still working as councillors. There was no mention of women members of Parliament and she wondered whether any women had been appointed to the Senate or elected to the lower house.

11. She wished to know whether the National Strategy for Women or the national programme of action set a target for the promotion of women to decision-making positions, either by appointment or by election. She asked what the target was, if any, and whether there was a comprehensive plan for achieving it.

12. With regard to the training of women for politics, she noted that women accounted for 10 per cent of the membership of political parties. She wished to know whether they played any role in the leadership of those parties, what their status was in those parties and what programmes there were to help them qualify as candidates.

13. Another area in which women's participation should not be excluded was the police force. In her country, the first woman police commissioner had recently been appointed to a large precinct in Seoul and her commitment and integrity had already made a difference to efforts to prevent trafficking in women and girls, by making the police, the community and the country as a whole pay attention to the problem. She wondered whether any efforts were being made in Jordan to promote women's participation in the police force.

14. **Ms. Shöpp Schilling** noted that non-governmental organizations played a valuable role in women's issues and asked which, if any, of those organizations received financial support from the State; if they did not receive State support, how they were funded. She also asked whether the Government or the Jordanian National Committee for Women had a budget to finance projects by women's organizations.

15. In connection with the reference in the second report to the limitations imposed by Act No. 33 of 1966 on political activities by women's associations, she requested examples of such limitations.

16. **Ms. Manalo** welcomed the higher level of voting by women as compared to men in Jordan, but wished to know the percentages involved and what steps could be taken to encourage even more women to vote. The key would be to get them to vote for women, or for men who supported implementation of the Convention.

17. With regard to women in the legislature, paragraph 42 of the second report referred to the one woman elected in 1993. The report seemed to indicate that the multi-party system had been established only recently and that custom and tradition, as well as the electoral law, discouraged women candidates. She was interested in knowing what specific measures were being taken to encourage women candidates, and whether they were given the necessary training and the infrastructure and financial support needed to overcome all the obstacles to their candidacies. She also requested information on the steps being taken to increase voters' awareness of women's rights to vote and run for election, and to ensure that custom and tradition did not prevent the effective implementation of the law.

Article 8

18. **Ms. Manalo** noted that no Jordanian woman had ever been appointed to a high-level diplomatic post, such as ambassador. She asked whether the career diplomatic service was open to women.

Article 9

19. **Ms. Goonesekere** noted that many countries had inherited from British common law the concept that women could not transmit their nationality to their children. That did not seem consistent with Islamic law, which, uniquely among early legal systems, had given women the preferential right to custody of their

children. Nationality was transmitted by the blood tie inherent in the mother-child relationship. She hoped that there would be a review of nationality law in Jordan.

20. It was difficult to understand the proposal by the Jordanian National Committee for Women for granting Jordanian nationality to the children of Jordanian women married to aliens “for humanitarian reasons”, to enable them to pursue their education. Not only did that contradict the idea that women had the right to transmit their nationality to their children, but it seemed to suggest that access to education was a benefit, not a right. She requested clarification of the proposed reforms.

21. **Ms. Khan** noted that there were 1.5 million Palestinian refugees in Jordan, demanding a great humanitarian effort on Jordan’s part. Those refugees had been given Jordanian passports, but apparently could not hold office. She wondered whether that meant public office or government office and wished to know how the refugees’ status differed from that of Jordanian nationals. She also asked about the occupations pursued by the refugees, particularly Palestinian women, and whether they could vote. If the Jordanian passport was granted merely as a travel document, the Palestinians could have been granted refugee status instead. She wished to know whether Jordan had ratified the 1951 Convention relating to the Status of Refugees, which granted certain benefits and made subsequent reintegration much easier.

22. Commendable work had been done concerning nationality law. However, she wished to know whether the children of a Jordanian woman who married an alien and was subsequently widowed had the same rights as the children of a Jordanian father. She also urged Jordan to consider withdrawing its reservation to article 9 of the Convention.

Article 10

23. **Ms. Kim Yung-chung** welcomed the introduction of a master’s programme in women’s studies at one of the public universities; she hoped that other universities would follow suit. She expressed concern about the portrayal of women as mothers and housewives in school curricula and textbooks and wondered what steps had been taken, including by the Jordanian National Committee for Women, to remedy the situation. She would appreciate a progress report on

the work of the national council for human rights education, established in May 1999, and additional details on its personnel and budget.

24. **Ms. Acar** enquired about measures to broaden the selection of vocational courses for women in order to avoid the perpetuation of gender stereotypes. She welcomed the increase in the number of female business students and requested information on the kinds of jobs they were able to find. She expressed concern that the impressive number of female university students might reflect a two-tier system of higher education in which men had the more desirable option of studying abroad, while women’s freedom of movement was restricted. The State party should describe any measures taken to deal with that phenomenon. She wondered whether there were any programmes to assist middle-aged and elderly women, who accounted for a large percentage of the illiterate population. In conclusion, she wished to know how many women held university teaching positions and at what levels. It would be interesting to hear about the career path of women in the academic world.

Article 11

25. **Ms. Schöpp-Schilling** requested more statistical data on the large number of Jordanian women who were unemployed, particularly on their educational background and the types of work they sought. She would also appreciate details on government measures to deal with unemployment in the context of a growing population which increasingly included highly educated women. She wondered whether the Government’s decision to bar women from certain types of jobs conformed to the standards of the International Labour Organization and expressed concern that protective legislation might actually be discriminatory and cause an overconcentration of women in certain types of work, thereby giving rise to unemployment.

Article 12

26. **Ms. Abaka** hailed the State party’s achievements in the area of women’s health, particularly the establishment of the Safe Motherhood Commission (CEDAW/C/JOR/2, para. 120) and the resulting drop in infant and maternal mortality. She noted, however, that reproductive health encompassed more than just safe motherhood. She wondered whether Palestinian women also benefited from the Commission’s work, and would

appreciate figures in that regard. Noting from paragraph 121 that haemorrhage was a leading cause of maternal mortality, she stressed the need to combat anaemia during pregnancy. She commended the high rate of breastfeeding in Jordan and the prohibition on distributing infant formula in hospitals; infant formula was often offloaded onto developing countries. She also welcomed the baby-friendly hospital initiative described in paragraph 118. Referring to paragraph 119, she enquired about the marital status and type of employment of female victims of acquired immunodeficiency syndrome (AIDS). Updated statistics on AIDS and information on other sexually transmitted diseases would be extremely useful. Welcoming the decline in drug addiction among women (para. 119), she said that it would be interesting to know the kinds of drugs to which women were addicted.

27. The State party should indicate whether Palestinian women had equal access to contraception and family planning services and whether such services were provided to them free of charge. She wished to know whether the State party was implementing programmes to involve men, as well as women, in contraceptive use, although she recognized the difficulties of such an undertaking in a highly traditional society, and whether the Government would consider amending the abortion law in cases of rape or incest. Lastly, she stressed that, under the Convention, the Government of Jordan was required to take action to ensure that maternity leave was of equal duration in the public and private sectors.

28. **Ms. Manalo** noted that the report contained no information on mental health programmes for Jordanian women, particularly women victims of violence.

Article 13

29. **Ms. Corti** praised the State party's National Assistance Fund (para. 138) designed to distribute monetary assistance to the poorest sectors of the population. It was disappointing, however, that women were not entitled to tax relief (para. 139) without their husband's consent, even when those women had custody of children. Additional information on the special housing programme for women and on its beneficiaries would be welcome. She also noted an anomaly in the system of granting bank loans, mortgages and other forms of financial credit: while

the Jordanian National Committee for Women had secured equal rights for women in that area, the exercise of those rights was fraught with difficulties, including the requirement for women to guarantee their own loans.

Article 14

30. **Ms. Ouedraogo** praised the State party for increasing the number of health centres in rural areas (para. 152) and the number of projects designed to improve the situation of rural women. She also welcomed Jordan's frankness in admitting to certain problems, for example with regard to women entrepreneurs' access to credit and the collection of statistical data. Noting the direct linkage between women's level of education and children's health, she urged the State party to base its programmes for rural women on vocational training and family life education, particularly health, hygiene and nutrition education. She also recommended job training and the creation of special funds and women's banks in order to overcome women's poverty and, ultimately, ensure their economic autonomy, which was the key to earning society's respect.

31. **Ms. Feng Cui** said that great strides had clearly been made in extending the school network in rural areas. With regard to article 14 in general, it appeared that the Government had many programmes in place but needed to find ways to encourage and enable women to take advantage of them. The second periodic report mentioned a number of surveys on rural women, and she wondered to what extent the survey results had influenced policy-making. She would also be interested to learn whether the Economic and Social Development Plan for 1999-2003 included any specific targets relating to rural women, for instance in the area of microcredit, or specific programmes for training rural women in marketing and business skills to enable them to help themselves.

Article 15

32. **Ms. Khan** urged Jordan to withdraw its reservation to article 15, paragraph 4, of the Convention concerning women's freedom to choose their domicile. Since under the shariah a woman was permitted to set conditions in the marriage contract enabling her to choose her place of residence, it followed that free choice of domicile was not in itself

contrary to Islamic law and there was therefore no need for Jordan to maintain its reservation on those grounds.

33. **Ms. Manalo** agreed that Jordan's reservation with regard to domicile lacked a logical foundation.

Article 16

34. **Ms. Khan** said that there were sound reasons for Jordan to reconsider its reservations to article 16, paragraph 1 (c), (d) and (g). Paragraph 1 (c) provided for men and women to enjoy the same rights and responsibilities during marriage and at its dissolution. While it was true that Islamic law accorded men greater rights during marriage, for instance by allowing polygamy, when it came to the dissolution of marriage the shariah granted women the right to divorce if that was stipulated in the marriage contract. Other Muslim countries, notably Indonesia and Yemen, had not felt it necessary to enter a reservation to article 16. Jordan could set an example by withdrawing its reservation to paragraph 1 (c).

35. In her view, paragraph 1 (d) concerning parental responsibilities did not contradict Islamic law. The shariah made the father financially responsible for his children, but the mother was customarily accorded custody of the children and could also voluntarily assume financial responsibility for their maintenance. Jordan therefore need not maintain its reservation on those grounds.

36. Lastly, the reservation to paragraph 1 (g) concerning the right to choose a family name had no basis in Islamic tradition; the concept of family names was a Western one and was also fairly recent. She hoped that Jordan would speedily withdraw that reservation.

37. **Ms. Myakayaka-Manzini** said that there was a contradiction in Jordan's position, in that it awarded custody to the mother but allowed nationality to be conferred only through the father. She therefore urged reconsideration of the reservation concerning nationality, which had been seen to have a negative impact on the education, health and general welfare of children, which Jordan claimed to consider paramount.

38. **Ms. Schöpp-Schilling** joined other members of the Committee in urging Jordan to review its reservations to the Convention. She would be interested to know what percentage of women in Jordan were non-Muslim and how the Act on personal

status applied to them. Some comments in the report suggested that the Christian churches had a role in determining personal status matters for members of their community.

39. The report mentioned proposals to amend the provisions on polygamy in article 40 of the Act on personal status. She would appreciate clarification as to the source of the proposals, the position of the Government in that regard, the chances for passage of such an amendment and the possible time frame.

40. **Ms. Aouij** said that the State party should clarify how it was that only the cadis had jurisdiction to deal with personal status matters. In a number of Arab and other Muslim countries, ordinary magistrates, rather than religious leaders, heard family and personal status cases, and they were more apt to try to reconcile the provisions of the shariah with the requirements of modern life and to apply the rules of international law, including the Convention. Moreover, now that women had begun to be appointed to the judiciary in Jordan, their decisions on personal status issues could be very valuable to the advancement of women.

41. Since the polygamy rate in Jordan was only 8 per cent, the time had come for the Government to limit and regulate polygamy with a view to abolishing it in the longer term. Polygamy was not a fundamental tenet of Islam and was not exclusive to it: other cultures had also practised it. It had become an anachronism and she hoped that the Jordanian National Committee for Women would courageously take up the issue.

42. According to the report, the Act on personal status accorded the wife the right to dissolve the marriage if her husband was unable to fulfil his conjugal duty, had become insane or had abandoned her. She would welcome information on the number of such cases brought by women before the cadis, and on their outcome. Similarly, she was interested in hearing whether women had sued for compensation for arbitrary divorce and with what success.

43. Because many women were unaware of their rights, they failed to take advantage of the opportunity offered under the shariah to include clauses in their marriage contract allowing them, for example, to work outside the home or choose their own domicile. The Jordanian National Committee for Women, in conjunction with non-governmental organizations, should conduct an information campaign on the provisions that could be included in marriage contracts.

44. Article 16 of the Convention typically drew the largest number of reservations from Muslim countries. In her view, every reservation withdrawn or more narrowly defined constituted an important advance for women.

45. **Ms. Sabbagh** (Jordan) said that the Committee's questions had given her delegation much food for thought. They would do their best to obtain answers for the Committee during the current session, but any outstanding questions would certainly be addressed in Jordan's next periodic report.

The meeting rose at 4.45 p.m.