



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

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**Committee on the Elimination of Racial Discrimination  
Against Women**

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**List of issues and questions with regard to the consideration  
of periodic reports: Jordan**

**Addendum**

**Responses of Jordan to the list of issues to be taken up in connection  
with the consideration of its fifth periodic report (CEDAW/C/JOR/5)\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

## **Responses of the Jordanian National Commission for Women to the list of issues and questions from the pre-session working group that examined the fifth periodic report of Jordan on the Convention on the Elimination of All Forms of Discrimination against Women**

### **Paragraph 1 of the list of issues (CEDAW/C/JOR/Q/5)**

#### **Participation of non-governmental organizations in preparing the report**

1. The fifth periodic report of Jordan was prepared in consultation with civil society organizations (annexed is a list of the organizations consulted and of the governorates where the consultations society took place). These organizations helped prepare the report by responding to questions directly, by commenting on each section and by engaging in discussions at joint working sessions organized in collaboration with and with financial assistance from United Nations agencies in Amman and other Jordanian governorates. Once a complete draft had been prepared, the text was transmitted to Government bodies and civil society organizations for comments and feedback, most of which were then incorporated into the report.

2. On the question of the involvement of parliament in a discussion of the report before its submission to the Committee, several members of parliament assisted in the preparatory work. The drafting team was provided with information on participation by women members of the House of Representatives in the work of the Inter-Parliamentary Union. In November 2008, the Parliament held a seminar entitled “The role of parliament in implementing international conventions” for members and others. Calls were made for a review to identify reservations to the Convention that could potentially be withdrawn. Two seminars were held involving members of the Senate. The first, on “The role of parliament in implementing international human rights conventions, in particular the Convention on the Elimination of All Forms of Discrimination against Women”, took place in November 2008 and the second, on “Laws that discriminate against women”, took place in March 2009. The contents of international conventions were discussed, together with their implementation mechanisms. The discussion focused, in particular on the Convention on the Elimination of All Forms of Discrimination against Women. With a view to enhancing parliament’s role in implementing the Convention on the Elimination of All Forms of Discrimination against Women, a monitoring group, consisting of members of the House of Representatives and of the Jordanian National Commission for Women, reviewed domestic laws to identify articles discriminated against women.

3. The report was submitted to the Senate, whose Speaker wrote to the Committee on the Elimination of Discrimination against Women to inform it that the Senate endorsed the report. This was not, however, an official endorsement; a meeting of the Senate is only considered to be official if the members of the House of Representatives are also in attendance. The final report was not formally submitted to the House of Representatives — although it was presented to some of its members — because the House had been dissolved (on 24 November 2009) before the official submission of the report to the Committee. The members of the sixteenth parliament were elected in November 2010 and the first sessions were held in December of that year, i.e. after the submission of the report.

## Paragraph 2 of the list of issues

### Naturalization of the children and foreign husbands of Jordanian women

4. The Jordanian Constitution and Nationality Act do not discriminate against women as a matter of principle. However, owing to political factors, the necessary legal safeguards to ensure that Jordanian women are granted the right to transmit their nationality to their foreign husbands and children cannot be provided. Hence, gender equality in this area has not been achieved in practice. Nevertheless, a humanitarian solution has been agreed to overcome these obstacles and allow these persons to exercise key economic and social rights, such as the right to education, work, health care and residence, but not the right to full citizenship, or related political rights.

5. With regard to residence, a foreign child or husband of a Jordanian woman may reside in Jordan for a period of one year, which can be renewed upon application if the woman is legally responsible for the child and produces a valid marriage certificate to show that her spouse is a foreigner. Once the residence permit has been issued for over 10 years, it is renewed for a period of 5 years. The husband and the child become exempt from paying fines for breaching the law on residence and for working without a permit: it is illegal to employ a foreigner in Jordan if he or she does not have a residence permit. Children of Iraqi nationals are entitled to a free education in State schools.

6. The political situation in the region, refugee inflows and instability in several Arab countries are hampering efforts to respond to demands for a review of this issue. The Government has, however, shown its willingness to consider humanitarian cases and to respond to needs.

7. The continuing problems in the Occupied Palestinian Territory and the persistent instability and daily killings in Iraq have forced hundreds of thousands of Palestinians and Iraqis to flee to Jordan and other neighbouring countries. This has put further strain on already scarce resources and exacerbated mounting economic problems, influencing society's priorities and its attitudes towards women. Recent events in the region have created new problems: the unrest in Libya, the Syrian Arab Republic, Yemen and Egypt has compounded existing problems and created new ones for women. The number of mixed marriages is rising, there is tougher competition for jobs and resources and demand for welfare and advisory services and humanitarian aid, particularly among women and children has risen sharply.

8. A number of amendments have been made to the Muslim Personal Status Act based on legal interpretations that favour women's rights in the family. The most important amendments were introduced in 2010 further to the promulgation of the Provisional Personal Status Act No. 36. The Act is considered a major achievement for women's rights. It contains several provisions representing key gains in the field of women's rights, particularly the right to equality for women and men before the law. Under the Act, husbands and wives are recognized as being parties to a marriage contract. Marriage is defined as a contract between a man and a woman that provides a legitimate framework for the creation of a family. A marriage becomes legal when one party or his guardian makes an offer of marriage and the other party or her guardian accepts at a formal contracting ceremony. Women, like men, are considered a party to the marriage contract and have the right to choose who they marry. A marriage is not legal if the woman does not give her free consent, and a woman may marry without the consent of a third party.

9. The Act grants women the right to apply for a legal separation and a termination of their marriage (an arrangement formerly known as *khula`*) on grounds that were not previously recognized, such as failure by a husband to provide for the family; insolvency; absence; abandonment; sexual abstinence; serious insults; imprisonment; and marital

discord and conflict. Women are completely free and have every right to seek a divorce if they have suffered harm because their husband has an unsightly physical defect or is infertile, or cannot pay the bride-price or if his whereabouts are unknown. The Act includes detailed provisions on such cases and has reduced the burden of proof in cases of marital discord, conflict and separation. Hearsay evidence regarding the state of the couple's marriage is now sufficient proof under the Act. Moreover, Muslim women are now entitled to retain custody of children up to the age of 15. For non-Muslim women, this right is confined to children under the age of 7, but the age at which they can claim custody has been reduced from 40 to 30 years.

10. The Act provides for the establishment of a fund to pay maintenance to claimants (normally women, children and older persons) who cannot obtain maintenance from a family member who is a convicted offender. The idea is to alleviate these persons' suffering. The Act states that women may travel abroad with their children for a holiday or a temporary stay under conditions that ensure the best interest of the children are safeguarded.

11. With regard to the withdrawal of reservations, the women's movement continues to demand the withdrawal of the reservation to articles 9, paragraph 2, and 16, paragraph 1 (c), (d) and (g), of the Convention but many forces in society continue to block their demands – some have even called for a complete withdrawal from the Convention. The Jordanian Government and the National Commission for Women are making a concerted effort to explain the provisions of the Convention, to reconcile them with sharia and constitutional norms and to ensure that there is no conflict between the articles that are subject to reservations and established norms. Increased efforts and more legal research and awareness-raising are needed to change prevailing attitudes.

#### **Passports Act and children travelling with their mothers without permission from their fathers**

12. The Passports Act does not require a woman to have permission from her husband in order to travel with their children. When such a condition is applied, it is because of bureaucratic procedures that the Jordanian National Commission for Women is seeking to abolish. As a rule, such travel is permitted and any restrictions can only be imposed pursuant to a final court ruling.

#### **Paragraph 3 of the list of issues**

13. The Jordanian Court of Cassation has considered this issue and ruled that once international treaties enter into force for Jordan they take precedence over all domestic laws (Ruling No. 936/1993 of 13 November 1993 and Ruling No. 3965/2003 of 29 February 2004).

14. The following are examples of how the judiciary has applied the Convention. A magistrate in Tafilah set a legal precedent by issuing a court judgement that cited the Convention in a case where a girl had suffered some form of discrimination. This was a positive step, in that it set a precedent for the application of international treaties in courts. In the case, a girl from Al-Hasa, in southern Jordan, was allowed to change her first name from Falha to Malak on the ground that her father had chosen the former name without consulting her mother. The judge ruled that the father's actions constituted a form of gender-based discrimination.

15. With regard to the dissemination of information on the Convention, the following table shows the number of judges and prosecutors who received training on human rights and the Convention in 2009 and 2010 (according to data from the Judicial Council).

<i>Treaties</i>	<i>2009</i>	<i>2010</i>
Human rights treaties	150 judges	152 judges
Convention on the Elimination of All Forms of Discrimination against Women	26 judges	1 judge

16. Concerning the dissemination of the Convention by methods other than publication in the Official Gazette, the discussions during the process of amending many laws to bring them into line with international treaties and the Convention greatly assisted in publicizing the Convention. Several laws, such as the Labour Code and social security laws, in addition to the Personal Status Act, were amended. Various aspects were addressed with the aim of providing good working conditions for women. The maternity insurance fund was overhauled and widows are now allowed to combine income from their salaries with widows' pensions and other sources of income. The Criminal Code, the Code of Criminal Procedures, the civil service regulations, as amended, the Protection from Domestic Violence Act and the Anti-Human Trafficking Act, among others, have been updated.

17. In coordination and cooperation with stakeholders, the Judicial Institute of Jordan has been selected as the main centre for training on family protection. Several training workshops have been held for judges and public prosecutors on the implementation of the Convention and the subject of domestic violence has been incorporated into the curriculum of the Judicial Institute. Arrangements have been made with the Institute to hold training on gender issues for senior staff of the Ministry of Justice. The Jordanian National Commission for Women and a civil society organization worked together to draw up a manual on the application of the Convention in the courts. Several organizations took on exemplary cases to apply the manual through lawyers who had been trained to use it. Training programmes on the use of the manual were provided to lawyers and legal personnel.

## **Paragraph 4 of the list of issues**

### **Role of the National Centre for Human Rights**

18. Every year, the National Centre for Human Rights devotes a section of its annual report to women's rights. The Centre is a recognized national authority on the human rights situation in Jordan. It handles complaints about human rights violations from people from all parts of Jordanian society. In 2009, out of a total of 573 complaints, 194, or 34 per cent, were from women. Moreover, out of 301 requests for assistance 160, or 53 per cent, were from women. By contrast, in 2010, 221 out of 770 complaints received were from women, as compared with 78 out of 221 requests for assistance. The decrease in the number of complaints from women in 2010 was due to an increase in the number of complaints filed about citizenship rights following a decision to withdraw citizenship from persons who did not meet specific criteria. Seven complaints about citizenship rights were registered in 2009. This figure rose to 148 in 2010. Eight requests for assistance with regard to citizenship rights were submitted in 2009, as compared with 18 in 2010; it is normally the male head of the household — the spouse or the father — who lodges such complaints. Of the total number of complaints, 17 per cent were resolved successfully, 2.7 per cent were not resolved, 1.9 per cent were dropped because of a lack of cooperation from the complainants and 1.7 per cent were outside the Centre's remit. Some 59.9 per cent are still being processed.

19. These complaints came from women who had either suffered direct harm as a result of their human rights being violated, or indirect harm because their rights had been violated by members of their families, such as a husband, a father, or a brother or sister. This shows

that Jordanian women are aware of the rights enshrined in international treaties and relevant domestic legislation. It also shows that the political will is there to promote a culture that respects women's rights. The media's role in this connection must not be forgotten. The complaints cover a wide range of human rights violations, such as the right to freedom of movement; the right to humane treatment; the right of asylum; the right to work; the right to a decent standard of living; the right to physical health; the right to participate in public and political life; and the right to health care.

20. The Centre operates completely independently monitoring human rights violations in accordance with article 6 (a) of the National Centre for Human Rights Act No. 51 of 2006 and organizing activities that deal with human rights from an intellectual, political or humanitarian perspective. Neither the Centre nor its staff can be prosecuted for implementing procedures within the Centre's remit as detailed in the Act. Article 16 (b) of the Act states that the headquarters and branches of the Centre can be searched only upon production of a warrant and in the presence of a public prosecutor. Prior notification must be given and a Centre representative must be present during the search. Any procedure that does not follow these rules is unlawful. 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. Article 8 states that the Centre can ask institutions to provide it with information, data or statistics that it deems necessary for the achievement of its goals, and that its requests must be met without any hesitation or delay. Under article 10 of the Act, staff of the Centre have the right to visit reform and rehabilitation centres, detention centres and juvenile homes subject to the relevant regulations. They also have the right to visit any public place where human rights abuses have been reported to have occurred.

21. The Centre's human rights projects are mainly funded by United Nations agencies and bodies. Funding is also provided by the State.

### **Paragraph 5 of the list of issues**

22. The media has a role to play in changing prevailing customs and cultural practices and in creating an environment conducive to changing discriminatory laws. The Jordanian National Commission for Women encourages the media to play a constructive role in conveying a positive image of women and eliminating traditional stereotypes. Several radio and television programmes specialize in coverage of this issue. The Commission involves women in discussions and seminars that tackle a vast array of topics and monitors media content. *Farah al-Nas* radio station, which is an affiliate of the Jordanian Hashemite Fund for Human Development, and the Commission deal with issues relating to development and women's rights in programmes for young people and through monitoring of daily newspapers and other media. The Commission's website ([www.women.jo](http://www.women.jo)) disseminates information on all these matters and draws attention to press articles on relevant activities. The Commission, in cooperation with the Jordan Media Institute, trains journalists on how to take account of the gender perspective in their work and helps it to mainstream the gender perspective in its programmes, courses and curricula. The Commission encourages the media to support women's issues and has launched various initiatives such as the award for the best coverage of women's issues. The first appointment of a woman editor-in-chief of an Arabic daily newspaper was made recently. The Ministry of Education raises awareness of gender issues and is taking steps to mainstream the gender perspective and human rights principles in schooling across Jordan.

### **Paragraph 6 of the list of issues**

23. Marital rape is a punishable offence under the Criminal Code, as is any act of physical, sexual or mental injury inflicted by a husband on his wife. However, non-consensual sexual intercourse with a wife is not classified as rape and therefore is not punishable as such. The courts nevertheless consider non-consensual or forcible intercourse as grounds for seeking a marital separation.

24. The women's movement continues to call for the repeal of article 308 of the Criminal Code. Its demands have gone unheeded to date, but procedures have been tightened up to ensure that victims' rights are protected and that when a female victim consents to marrying her assailant, her consent is fully and freely given. Some see article 308 as offering women a chance to escape from a culture of domestic violence linked to honour crimes.

25. With regard to the subject of establishing a special court to deal with domestic-violence cases, family courts have been set up in Irbid, Salt, Karak, Ajlun, Madba, Zarqa', Abdali, Amman and at the Criminal Court. These courts have special divisions to hear juvenile and domestic-violence cases.

26. On the question of whether family reconciliation in domestic-violence cases means that perpetrators are exempted from punishment, it should be noted that the work of reconciliation panels is regulated by the Protection from Family Violence Act. The Act covers specific offences but not those such as murder, rape, sodomy and abduction which fall within the criminal courts' remit. The panels only engage in family reconciliation in cases of minor offences (minor injuries). Both parties must be willing to refer the case to a panel and must freely accept the terms of the reconciliation agreement. Matters of sentencing, exemption from punishment or mitigation are handled exclusively by the courts; the panels have no powers in this area.

### **Penalties imposed on offenders between 2008 and 2010**

- On 31 January 2009, the Criminal Court sentenced a young man convicted of raping his niece to hard labour for 22 years and 6 months.
- On 28 October, in murder case No. 49/2010, the Criminal Court ruled that the actions of the 17-year-old victim in the case could not be considered as justifying the rage that the defendant had shown, and therefore he was not entitled to benefit from mitigation of the penalty under the conditions laid down in article 98 of the Criminal Code. The accused was sentenced to 15 years' hard labour and was ordered to pay costs. As the civil case against him was dropped, however, his sentence was commuted to 10 years.
- In Judgement No. 273/2010, the Criminal Court sentenced the defendant to 10 years' hard labour.
- In a case of sexual abuse of a young girl the Criminal Court issued Judgement No. 1094/2010, sentencing the offender to 4 years' hard labour and ordering him to pay costs. Other court rulings will be mentioned in subsequent paragraphs.

### **Paragraph 7 of the list of issues**

27. Among the measures taken to ensure that women and girls who are victims of violence have access to remedies and protection, provision is made in the Criminal Code for the imposition of tougher sentences in specific cases. A prison term can be increased from one third to one half, if more than one person restrained or took turns sexually

assaulting the victim or if the victim contracts a sexually transmitted infection as a result of the attack or was a virgin when the attack took place. Article 304 of the Code states that any person who tricks a woman over the age of 18 with promises of marriage and takes her virginity or makes her pregnant will be imprisoned for a period of between 6 months and 3 years, unless a higher penalty applies. The culprit must provide fair compensation to the victim for the loss of her virginity. The law recognizes the right of victims to sue for damages in a criminal case referred to the courts.

28. As stated in this report, the complaints office of the Jordanian National Commission for Women handles all types of complaints about violence and discrimination suffered by women across the country, whether in their homes, at work or in public life. Complaints can be lodged in person or by telephone, post, e-mail or via the website or by fax. A free helpline is also available 24 hours a day, seven days a week. The office offers preliminary social, legal and psychological counselling, documents the complaint and then refers it to a partner organization.

29. The office has signed 62 memorandums of understanding with governmental institutions and non-governmental organizations, and a single national database has been established to log all cases of violence against women using a standardized methodology that avoids duplication of data. The bodies involved in the development of the national register are the Institute for Women's Solidarity, *Meezan*, the Institute for Family Health and the Ministry of Labour. In 2009, 587 complaints were lodged, as compared with 533 in 2010 and 780 in 2011. Of these complaints, 47 per cent were about physical violence, 16 per cent sexual violence, 15 per cent economic abuse and 8 per cent mental abuse. The Commission was able to help the women in 80 per cent of these cases. The remaining 20 per cent are pending. The Commission established a network to combat violence against women ("Candle"). "Candle" has 82 members representing governmental bodies, institutions and departments and civil society organizations directly or indirectly involved in dealing with the issue of violence against women. The purpose of the network is to coordinate national activities and develop best practices with a view to establishing a society free from violence in which women are safe and can enjoy human dignity, gender equity and equal opportunities.

30. In addition to the information in the report regarding the Family Reconciliation Centre affiliated to the Ministry of Social Development, we should like to mention two projects: "A new beginning" and "Friendly houses". These projects were implemented by non-governmental organizations working with governmental and civil society organizations that belong to "Candle" and with the Ministry of the Interior. The aim was to find long-term solutions and to provide a safe and suitable environment for women victims of violence or attempted murder committed in so-called honour crimes. Rehabilitation programmes and employment opportunities are offered to enable these women to get on with their lives. Referrals are made by the various Government and civil society organizations that register complaints from women victims of violence, particularly the complaints office of the Jordanian National Commission for Women.

31. Concerning the measures taken to change cultural attitudes preventing women from reporting cases of violence, as already stated, there are several mechanisms for registering such complaints. The complaints office of the Commission, for example, allows women to lodge their complaints in complete confidence. It offers assistance at all levels and raises awareness of this issue. Several civil society organizations provide legal assistance to women subjected to violence and plead their cases in court.

32. According to the Protection from Family Violence Act, the confidentiality of all procedures and information related to cases of domestic violence handled by any body, including the courts, must be ensured. Those involved must protect the complainant and must never, on pain of prosecution, divulge the name or identity of a victim unless required

to do so by law. This makes it easier to achieve justice for the victim. Health, social and education workers in the public and private sectors are also required to notify the authorities if they are informed of or notice symptoms that may be the result of domestic violence. When a public servant is made aware of a case of domestic violence, he or she must take all necessary measures, in accordance with the law, to protect the victim and any family members. Precautions must be taken to protect victims and members of their family. For example, a pledge may be obtained from offenders that they will not harm the victims or members of their families. If a danger does present itself, the following procedures can be followed:

1. Offenders may be prevented from entering the family home for up to 48 hours, if there is no other way to protect a victim or their family members.

2. If the above procedure cannot be implemented, the offender may be held in custody for up to 24 hours in the Family Protection Department or a branch thereof, until protection can be provided to the victim or his or her family members.

33. A memorandum of understanding was signed between the authorities that deal directly with violence against women — the Ministry of Interior, the Ministry of Social Development, the Public Security Directorate/Family Protection Department, the National Centre for Human Rights and the Jordanian National Commission for Women — with a view to building on and coordinating efforts to systematize the collection of data about violence against women. A committee of liaison officers representing these authorities was subsequently formed to develop and harmonize activities, methodologies and mechanisms, to facilitate access to the service provider as well as to facilitate exchanges of digital information and data between the authorities concerned. Lists of the services offered by the different authorities and their addresses have been published. In the near future, a national observatory on women's rights will be launched. The National Team for Family Protection will endeavour to provide relevant data on violence against women.

### **Paragraph 8 of the list of issues**

34. With regard to the repeal of article 98 of the Criminal Code to ensure that perpetrators of premeditated "honour crimes" are brought to justice, article 98 provides as follows: "An accused person who commits a crime in a fit of rage provoked by a wrongful and extremely grave act on the part of the victim shall benefit from consideration of extenuating circumstances." This article does not mention the sex of the victim or the offender, is not concerned with premeditated crimes and does not prescribe specific penalties. However, it allows for a penalty to be reduced if a certain set of conditions are met. In none of the court rulings handed down in cases involving so-called "honour crimes" in 2010 were the provisions of this article deemed applicable; article 340, as amended, was exclusively applicable.

35. Under article 340, a penalty may be reduced on the ground that the perpetrator acted on the spur of the moment, out of surprise and anger, when his or her ability to make free choices was impaired. When there is a time lag and the emotions have subsided, mitigating circumstances can no longer be taken into account. In general, it is left to the courts to determine on the merits whether or not a murder or a criminal act was committed without premeditation. In such cases, the perpetrator is not absolved of responsibility nor is his or her responsibility diminished. The act is still an offence and cannot be excused. It is just that the penalty may be reduced to reflect the mitigating circumstances.

36. Mitigating circumstances were not taken into account in the adjudication of so-called "honour crimes" by any court in 2010, as articles 97 and 98 of the Criminal Code were not deemed applicable. In this connection, the Court of Cassation has ruled that article

98 of the Criminal Code cannot by law be applied to “honour crimes” unless it has first been ascertained that the conditions of article 340 — which is the specific provision that has precedence over the general provision — have been met. The Court of Cassation ruled in one case that: “In the present case, nothing in the file indicates that the murder took place when [the victim was] caught engaging in adultery or an illicit sexual act. Consequently, the perpetrator does not benefit from consideration of mitigating circumstances.” Moreover:

- Under article (345) bis of the Criminal Code, the mitigating circumstances listed in articles 97 and 98 only apply in cases of “honour killings” under the conditions stipulated in article 340 of the Criminal Code.
- Court records show that there has been only one case in which the provision on mitigation (in effect prior to the amendment of article 340) was applied between the date on which it entered into law and to the date on which it was repealed.
- Article 340 was amended and the amendment thereto was permanently enshrined in Act No. 8 of 2011, in which the provision whereby a man who surprises a female relative in the act of adultery can be exonerated from punishment was abrogated.
- A special tribunal has been created in the Criminal Court to hear crimes that the perpetrator alleges to have been committed for the sake of honour. The tribunal conducts numerous training sessions for judges and public prosecutors on recent amendments to the Criminal Code.
- Statistics on court decisions handed down in murder cases where the alleged motive was defence of honour and in which mitigating factors were taken into account show that the minimum sentence was a term of 10 years’ imprisonment. In these cases, the victim’s family waived its right to claim damages from the offender. Women’s organizations are calling for this issue to be addressed through legislation stipulating that a waiver of this right cannot be taken as grounds for granting mitigation of the penalty, if the perpetrator and the victim are from the same family.
- In a recent ruling of 2011, the Criminal Court handed down a decision in open court sentencing a young man convicted on three counts of premeditated murder to death by hanging for killing his two sisters and one of their daughters.

### **Paragraph 9 of the list of issues**

37. In 2009, 15 cases were classified and registered as trafficking in persons offences, 5 of which are still being processed. Examples of penalties imposed by a court of first instance in such cases — taken from information provided by the *Mizan* programme — are given below:

1. Amman Criminal Court convicted a defendant on two counts of human trafficking, within the meaning of article 3 (c) of the Human Trafficking Act, and sentenced him, pursuant to article 9 of the Act, to 3 years’ hard labour and a fine of 5,000 Jordanian dinars (JD). It also ordered him to pay costs for each offence.

2. Zarqa’ Criminal Court convicted a defendant, pursuant to article 9 (a) of the Human Trafficking Act, of enticing children under 18 years of age for the purposes of exploitation and sentenced him to 3 years’ hard labour and a fine of JD 5,000, plus costs.

3. North Amman Criminal Court of First Instance convicted a defendant of the offence of trafficking in human beings under article 3 (a) (i) of the Human Trafficking Act and, pursuant to the same article, handed down a sentence of 6 months’ imprisonment, plus costs.

4. Mafrag Criminal Court of First Instance convicted a defendant, pursuant to article 3 (a) (i) of the Human Trafficking Act, of transporting persons for the purpose of exploitation by means of deception and fraud and sentenced him, pursuant to article 8 of the Act, to 6 months' imprisonment, plus costs.

38. According to the *Mizan* programme, 25 cases of trafficking in persons offences were registered in 2010, of which 10 remain pending. Examples of penalties imposed by a court of first instance in such cases are mentioned below:

1. In one case, the Criminal Court sentenced each of the defendants, pursuant to articles 3 (a) (ii) and 3 (b) and articles 9 (a) and 9 (b) (ii) and (iii) of the Human Trafficking Act, to hard labour for 3 years and a fine of JD 5,000, plus costs.

2. The Amman Criminal Court of First Instance handed down a conviction in a case of harbouring and exploitation of persons in breach of article 3 (a) (i) of the Human Trafficking Act. It imposed a sentence of 6 months' imprisonment.

### **Paragraph 10 of the list of issues**

39. The victory of a woman who won the highest number of votes in the Amman Chamber of Commerce elections prompted four women to stand for election to the Chamber of Industry on 12 December 2009. Amid stiff competition, unprecedented in the industrial sector, three women candidates, two from Amman and the third from Zarqa', won seats in an election where voter turnout was 80 per cent.

### **Election to the House of Representatives Act**

40. In keeping with article 4 of the Convention, the number of seats reserved for women has been raised from 6 to 12. A woman candidate won an additional seat in the 2010 elections, bringing the number of women in the 120-member House of Deputies to 13 (11 per cent). In addition, 7 women were appointed to the 60-member Senate, bringing the number of women in parliament to 20. Women's participation in the judiciary has continued to expand over the years. In September 2011, there were 107 women judges, or some 12.6 per cent of the total number. Women hold the posts of Attorney-General and President of the Amman Court of First Instance, as well as public prosecutor and assistant chief prosecutor positions. However, women are still not able to become *cadis* – judges who deal with Muslim and Christian personal status cases. Political parties may be established and conduct their activities within the general framework defined by law and the Constitution. They must abide by the principles of justice and equality and operate any restrictions on grounds of sex. Systems to support women's participation in leading positions within a party may be established, in particular through the use of funding mechanisms. The Elections Bill includes a proposal on a proportional electoral list system and incentives for parties that nominate women or have a certain percentage of women members.

41. Under the Municipalities Bill of 2011, the proportion of seats allocated to women in municipal councils was raised from a minimum of 20 to 25 per cent; women can still contest the remaining seats. Elected municipal councils have been dissolved in readiness for the municipal elections, the schedule for which will be announced in the coming weeks.

42. There are from one to four women Cabinet ministers at any given time; at present, two women hold ministerial posts: the Minister of Higher Education and Scientific Research and the Minister of Social Development.

43. With regard to steps taken to increase the number of women on voter and candidate lists in order to support women standing for election, the Ministry of Political

Development, in cooperation with the Jordanian National Commission, is implementing an intensive programme with multiple objectives and mechanisms to support women's participation in elections through a national coalition to support women in elections. The national coalition consists of the two aforementioned bodies and a large number of partners from non-governmental organizations, women's movements, civil society, the governmental sector and various ministries. A conference was held to announce the action plan of the national coalition, spearheaded by the Jordanian National Commission for Women, and was attended by representatives of the main women's organizations. The aim of the plan is to increase the proportion of women representatives in parliament to 30 per cent, by means of free competition and the use of the quota system.

44. During the 2010 elections, a meeting between the Prime Minister and women's organizations was held at which ways of encouraging women's participation in elections as candidates and voters were discussed and the obstacles to women's access to parliament highlighted. A plan of action on ways of encouraging women to participate in elections was submitted to the Government. The possibility of involving the Ministry of Political Development in these efforts was discussed. The distribution of tasks and responsibilities among each of the women's organizations involved in the implementation of the national coalition action plan was discussed. It was decided that each organization would engage in electoral activities in the province in which it had influence and a presence. In that way, it would be possible to measure the success of each organization in the locations where it operated. The action plan was divided into pre-election, election and post-election stages. In the first stage the focus was on procedural matters, registration, awareness-raising and calculation of quotas for women. The second stage involved activities to raise awareness among women voters and the public of the importance of supporting women's participation and of how to select and prepare women candidates. Additional activities focused on training programmes, election campaigns, the preparation of electoral programmes, the presentation of information about candidates and promotion of candidates by all means, including through the website of the [Jordanian] National Commission for Women. In the final stage, following the announcement of the results and the holding of celebrations for the winners, measures were included to establish ongoing dialogue between successful women candidates and institutions on supporting women's issues.

### **Paragraph 11 of the list of issues**

45. The following strategies and policies are being pursued in order to combat illiteracy among girls; they emanate from the vision behind the concept of "education for all" and their implementation is regulated under the Ministry of Education Act No. 3 of 1994, as amended. The Ministry has adopted a comprehensive set of measures to help students enrolled in the programme to reduce dropout rates among girls and women attending adult education and literacy centres. The principal measures include:

- Offering flexible hours and taking the social circumstances of students into consideration
- Organizing stimulating extra-curricular activities, such as trips and vocational and educational activities
- Holding vocational courses (hairdressing, handicrafts, domestic science, etc.)
- Following up on students in their social environment through contacts with friends and neighbours
- Holding educational talks on the importance of education in all areas of life, including social and economic matters and health

### Adult education and literacy programme

46. The aim of the adult education and literacy programme is to bring the illiteracy rate down by from 0.5 to 1 per cent per year to 5 per cent or less by 2015, to provide appropriate educational opportunities for women, to improve their cultural and scientific knowledge and to provide them with employment opportunities. The Ministry of Education is taking steps to develop and improve teaching methods under the programme by devising a technically advanced curriculum that meets students' educational needs, includes appropriate subject matters and offers instruction in computing and English language. In addition, students in the programme receive free books and stationery and other forms of encouragement.

### Learning methods and approaches

47. The approach of the Ministry of Education is a combination of preventive and remedial measures.

1. The preventive approach involves the provision of a free, compulsory basic education to all school-age children between the ages of 6 and 16 years.

2. The remedial approach involves a two-stage programme that is broken down by educational stage. The first, or beginners', stage lasts for 16 months or two academic years; students who successfully complete this stage receive a certificate equivalent to the fourth grade certificate for basic education. The second, or continuing, stage also lasts for 16 months or two academic years; students who successfully complete this stage receive a study certificate equivalent to the sixth grade certificate for basic education.

### Number of students enrolled in the programme

48. The following table shows the number of adult education and literacy centres for women and the number of students enrolled in them from 2004 to date.

<i>Academic year</i>	<i>Centres for women</i>	<i>Women enrolled</i>
2004/05	291	3 415
2005/06	245	3 163
2006/07	376	4 809
2007/08	412	6 002
2008/09	482	5 745

### Home study programme

49. The objective of this programme is to provide girls and women whose social circumstances prevent them from attending school with appropriate educational opportunities to improve their cultural and scientific knowledge and to open the way for them to pursue their studies. The programme also aims to put into practice the concept of sustainable education and self-education. Students enrolled in this programme can sit the examination for the general certificate in secondary education. The following table shows the number of women's adult education and literacy centres and the number of students enrolled therein from 2004 to the present date.

<i>Academic year</i>	<i>Women enrolled</i>
2004/05	619
2005/06	717
2006/07	466
2007/08	557
2008/09	627

#### **Evening course centres programme**

50. The objective of this programme is to provide girls and women whose social circumstances prevent them from attending school with appropriate educational opportunities to improve their cultural and scientific knowledge and to open the way for them to pursue their studies. Students enrolled in this programme can sit the examination for the general certificate in secondary education. The following table shows the number of women's adult education and literacy centres and the number of students enrolled therein from 2004 to the present date.

<i>Academic year</i>	<i>Centres for women</i>	<i>Number of women enrolled</i>
2004/05	4	111
2005/06	3	79
2006/07	-	-
2007/08	0	0
2008/09	0	0

51. We should also like to mention the following programmes:

- Life skills development programmes complementing the women's education and literacy programmes
- Continuing education and lifelong learning programmes to equip girls for the labour market (post-literacy programmes)
- Cultural centres programme for school dropouts (mentioned above)
- Programmes with the participation of civil society and private sector institutions:
  - Programmes to prevent students from dropping out of school (civil society participation)
  - Female literacy programmes (girls and illiterate women)
  - Life skills development programmes (civil society participation)
  - Continuing education programmes (post-literacy)

52. The various incentives offered to encourage women and girls to enrol in literacy classes and adult education are described below.

- Material incentives: free stationery and textbooks; the salaries paid to teachers working at the centres
- Moral e-boosting incentives: trips and extra-curricular activities, awards and gifts
- Health-related incentives: targeted health seminars and talks

- Employment: employment opportunities for female teachers at the centres; opportunities for students to learn vocational skills and acquire academic qualifications that will equip them for suitable work in the future

### Evaluation methods

53. The Ministry of Education evaluates the programme regularly and systematically and has appointed an administrative supervisor and an educational supervisor in each education department to monitor the centres and their work by means of unannounced on-site inspections. The informal education section of the Ministry runs a nationwide programme of site visits throughout the year. That the programme is well-considered is evident in the fact that more than 400,000 students have enrolled in it since its inception.

### Difficulties encountered in education for girls and women

54. The difficulties that the Ministry encounters in implementing the informal education programme are listed below:

1. Shortage of training courses for staff working in adult education and literacy development;
2. Insufficient coverage of informal education and related programmes in the media: wider coverage would encourage target groups to enrol in these programmes, which are tailored to their interests and abilities and to the needs of the labour market;
3. Lack of funding and support for updating and development of informal education programmes;
4. Lack of financial and other incentives for students in the adult education and literacy programme;
5. Lack of capacity to be able to provide computers in adult education and literacy centres so as to teach computer literacy to students, and shortage of modern teaching aids;
6. Failure to update and revise books and curricula for adult education to meet adults' needs; and failure to keep abreast of the developments in education.

55. With regard to the participation of girls in schools, enrolment rates for girls in the different stages of education, are considered good in comparison with those for boys, as shown in the following table.

<i>Academic stage</i>	<i>Net enrolment ratio</i>		<i>Gross enrolment ratio</i>		<i>Rate of participation</i>	
	<i>Boys</i>	<i>Girls</i>	<i>Boys</i>	<i>Girls</i>	<i>Boys</i>	<i>Girls</i>
Kindergarten	39.1	39.04	42.84	42.64	55.19	55.66
Basic	95.53	98.32	100.7	103.67	97.33	100.3
Secondary	59.61	64.16	75.04	84.44	66.47	74.1

56. The Ministry of Education has taken action to reduce dropout rates in general, including by:

- Improving the quality of basic education; emphasizing the compulsory nature of basic education in order to reduce dropout rates among boys and girls, particularly in rural and deprived areas; and underscoring the important role of the administrative authorities in reducing dropout rates.

- Enacting criminal legislation that prescribes strict financial and other penalties for parents who refuse to send their children back to school.
- Giving effect to laws prohibiting any Government authority from employing children of school age (basic education), with a view to eliminating the employment of children under the age of 16 years.
- Designing remedial programmes for students who fall behind at school and expanding the number of resource rooms open to students in basic education with learning difficulties.
- Providing summer programmes, including remedial programmes for students who have failed their year and enrichment programmes for high academic achievers.
- Developing educational and vocational counselling and guidance services in order to help students to make appropriate educational choices.
- Improving the quality and quantity of educational services offered to students with special needs and coordinating activities with civil society institutions involved in this area.
- Developing a national strategy on informal education that takes into account the need to integrate informal and formal education programmes; endeavouring to make informal education programmes more relevant; and increasing support for community centres and the cultural programme for dropouts.
- Encouraging the private sector to invest more in all stages of education; building a climate of mutual trust and cooperation; exchanging experiences and expertise; and involving both the public and private sectors in efforts to develop the education system.
- Expanding the school meals programme to include students in higher stages of education. The Ministry expands this programme every year to students in older age groups in basic education and to cover more geographical areas, in order to deal with the problem of poor economic and social conditions that may cause students to drop out of school.
- Diversifying academic evaluation methods to include multiple methods and techniques for assessing student achievement and thus helping to reduce failure rates and to increase students' motivation to remain in school.
- Improving and developing curricula and educational programmes to include activities that support the curriculum, and involving students in planning of activities and identification of educational requirements.
- Running parallel programmes, for those who have left school and are unable to return, including home studies programmes, evening school programmes, literacy programmes at centres and an educational support programme for school dropouts. The idea of the latter is to enable dropouts to attend education centres outside school hours, so that they can still carry on their regular work. This programme has been included with informal education programmes.
- Encouraging students who have completed the higher level of basic education to choose an occupational specialization.
- Using alternatives to corporal punishment to deal with students' behavioural problems.
- Holding talks and seminars on the risks involved in dropping out of school and entering the labour market at a young age.

- Providing assistance to students who are underperforming.

### **Participation of girls in extra-curricular activities and sports in schools, particularly in rural areas**

57. Boys and girls are given the same opportunities to participate in sports and games and to represent their schools in sports competitions. Out of 2,200 students taking part in cultural and environmental competitions, 1,060 (48.2 per cent) were girls and out of 482,134 students participating in all kinds of sports, 253,884 (52.7 per cent) were girls.

58. The Ministry of Education has taken steps to eliminate material portraying negative customs and traditions from school curricula and textbooks through the projects outlined here below.

### **Human rights project**

59. The Department of Curriculum and Textbook Development designed a matrix on the culture of peace, human rights and universal values to be used as a tool for designing curriculum and textbook content and for helping learners to acquire the knowledge and skills that they need to deal with the social, cultural, economic and political aspects of life in a way that is beneficial to them and their personal development and that benefits their families and communities and their future relations with other communities. Various human rights concepts are now reflected in curricula and textbooks.

60. Formal definitions of human rights principles were established, in the light of which a review was carried out to identify textbooks where the principles were adequately reflected or needed to be better explained and those where they needed to be included. Material illustrating human rights principles was added to most curricula and textbooks, beginning with those for kindergartens, and information designed to promote a culture of peace was included in the textbooks for history, civics, Arabic and Islamic studies. The material is presented in various ways, in units, lessons, texts, activities and question formats.

### **Human rights education in schools**

61. The principles of democracy and human rights are explained in schools and applied in practice in the conduct and daily interactions between members of school communities, as explained below:

- School newspapers and school radio stations are used to disseminate information on democratic and human rights principles.
- Regular meetings and open discussions on issues of concern to students are held among students and between students, teachers and school administrators.
- The “Students’ Parliament” offers students a chance to engage in discussions in which they learn how to accept the views of others and to come up with solutions that reconcile different points of view. The Parliament provides students with an opportunity to learn about leadership and to participate in democratic practices such as the nomination and election of candidates, the airing of views and the organization of dialogue. Students also get the chance to participate in the preparation and running of regular seminars and debates.

62. The aim of the State’s educational policy is to make education widely available both to males and females. Thanks to the efforts of the Government and the voluntary sector, enrolment ratios in education have risen for both sexes and the traditional gender gap in the 15-to-24 age group has narrowed.

**Steps taken by the Ministry of Education to mainstream the gender perspective in school curricula and textbooks**

- Representing every department of the Ministry of Education, the technical team on gender issues undertook a preliminary analysis of school textbooks developed under the ErfKE project, which covers the first, fourth, eighth and tenth grades. The findings and recommendations on each textbook were elaborated using a gender-analysis tool that had been specially designed for the purpose. The Department for Curriculum and Textbook Development accepted and acted on the recommendations.
- Workshops were held to provide drafting groups with guidance on gender indicators in the pre-drafting stage.
- Each drafting group was assigned an analyst whose job was to make sure that the gender perspective was taken into account in the textbook design.

**National capacity-building project on the inclusion of education on population/reproductive health and gender issues in curricula and school textbooks**

63. This project was set up to:

- Help with the realization of the long-term goals of development plans aimed at improving the social and economic situation of Jordanian nationals
- Equip students with the knowledge and skills that they need to be able to understand population/reproductive-health and gender issues and to put them to use in their daily lives
- Raise awareness among primary and secondary schoolteachers of population/reproductive-health and gender issues
- Train trainers (curriculum designers, educational supervisors and teachers) on how to provide instruction on population/reproductive-health and gender issues in various subject areas
- Ensure that information on population/reproductive-health and gender issues is incorporated in curricula and textbooks for different subjects by establishing a team of experts, consisting of departmental heads and curriculum designers, to review how these issues are defined and presented conceptually in all school curricula and textbooks and in books being written, with a focus on material being written for grades 9 to 11 and on that already written for grades 8 to 10

64. Teaching and assessment strategies were designed for the project and documented, and training on population/reproductive-health and gender issues and related activities was provided to 25 curriculum designers (the technical team). The plan is to train educational supervisors and 11,500 teachers of different subjects. Compact discs containing material on training workshops were put together and distributed, and training kits were designed. Information on reproductive-health and gender issues was incorporated into the curricula and textbooks for grades 6 to 12.

65. To make sure that technological and vocational education is not monopolized by male students and to guarantee girls access to instruction in those areas, the following steps were taken:

- All branches of vocational education have been opened up to girls (industrial and commercial education, hotel management and catering, domestic science). As a result, the ratio of girls to boys in vocational education has risen to 42 per cent.

- A girls' school for hotel management and tourism has been established in the governorate of Aqaba.
- Advisory programmes have been developed to encourage more girls to enrol in vocational education after the tenth grade.
- Fairs, seminars and awareness campaigns have been held to promote vocational education by explaining how it provides a route to the job market or to higher education.

66. As for technology, the Ministry's female staff were enrolled in a comprehensive range of computing programmes: Cambridge IC3; UJCDL for the blind; ICDL and Advanced ICDL.

#### **Training programmes and practices involving the use of technology in education**

67. These programmes are designed to build teachers' capacities in the use of information and communications technologies in teaching practice and to equip students with a highly developed intellectual understanding on how to make use of the Internet.

### **Paragraph 13 of the list of issues**

#### **Employment**

68. Employers, the self-employed, joint stock companies and women who are homemakers are entitled to social security coverage under the Social Security Act. More than 6,000 homemakers have elected to take out social security insurance since Act No. 1 of May 2010 entered into force. The Maternity Insurance Fund Act was updated with a view to the enhancement of women's status in the labour market and the preservation of the gains and rights secured by women in employment and in retirement. The fact that women are entitled to ongoing coverage during maternity leave helps to reduce the number of opportunities or excuses that can be used to dispense with their services when they marry, become pregnant or take maternity leave, and the insurance provides employers with an incentive to take on women, thereby boosting the role of women in the labour market: women's organizations had long been calling for a maternity insurance scheme to protect women in the workplace and encourage women's participation in the economic life of society.

69. As documented in the report, the Civil Service Regulation of 2007 stipulates that access to employment in the Civil Service is based on equality of opportunity, without discrimination on the grounds of sex. The criteria of merit, competence and competition are applied in the selection of suitable candidates for vacant posts in the Civil Service, in keeping with the principles of equity and equality of treatment as regards the rights, duties and responsibilities of civil servants. As explained in the report, allowances are made to take account of the circumstances of working mothers in the Civil Service and to help them reconcile their work responsibilities with their family responsibilities.

70. The National Steering Committee on Fair Pay was established in July 2011 with members drawn from the Ministry of Labour and the Jordanian National Commission for Women. The role of the Committee is to promote cooperation on the implementation of the National Action Plan on Equal Pay for Men and Women and to coordinate activities, through a legal committee and a research and studies committee, with a view to achieving equal pay for equal work.

**Paragraph 14 of the list of issues**

71. A regulation on agencies that recruit and employ non-Jordanian domestic workers was issued in 2009, together with a regulation on domestic workers, cooks, gardeners and similar categories of employees. The regulations entered into force in October 2009 and their purpose is to combat exploitation of women and girls, including migrant women and girls, who are employed in homes. The regulations stipulate that employers must pay these employees monthly wages, treat them with respect, allow them to telephone their families overseas, pay for their travel, provide them with health-care coverage and allow them to practise their religion. The measures taken to combat exploitative working conditions of women and girls employed as domestic workers, including migrants, and the steps taken by the Domestic Workers Directorate of the Ministry of Labour to regulate recruitment agencies and implement the regulations on domestic workers are described below.

72. Under the directives that regulate their work, private agencies that recruit and employ non-Jordanian domestic workers are liable to pay costs and compensation for any damage arising from a breach of the regulations and directives that regulate their work and of the conditions and terms of the employment contracts which they draw up and submit to the Ministry of Labour. For the purposes of carrying out their work (dealing with requests from domestic employers), agencies must apply to the Ministry in writing to seek authorization on behalf of the domestic employer to recruit or employ a foreign domestic worker. They must include a written mandate from the employer and two copies of the contract duly signed by the employer. The recruit must sign the contract after entering Jordan and the employer must give a written undertaking to abide by the relevant employment laws, including the regulation and related directives and decisions. The employer must agree to pay the employee his or her salary and other allowances promptly, to accord him or her the full rights established under the law and to assist the Ministry and its inspectors in verifying compliance with these regulations. An employer cannot prevent an inspector from visiting the home for these purposes and must allow the employee to contact the Ministry or any department of the Ministry whenever he or she wishes to do so or is called in for an interview. The employee must furthermore be allowed to call the Ministry hotline at his or her request.

73. When the employee arrives in Jordan, the agency must issue him or her with a life insurance certificate. The employer must have no previous criminal convictions and must not have been taken to court for assaulting an employee. The employer must provide a written declaration affirming that this is the case. The employer must have sufficient funds to be able to meet his or her responsibilities towards the employee. The Minister for Labour or his or her representative may refuse to issue or to renew a work permit, if the employer is found to have violated any employee's rights or to have beaten, harmed or ill-treated an employee in any way. In such cases, the employee is offered the chance to apply for a new permit to work for another domestic employer. An employee cannot take up work with a new employer without first going through the Ministry of Labour in order to obtain authorization. The domestic employer and the agency must follow the procedures for obtaining a work permit in the name of the new employer.

74. Recruitment agencies are required to employ one or more support and information officers with a certificate of education in social sciences to provide recruits with information, particularly on their legal rights and on prevailing customs and traditions in Jordan. These officers must also offer social welfare assistance to recruits and help to build and improve their relationships with employers. The officers must have a good command of the language of the recruits.

## Paragraph 15 of the list of issues

### Health

75. With regard to the question on the amendment of the legislation on abortion with a view to including other grounds for performing legal abortions, there is opposition, especially from the House of Representatives, to the enactment of any legislation that would contravene the sharia. This is because all the revealed religions prohibit abortion, except where the continuation of a pregnancy would endanger the mother's life. Work is being done in many quarters to raise awareness and to secure agreement to allow abortions on the grounds stated, particularly in cases of incest and in the early weeks of pregnancy.

76. The steps taken to provide education on sexual and reproductive health and related services and to improve women's and girls' access to contraceptives are outlined below:

- Comprehensive reproductive health services for women from the age of puberty to the age of menopause have been introduced at 17 centres offering mothers and children a full range of health services. These centres are found in all the governorates, except in the southern region.
- Particular attention is paid to the problem of infections in the reproductive system at different stages of the life cycle.
- Care is taken to provide advice to adolescent girls, particularly on the changes that come with puberty.
- Guides on health from adolescence to menopause have been produced for adolescents and are being printed; information has been included on domestic violence.
- The Ministry of Health supplies family planning devices to mother-and-child clinics in Jordan. According to the Population and Family Health Survey, the take-up rate for family planning methods is 59 per cent.
- Brochures and leaflets on family planning methods (informational material) are produced.
- Numerous public talks have been held in local communities in every governorate in the Kingdom.
- Television messages on the importance of family planning are screened in coordination with Johns Hopkins University.
- Training courses have been provided on Implanol (a contraceptive implant) as an alternative method (3 years).
- The Ministry of Health is devising a national family planning strategy to accompany the Health Systems Strengthening Project.

77. The science, biology and arts curricula used in Jordan include material that provides education on and raises awareness of health issues, including HIV/AIDS.

## Paragraph 16 of the list of issues

78. As stated in the report, Jordanian law places no restrictions on women's access to land, shares, stocks or credit or on their right to engage in commercial activities, and women are financially independent of their husbands. The Personal Status Code has been amended to provide for the introduction of restrictions, through a regulation, that tighten up the procedure for waiving the right to the portion of an inheritance. As things now stand, a

person may only waive this right after a certain amount of time has elapsed since the death of the testator and other restrictions have been introduced whereby the assets must first be registered in the name of the heir. This regulation is designed to ensure that the person is made aware of his or her rights, to ensure transparency and to whereby prevent the waiver from being given immediately after the death of the testator, as used to happen in the past. Several governmental and civil society organizations are actively involved in raising awareness of the relevant legislation and they provide legal advice in this regard.

### **Paragraph 17 of the list of issues**

79. In order to tackle poverty by means of an integrated approach that encompasses both economic policies (financial, monetary and commercial) and social policies (education, health, social insurance, etc.), a working group, co-chaired by the Minister for Social Development and the Minister for Planning and International Cooperation, was set up to review the poverty strategy launched in 2002 and to design a new strategy and implementation programme for 2012–2015. The goal is to help the poor escape from the cycle of poverty and to support them in becoming productive members of the economy rather than just recipients of assistance. The strategy focuses on the following key areas:

- First: Social protection: cash assistance provided inter alia by the National Aid Fund; social welfare and social protection services; social funds; and essential services
- Second: Social insurance: retirement schemes and health insurance
- Third: Capacity-building, employment and production: training and retraining; help with job searches; assistance with enterprise start-ups; job creation
- Four: Microenterprise and small-business financing: funding for start-ups or development of microenterprises or small businesses; delivery of advisory and training services
- Five: Infrastructure and housing: projects to provide basic infrastructure services

### **Paragraph 18 of the list of issues**

80. Jordan has always been the Arab country most directly affected by the Palestinian issue and related developments. The Department of Palestinian Affairs was set up to replace the bodies established over the decades to deal with the humanitarian and housing problems related to that issue. It serves as a Government department which is responsible for implementing official policies on matters including oversight of the camps in Jordan; the delivery of all kinds of services; the development of local refugee communities; the design of plans and projects to raise refugees' living standards; the reduction of poverty and unemployment; cooperation and coordination with the United Nations Relief and Works Agency (UNRWA) in service activities; and participation in the formulation of UNRWA general policies in the context of the Agency's Advisory Commission and of forums for major donors and UNRWA host States.

81. The Department accords particular importance to women refugees in the following areas:

- (a) Membership of services committees in refugee camps in Jordan;
- (b) Implementation of training programmes to help women gain access to the job market, as explained below:

- In 2010 and 2011, over 1,000 trained refugee women from the camps were offered jobs in factories and companies and were thus given the chance to earn a decent income. This played a key role in improving the living standards of refugee families and in helping women to become more active members of society. The initiative was implemented jointly by the Department and the Japanese International Cooperation Agency (JICA).
- In 2010 and 2011, more than 1,500 women refugees from camps in Jordan were provided with support and essential supplies to help them to set up income-generating projects. These projects also helped to raise their families' living standards and gave the women the chance to be empowered through self-employment.
- Health care is offered to women in most of the camps. Health education services are provided, particularly on breast cancer, in cooperation with the organization American Near East Refugee Aid (ANERA).
- The Department and the German agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) provide information and awareness-raising services to familiarize refugee women in particular with their rights and the rights of their families.
- Refugee women in camps in Jordan receive humanitarian assistance in the form of care packages that are distributed to poor families, specifically widows. His Majesty the King has generously provided study grants for women wishing to attend Jordanian universities in order to obtain a better education.
- The Department disburses financial aid to well-established charities run by refugee women. In some cases, these associations support refugee women in many different areas.
- Fairs are held to market handicrafts produced by refugee women in the camps, and the Department provides refugee women with incentives to carry out such activities.
- Talks are delivered at the headquarters of services committees in the camps and of the Department for Palestinian Affairs. Palestinian refugee women participate actively and consistently in these events.
- The Department supports refugee women seeking to exercise their political rights, such as the right to stand in parliamentary and municipal elections and elections run by civil society organizations.

82. On the subject of the ratification of the 1951 Convention relating to the Status of Refugees and its Protocol, Jordan is a major refugee host country, considering the size of its population. Since the end of the nineteenth century, Jordan has received large influxes of migrants from various places. After 1990 — and particularly 1991 — waves of refugees began to arrive, especially refugees who are not considered ordinary foreigners and thus are not covered by the Jordanian law on residence of foreigners. In order to provide assistance and protection to this group of refugees and to help the international community to bear its responsibilities in dealing with various crises in the region, Jordan authorized the Office of the United Nations High Commissioner for Refugees (UNHCR) to open an office in Amman at the end of 1991. It did this without concluding any agreement regulating its relationship with UNHCR or with the refugees. In order to fill the vacuum that had existed for six years, the Jordanian Government signed a cooperation agreement with UNHCR in 1997. This was followed by the signing of a memorandum of understanding in 1998 regulating the relationship between refugees, the State and UNHCR.

83. In 2006, the following international treaties were publicized: the two international covenants; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment; and the Convention on the Rights of the Child. These treaties entered into force once they had been published in the Official Gazette. Given the standing of these treaties in the hierarchy of international human rights law, the rights of any person who is subject to the jurisdiction of a State that is a party to these instruments must be observed, protected and upheld, regardless of whether or not the rights holder is a citizen of that State party. This means that refugees in Jordan are legally entitled to benefit from the rights and protection afforded by these treaties, especially given that most of the rights and protection principles set out in the 1951 Convention correspond to those set out quite unambiguously in the above-mentioned human rights treaties.

### **Paragraph 19 of the list of issues**

84. The Personal Status Code was amended to tighten up the regulations designed to prevent persons under the age of 18 years from marrying, except in special cases where a girl needs to be protected, in her best interests, from the severe distress of a situation where she becomes pregnant as a result of a consensual relationship with a partner. These cases tend to occur in certain areas of the Jordan Valley where girls reach puberty at an early age. Otherwise, it is forbidden to perform marriage rites, as stated in article 279 of the Criminal Code, which reads as follows: “A term of from 1 to 6 months’ imprisonment shall be imposed on any person who officiates at or is a party to a wedding ceremony that is held in breach of the Personal Status Code or any other applicable legislation.”

85. On the question of reviewing the reservations to the Convention on the Elimination of All Forms of Discrimination against Women, particularly in connection with article 16, the Personal Status Code of 2010 recognizes that men and women are equal parties to a marriage contract. Marriage is regarded as a contract between a man and woman that is concluded for the purposes of forming a family and having children. A marriage is concluded when one side or his or her representative makes an offer and the other side accepts it at a marriage ceremony. Hence, the woman is a party to the marriage contract, just like the man, and is completely free to choose her husband. A marriage cannot be concluded without her freely given consent and the woman has the right to take the initiative in proposing a marriage contract. As for the withdrawal of reservations, we refer again to the reply given in paragraph 3 above.

### **Paragraph 20 of the list of issues**

#### **Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**

86. Women’s organizations and the National Commission for Women continue to call for the withdrawal of these reservations and for ratification of the Optional Protocol, but the time is not ripe and thus there has been no progress as yet on this issue.

## Annex

### **Organizations that participated with the Jordanian National Commission for Women in the preparation of the fifth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women**

#### **A. Government bodies**

1. Ministry of Health
2. Ministry of Agriculture
3. Ministry of Justice
4. Ministry of the Interior
5. Ministry of Foreign Affairs (Department of Palestinian Affairs)
6. Ministry of Higher Education and Scientific Research
7. Ministry of Planning and International Cooperation
8. Ministry of Labour
9. Ministry of Social Development
10. Ministry of Culture
11. Ministry of Education
12. Armed Forces General Command
13. Public Institute of Social Security
14. Vocational Training Institute
15. Directorate of Public Security (Family Protection Department)
16. Civil Service Commission
17. Civil Defence Directorate
18. Civil Affairs and Passports Directorate
19. Income Tax Department
20. Department of Statistics
21. National Aid Fund
22. Development and Employment Fund
23. Radio and Television Corporation
24. University of Jordan
25. Land and Survey Department

**B. Para-governmental or non-governmental organizations**

1. Jordanian Women's Union
  2. National Centre for Human Rights
  3. National Council for Family Affairs
  4. National Centre for Human Resources Development
  5. Jordanian Hashemite Fund for Human Development
  6. Queen Zein Al-Sharaf Institute for Development
  7. Higher Council for Housing
  8. General Federation of Jordanian Women
  9. Noor Al-Hussein Foundation
  10. Jordanian National Forum of Women's Committees
  11. Young Women's Christian Association
  12. Arab Women's Association
  13. Rural Women's Training Association
  14. Forum of Business and Professional Women
  15. International Institute for Women's Solidarity
  16. Mezan/Law Group for Human Rights
  17. Women's Credit Fund
  18. Jordanian Family Planning Association
  19. Amman Chamber of Industry
  20. Amman Chamber of Commerce
  21. UNRWA
  22. Group of Women Local Newspaper Journalists
  23. Women's Committee of the Bar Association
  24. Coordinating Committee of Non-Governmental Organizations
  25. Various members of the House of Representatives and the Senate
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