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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1***

Jordan

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In accordance with General Assembly resolution 60/251 adopted on 15 March 2006 and with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1, concerning the universal periodic review, the Ministry of Foreign Affairs of the Hashemite Kingdom of Jordan prepared a national report for the universal periodic review in conjunction with Jordanian governmental and non-governmental organizations and civil society organizations (see annex for a list of the organizations which were consulted).

Fundamental guarantees of human rights in Jordan

There are a number of guarantees which ensure respect for and the protection of human rights and which strengthen the observance of these rights and assure their effective enjoyment. The main guarantees include:

(a) The Jordanian Constitution

The Jordanian Constitution is a key document which guarantees protection of the full range of civil, political, economic, social and cultural rights and freedoms. Its provisions are consistent with human rights principles and standards and the international instruments in which these rights are enshrined.

(b) International and regional human rights charters, treaties and instruments

Jordan has ratified most of the international human rights charters, and human rights have been incorporated into its domestic laws. Jordan is taking steps to perfect this legislative policy.

(c) Domestic legislation

In keeping with the general principles embodied in the Constitution and international charters, legislation has been enacted to protect human rights.

(d) National Charter

The National Charter was produced by a group of experts and opinion leaders in the framework of a comprehensive national dialogue process. The Charter was drawn up to elucidate and interpret the Constitution and serves as a guide for Jordanian legislators and policymakers in all areas of their work.

(e) National Agenda

The National Agenda is a long-term strategic plan defining the policies that must be adopted in all domains in the Kingdom.

Voluntary pledges which Jordan made when presenting its candidature to the Human Rights Council in 2006

Legal guarantees of the protection of civil and political rights

The Constitution entrusts the protection and regulation of these rights to the law, as described hereunder.

Equality

According to the Constitution, all Jordanians are equal before the law and must not be subjected to any form of discrimination in respect of their rights and duties, whatever their ethnic origin, language or religion. The right to freedom is a fundamental right guaranteed by the Constitution and recognized in many laws. The laws guarantee equal and effective protection against any form of discrimination founded on race, language, religion, sex or political opinion. Thus, citizens have an equal right of access to (permanent and temporary) employment in the State sector, its administrative branches and municipal government, provided that they have the requisite skills and qualifications and are selected through the competitive process for government positions. The laws guarantee equality of men and women in regard to the full range of rights. Every person with legal capacity is entitled to perform legal transactions and the age of legal capacity is the same for men and women (18 years). Everyone has an equal right to State protection against any form of violence or physical assault perpetrated by an individual or any institution.

Everyone has the right to seek legal redress for any injury suffered and due process is the same for all. Equality in education is guaranteed by law. Compulsory education is free of charge for all and university education is open to everyone, subject to admission criteria which are the same for all. Lists of students who have been admitted to university are published in the daily press.

Liberty of person

The Constitution guarantees liberty of person and thus any infringement of this liberty is designated as an offence under the Criminal Code. The Code affirms the principle of *nulla poena sine lege* and provides that no person may be punished for an offence before a final judgement has been handed down by a court of law. The laws on offences and penalties cannot be applied retroactively and, hence, no person may be punished for an act which was not an offence and for which there was no penalty when it was committed. Offenders always benefit from any lighter penalties prescribed under relevant laws.

As stated in the Code of Criminal Proceedings No. 9 of 1961, as amended, an accused person is innocent until proven guilty further to a judgement handed down by a competent court in accordance with due process. Any person who is convicted of an offence may seek a judicial review of the judgement and sentence. Imprisonment, arrests and searches must be effected according to the procedures defined by law. Homes are inviolable and may not be entered without a warrant. All postal correspondence, telegrams and telephone conversations are confidential and may only be monitored or intercepted pursuant to a court order and in connection with an existing offence.

The Criminal Code lists different types of offences which constitute violations of liberties. It provides for the punishment of any official who: unlawfully arrests or imprisons a person; commits a person to a place of detention or a reform centre without a court order; continues to hold a person in such an institution after the time limit in the court order has elapsed; or enters a home or an annex to a home by unlawful means. As for the Suppression of Offences Act No. 7 of 1954, its intention is not to curtail personal freedoms but simply to guard against the commission of offences prejudicial to the security of the community, in particular offences arising from acts of revenge and the defence of [family] honour. Under the Act, protective custody is regulated by precisely defined rules designed to strike a balance between protection of the right of individuals to life and security of person, particularly for potential victims of revenge attacks (who have not committed a serious or major offence), and the right to liberty and not to be placed in detention or preventive or protective custody.

The Counter-Terrorism Act of 2006 is designed to prevent terrorism offences and to outlaw terrorism financing. Responsibility for enforcing the Act lies with the courts. It should be noted in this connection that no one has yet been brought before the courts pursuant to the Act. We are not claiming that the Act is a perfect or an ideal instrument; States and international legal and political institutions are still trying to find the right balance between conflicting rights, and Jordan is just one of these States.

Right to freedom of movement

The right to freedom of movement is enshrined in the Constitution, which stipulates that no Jordanian may be expelled from the Kingdom, barred from residing in any place whatever or forced to live in a particular location, except as provided by law.

Under the Passports Act No. 5 of 2003, all Jordanians, both males and females, have the right to obtain a passport for travel to any other State and back to Jordan. All citizens are entitled to travel to any place that they wish in Jordan for business, tourism, a social visit or any other purpose. Jordanians are entitled to live in whatever place or places that they wish. Foreigners have the right to enter and leave the Kingdom and to travel wherever they want in Jordan; this right is only curtailed when national security is at stake.

The right of Jordanians not to be expelled from Jordan is an absolute right. As for foreigners, they may be expelled, pursuant to the Alien Residence and Affairs Act, for committing an offence and subject to the issuance of an expulsion order by the competent authority. Foreigners will be expelled to their home country or a State of their choosing. They also have the right to challenge expulsion decisions before the High Court.

Right to life and security of person

The right to life and security of person is guaranteed under the Criminal Code No. 16 of 1960, as amended. No authority or individual may end a person's life and no person may renounce his right to life, even in his own interests. In this connection, intentional homicide, manslaughter, abortion and physical assault in all its forms are prohibited under the Criminal Code. The laws do not prescribe any form of corporal punishment.

Torture is prohibited, in keeping with the Convention against Torture, and severe penalties are prescribed for subjecting any person to any form of torture or cruel, degrading or inhuman treatment. The article on torture in the Criminal Code was amended to read as follows:

1. Any person who subjects another to any form of torture with a view to extracting a confession to, or information about, an offence shall be subject to a penalty from six months to three years' imprisonment.
2. For the purposes of the present article, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

3. If the torture results in an illness or a serious injury, the penalty shall be a fixed term of imprisonment with hard labour.
 4. Without prejudice to article 54 bis and article 100 of the present Code, no court may hand down a suspended sentence for any of the offences listed in this article or take mitigating factors into consideration.
- The death penalty is prescribed for certain offences and its use is subject to a number of strict guarantees. Some laws were amended recently to ensure that this penalty is applied in conformity with article 6, paragraphs 1 to 5, of the International Covenant on Civil and Political Rights; thus, the death penalty is now prescribed only for the most serious offences.

A review of the Criminal Code is being conducted with the aim of eliminating the death penalty; the penalty is confined to a few offences and it goes without saying that it does not apply to minors or pregnant women. No death sentences have been carried out since April 2007.

The Prisons Act was repealed and replaced by the Reform and Rehabilitation Centres Act, which takes due account of the minimum rules for treatment of inmates of reform and rehabilitation centres (prisoners). In implementation of the Act, a strategy has been put in place to overhaul these centres. The strategy is now being put into effect on the ground. A strict monitoring and accountability policy exists to deal with complaints of torture or ill-treatment. Every person against whom a complaint of this kind is brought will face prosecution and trial before the competent tribunals.

Freedom of opinion and expression

The Constitution guarantees freedom of opinion and of oral, written, visual and all other forms of, expression, together with freedom of the press, the print media and the publishing sector. These freedoms are enshrined in the Printing and Publishing Act No. 7 of 1998, as amended, which grants the freedom to issue press publications and allows journalists to publicize their views and comments freely. Publishers cannot be held liable for the views that they convey and the information that they publish. They are entitled to obtain information, news, data and statistics from their sources and to maintain the confidentiality of those sources. They cannot be compelled to reveal the identity of a source.

The Printing and Publishing Act, which was amended by Act No. 27 of 2007, guarantees press freedoms: no journalist can be imprisoned for a story that he or she has had published. The penalty of imprisonment is no longer included in the Act; any breaches of the law carry a fine instead. The Act does not specify the amount of capital required to start a newspaper, and it safeguards the confidentiality of journalists' sources.

The Access to Information Act No. 47 of 2007 was enacted in line with the worldwide trend of incorporating this right [to information] into legislation.

Right to form associations and political parties and to hold public gatherings

According to the Constitution, Jordanians have the right to form associations and political parties. The Associations Act allows for the registration of all associations, regardless of the charitable aims which they seek to achieve. It also allows for the registration of associations

devoted to the promotion of cultural, social and political awareness among citizens. In Jordan there are thousands of registered associations. Recently, the Associations Act No. 51 of 2008 was adopted and entered into effect on 14 December 2008. The starting point of the Act is that associations should have legal personality, voluntary membership, equal status among all their members and an object other than making a profit. Civil society organizations were consulted during the drafting of the Act.

After the Act was issued, however, some civil society organizations called for amendments to be made to the Act to ensure that a single authority would be responsible for registering associations, to facilitate access to funding and to prevent the annulment of decisions adopted by the general assemblies of associations. A committee was set up to prepare a draft amendment to the Act in line with the objectives that the civil society organizations had identified.

With regard to political parties, Act No. 9 of 2007 was passed following consultations with political parties and civil society organizations across the spectrum. The Act guarantees full freedom to found political parties and stipulates, as a matter of principle, that parties should be given financial support out of the State's general budget. The Act guarantees political parties the right to use the official media and public facilities in pursuance of their aims. Every party is allowed to issue press publications and to reproduce written material in newspapers, magazines and other public media in order to publicize their aims and views. Every party has the right to convey its views directly to the Government on the conduct of public affairs. The new Act introduces a number of new provisions, lowering the age threshold for founding members of political parties from 25 to 21 years and stipulating that no political party may be established on the basis of confessional, racial, social or religious discrimination. Parties are entitled to participate in electoral processes. Opportunities are available to any person wishing to found a party to prepare for such processes. Democratic activities are carried out inside political parties and members are not accountable for their party affiliation. In accordance with article 19 of the Political Parties Act No. 19 of 2007, the Political Party Funding Regulation No. 89 of 2008 was issued and published in the Official Gazette on 29 September 2008. According to article 3 of the Regulation, every political party is entitled to receive a financial contribution out of the State budget of 50,000 Jordanian dinars (JD) a year. Under the terms of the Regulation, which entered into effect on the date of publication in the Official Gazette, the money is to be paid in two instalments, the first in June and the second in December. The first instalment was paid at the end of 2008. A total of 14 parties have been registered to date.

The Public Gatherings Act No. 7 of 2004, as amended in 2007, regulates public marches and rallies in a manner designed to protect lives and public and private property and to ensure that the organizers of such events are able to control them. To that end, the Government must enact legislation for the purpose not of suppressing but rather of protecting peaceful gatherings and facilitating assessments of conditions in which these events can be held without prejudice to public security and public order.

The new Act waives the pre-authorization requirement for: meetings and gatherings held in connection with general, municipal and trade union elections; meetings of political parties, charitable and voluntary associations, public bodies, chambers of industry and commerce, municipal authorities and clubs, at their headquarters and for the purposes of achieving their objectives; and meetings of trade unions and professional associations held in accordance with the laws regulating their activities. Under the Act, requests for authorization of public marches, demonstrations or rallies must be processed within 24 hours of the date of submission. The absence of a written reply to such a request will be taken as consent.

Right to stand for election and to vote

The Constitution guarantees every Jordanian the right to stand for election and to vote. The law guarantees the integrity of the election process and the right of candidates to observe electoral activities. Those who defraud the electorate will be brought to book. In pursuance of this right, the House of Deputies Elections Act No. 24 of 2001 was enacted, laying down a series of rules designed to ensure the impartiality of elections and the right of candidates to observe the process. All Jordanians over the age of 18, both males and females, have the right to elect members to the House of Deputies. Every person, male or female, who is over 30 and meets the eligibility criteria has the right to stand for election. In order to ensure women's participation in the House of Deputies, a stipulation was written into the Act providing that a minimum of six women must be returned to the House.

Under the Municipalities Act every eligible Jordanian over the age of 25 can stand for election to the position of head or a member of a municipal council. Voting age is 18 for both men and women.

In order to guarantee women's participation in municipal councils, a quota of not less than 20 per cent was written into the Municipalities Act for council membership by women. Women members are selected from among those who receive the highest number of votes. If the requisite number of candidates do not come forward or there are not enough women to meet the quota, members will be appointed by a decision of the Cabinet based on nominations made by the Minister for Municipal Affairs and within the limits of the quota.

The Elections Act and Municipalities Act prescribe penalties for defrauding the electorate or interfering in the electoral process.

Practices and policies to protect civil and political rights

- The Legislation and Opinion Bureau created a website (www.lob.jo) containing the texts of existing laws and of draft laws due for enactment in Jordan which citizens and visitors can access in order to submit comments on draft texts, in what constitutes a form of direct, popular participation.
- The Office of the Ombudsman was established pursuant to Act No. 11 of 2008, issued on 16 April 2008, as an independent monitoring mechanism which protects the rights of persons wishing to bring a grievance against decisions of the administrative authorities.
- The Ministry of Political Development was set up to support the political reform process and raise public awareness of democratic and human rights issues.
- A standing human rights committee was formed comprising members from a number of ministries and institutions responsible for promoting human rights and following up on international reports about Jordan.
- Human rights departments have been set up in several ministries, including the foreign affairs, interior and justice ministries, and a special human rights department has been created at the Public Security Directorate to consider complaints about violations committed by personnel of the Directorate.

- An anti-corruption body was established to investigate corruption cases, including in relation to appointments to public posts.
- The National Human Rights Centre was set up as an independent body tasked with conducting visits to detention centres and reform institutions in order to check up on prisoners and with receiving complaints about any kinds of human rights violations.
- Judicial inspections of detention and reform centres have been stepped up to ensure that no one is being detained there illegally and to verify the treatment afforded to prisoners.
- The Civil Service Bureau drew up a list of the qualifications needed for employment in the public sector, together with the criteria for establishing rosters of successful candidates for these positions. Lists are published for public information.
- School curricula have been developed to include the principles of human rights and general freedoms. Several university courses are taught on human rights and freedoms and international humanitarian law.
- Civil society organizations, working with government institutions and agencies, run workshops and training courses on various subjects related to general rights and freedoms.
- A strategic plan was devised for the development of detention, reform and rehabilitation centres and the delivery of better services to them, in order to make deprivation of liberty the only problem with which prisoners have to contend. Many significant achievements have been scored. For example, prisoner rehabilitation programmes have been established, academic education is available from the literacy stage up to the end of general secondary education and prisoners are allowed to pursue higher studies.
- Vocational training programmes are run in reform and rehabilitation centres providing instruction in a wide range of manual, animal husbandry and horticultural activities aimed at engaging inmates in useful paid work. The vocational Training Institute issues proficiency certificates to facilitate prisoners reintegration into society.
- Health-care services have been developed and comprehensive health centres have been established to provide a full range of specialized care in reform centres, offering care, social guidance and religious counselling, together with cultural programmes. Leisure and sports facilities and cultural seasons are arranged to develop prisoners' personalities, theatrical performances are staged and books and publications are supplied in conjunction with government agencies and civil society organizations. Workshops are held in conjunction with these entities and studies are undertaken to improve and develop the services on offer to prisoners. The "Prisoner" magazine was created and a website was set up for the Department of Reform and Rehabilitation Centres. Computing and English language courses will soon be available for prisoners and sports facilities have been installed at the centres.

- Visits are allowed to detention, reform and rehabilitation centres, such as those undertaken by the International Committee of the Red Cross, the National Centre for Human Rights, the Human Rights Watch organization, civil society institutions, members of the Public Prosecution Department and judges, who interview inmates, check up on them and listen to their demands. A total of 839 visits were conducted in 2008 and action is taken to follow up on all observations and recommendations set out in visitors' reports. Any criticisms are addressed immediately.
- There are three reform and rehabilitation centres for convicted prisoners, namely, the Swaqah, Muwaqqar and Umm al-Lulu centres, and projects were established and launched for new reform centres. The projects are due to be completed next year and should provide a definitive solution to the overcrowding problem.
- A training and development centre was established on 12 January 2008 as part of the Department of Reform and Rehabilitation Centres. Advanced curricula on the reform process were designed and set up and specialized courses were run on guarding and dealing with prisoners, and investigating torture cases. A handbook on combating torture was produced. Workshops were held to train members of the ranks about the need to observe human rights and to provide them with information about the issue of torture. The policies and procedures in effect in reform centres are currently being developed and personnel training is being delivered in line with the international standard rules on the treatment of prisoners. Approximately 400 officers and members of the ranks who work in reform centres have been trained and action is being taken to complete the training for all staff at reform centres.
- A number of agreements and memorandums of understanding have been signed with domestic and international institutions on the development of reform and rehabilitation centres, and an agreement was reached on a manpower training and systems development project for reform and rehabilitation centres in the framework of a programme drawn up with the Government of Austria and supported by the European Union.
- The Government closed down Jafr Prison, because it is located in a desert area and does not meet international standards for prison accommodation.
- The Department of Reform and Rehabilitation Centres, in cooperation with civil society organizations, devised solutions for women who had not been convicted of offences but were still being held in custody for their own protection. The Mizan Law Group for Human Rights, a civil society organization, took on the care of five such women, housing them far away from reform and rehabilitation centres until the time is ripe for their reintegration into society. Dar al-Wifaq al-Usri (the Family Reconciliation Home) took in three women on the same basis. Efforts are being pursued, in conjunction with civil society organizations, to resolve the plight of all women in the same situation.
- Policies and procedures have been put in place in accordance with international standards and the standard minimum rules for the treatment of prisoners. Efforts are under way to document cases of unlawful use of force with a view to deterring staff at reform and rehabilitation centres from resorting to the use of excessive force or ill-treatment or torture. All prison staff are now being trained on how to apply the policies and to fill in report forms on every case of excessive use of force. These procedures include detection, monitoring and investigation of every case in which force is used, whatever the reason.

- With regard to personnel, training and rehabilitation, reform and rehabilitation centres have been supplied with new, qualified staff who are trained to look after prisoners. Organizational structures have been revamped and streamlined to reflect current realities. A detailed manual has been created for directors and staff of these centres, spelling out their duties, responsibilities and functions. In addition, training programmes have been developed for directors and staff and a number of joint workshops and courses have been run with the National Centre for Human Rights and the International Committee of the Red Cross.
- With regard to international and domestic cooperation and exchanges of experiences, agreements and memorandums of understanding have been signed with domestic and international institutions on the development of reform and rehabilitation centres. An agreement was concluded on a manpower training and systems development project for reform and rehabilitation centres, in the framework of a programme drawn up with the Government of Austria and supported by the European Union which focuses on the following five areas:
 1. Organizational development of the Department of Reform Centres and the centres that it oversees;
 2. Technical and administrative skills training for personnel and the creation of a handbook on procedures;
 3. The development of prisoner categorization procedures in accordance with international standards;
 4. The application of human rights principles to the treatment of prisoners;
 5. The development of prisoner rehabilitation and reform programmes.
- A joint project with a Danish anti-torture organization and the Department of Prisons of Denmark was launched in mid-2008. A seminar was held for senior public security officers and members of the Jordanian judiciary. Further to the recommendations emanating from the seminar, a study is being conducted on the feasibility of detaching reform centres from the Public Security Directorate and placing them in the future under the authority of the Ministry of Justice, while a judicial model for the enforcement of sentences has been introduced whereby the judiciary in Jordan will exercise complete oversight over the mechanisms for enforcing sentences and reforming and rehabilitating prisoners. A training, procedural and advice manual is being designed, in cooperation with Danish organizations, to assist mechanisms involved in the work of investigating and preventing torture and safeguarding victims. A further agreement exists with the European Union on support for a monitoring and control systems project designed for reform centres, in addition to an anti-torture project with the Danish Rehabilitation and Research Centre for Torture Victims.
- In order to safeguard prisoners and human rights in reform and rehabilitation centres, an effective prisoner categorization system has been established and a human rights bureau has been installed at the Swaqah reform and rehabilitation centre. Two public prosecutors have been assigned to look after reform and rehabilitation centres and receive and follow up on prisoners' complaints.

- With regard to communications, prisoners are allowed continuous contact with their family members and the outside world. They are supplied with magazines and daily newspapers, have daily access to telephones and can watch television at set times. Daily exercise hours have been increased in accordance with international standards. The quality of meals was improved this year, together with the full range of administrative services available to prisoners.
- The Government closed down Jafr Prison, because it is located in a desert area and does not meet international standards for prison accommodation.
- The Department of Reform and Rehabilitation Centres, in cooperation with civil society organizations, devised solutions for women who had not been convicted of offences but were still being held in custody for their own protection. The Mizan Law Group for Human Rights, a civil society organization, took on the care of five such women, housing them far away from reform and rehabilitation centres until the time is ripe for their reintegration into society. Dar al-Wifaq al-Asri (the Family Reconciliation Home) took in three women on the same basis. Efforts are being pursued, in conjunction with civil society organizations, to resolve the plight of all women in the same situation.
- Prison libraries were supplied with foreign language titles for foreign prisoners, in addition to new books, and all prisoners were vaccinated against hepatitis at a total cost to the Ministry of Health of JD 47,000. Leaflets are issued to prisoners upon arrival explaining their rights and obligations. Prisoners pursuing higher studies are allowed to have books and reference sources brought into prison and to prepare their studies.

Training courses for judges, public prosecutors and students at the Ministry of Justice Judicial Institute

The subject of human rights was incorporated into the diploma programme for students at the Judicial Institute. Instruction in this subject began in the 2007/08 academic year and the subject is taught in the third semester.

In the framework of a programme for the development of the public prosecution service in Jordan, workshops were held for judges, deputy public prosecutors and public prosecutors on human rights before and during trial proceedings. The following subjects were discussed at two workshops:

Workshop on human rights in the pretrial stage

1. Human rights and human security;
2. Minimum standards for the rights of the accused during the pre-investigation stage and while under arrest or in detention;
3. Minimum standards for the rights of the accused during the investigation stage;
4. Minimum standards for the rights of victims during the commission of offences and throughout the investigation stage;
5. Rights and duties of witnesses.

Workshop on human rights during trial proceedings

1. Role of the public prosecution service in protecting the fundamental rights of parties for the prosecution during criminal trials;
 2. Minimum standards for the rights of the accused while in custody and during pretrial detention;
 3. Minimum standards for the rights of the accused during trial proceedings;
 4. Minimum standards for the rights of victims during the trial stage;
 5. Minimum standards for the rights of witnesses during the trial stage;
 6. Rights of parties for the prosecution during the sentencing stage;
 7. Minimum standards for the rights of convicted persons while in prison.
- In 2008, the Judicial Council, the National Centre for Human Rights and the Office of the United Nations High Commissioner for Refugees (UNHCR) jointly organized special training courses for Jordanian government institutions. Sessions were held on: the human rights of refugees; the link between human rights and refugees; the UNHCR mandate; the legal framework for asylum in Jordan; the problems facing refugees; and the prospects for the elaboration of a national refugee law. As part of the programme for the development of the Jordanian prosecution service, the Jordanian Judicial Institute ran training courses for judges on the amendments set out in the Conciliation Tribunals Act of 2008, and workshops were held for judges, deputy public prosecutors and public prosecutors on human rights before and during trial proceedings.
 - Every year the Committee to Protect Journalists, a civil society organization, produces a report on press freedom in Jordan. The Government deals with its recommendations in an entirely constructive manner.
 - A journalists training institute is being set up by the Press Syndicate to equip journalists with all the skills that they need to meet the demands of the profession.
 - A special committee of the Press Syndicate monitors press freedoms and follows up on related cases.

Legal guarantees of economic, social and cultural rights

Right to work

The right to work is guaranteed to all Jordanians without distinction pursuant to articles 6 and 23 of the Jordanian Constitution. Jordan has ratified 24 International Labour Organization (ILO) conventions, including 7 of the 8 fundamental conventions on human rights in employment. Labour laws and regulations have been introduced to provide greater protection to Jordanian and foreign workers. The Jordanian Labour Code applies to all workers, regardless of their sex, nationality, race, colour or religion. Any rights or benefits provided for under the Code

apply to all workers without any distinction of any kind. This includes the right to apply to the courts to defend employment rights regulated by the Code. Under article 2 of the Labour Code of 1996, and the amendments introduced by Act No. 8 of 2008, workers are subject to the Social Security Act. The most important amendments to the Code are listed hereunder.

- Article 3 of the Code, which did not apply to domestic workers, agricultural workers and workers in the catering trade, was amended to include these groups.
- Article 43 of the Code, concerning the establishment and functions of the Tripartite Labour Committee, was amended.
- A provision was added to article 29 stipulating the penalties for assault, including sexual assault and battery, of an employee. A further clause was added granting the Minister of Labour the power to close down an enterprise in which such assaults are shown to have occurred.
- The fine prescribed in article 77 of the Code for breaching the rules on women's work and the employment of children was raised from JD 300 to 500.
- A penalty for engagement of persons in forced labour and for withholding a worker's passport was written into the Code in accordance with the ILO Forced Labour Convention, 1930 (No. 29) and a fine of from JD 500 to 1,000 was introduced for each such case, with the penalty to be doubled in the event of a repeat offence.
- Amendments were made to article 20 of the Code, which deals with the subject of intellectual property and grants workers intellectual property rights in respect of any original work that they produce without being commissioned to do so by their employer.
- In order to regulate foreign labour, the Ministry of Labour issued some special regulations, which are detailed below.
- A regulation was issued in 2003 on the activities of private agencies which recruit foreigners for employment in residential homes. A draft amended regulation was submitted to the Office of the Prime Minister and is expected to be adopted shortly. The aim is to regulate these agencies, raise their standards, tighten up their licensing conditions and monitor their activities with a view to curbing violations in this sector.
- The Ministry, in conjunction with ILO, finalized a draft regulation on domestic and agricultural workers with a view to including these persons in the Labour Code No. 48 of 2008.
- The Cabinet issued a decision approving the inclusion of agricultural workers and fishermen in the Social Security Act as from 1 January 2009.
- The Government signed an agreement with ILO on the implementation of a suitable labour scheme for Jordan.
- On 1 April 2008, new directives were issued on protecting the rights of foreign workers employed in industrial zones.

- The Ministry is compiling a list of those who are in breach of the Labour Code. The list will include all sectors of employment in which labour rights have been breached and will be published in the near future.
- The Ministry is currently reviewing bilateral agreements and memorandums of understanding concluded with labour sending (or exporting) States with the aim of redrafting them and regulating foreign labour recruitment in order to prevent exploitation and trafficking of workers.
- The statutes of the Economic and Social Council were adopted in 2007 and the process of forming the Council and selecting a chairman and members is under way. There are to be 45 members, representing four sectors equally, namely, the Government, workers, employers and civil society organizations. There will be a board to advise the Government on social and economic policies, laws and issues, including employment. The board will be formed pursuant to a decision of the Prime Minister, based on nominations made by the Minister of Labour. Consultations are being held on the composition of the board.
- A tripartite labour committee was established with members representing the Ministry, workers and employers equally. The committee's main tasks are to express its views on labour regulations and conditions and to consider and assess matters pertaining to Arab and international labour standards.
- The Government recently sent the Human Trafficking Bill before the National Assembly for completion of the requisite constitutional procedures.

Right to social security

- This right is regulated by the Social Security Act No. 19 of 2001. The Act is being amended to deal with loopholes on matters such as industrial injuries, retirement pensions and sickness benefits. The Social Security Corporation follows up on the implementation of the Act. The Corporation is financially and administratively independent of government structures.
- Jordan ratified the ILO Equality of Treatment (Social Security) Convention, 1962 (No. 118).

Right to education

The right to education is guaranteed under article 10 of the Education Act No. 3, which provides that compulsory education shall be provided free of charge at the basic stage and for a period of 10 years in government schools. Students cannot leave school until they are 16. The Ministry of Education safeguards and regulates this right. The statistics show that the enrolment rate in Jordan is over 92 per cent and that there is no gender-based discrimination in education. The enrolment rate for all schools in the Kingdom for the 2006/07 academic year was 49.2 per cent for girls, as compared with 50.8 per cent for boys.

- Remote areas of the Kingdom receive special attention as far as an equal right to education, the construction of school buildings and a varied range of specialized subjects at the secondary school level are concerned. In addition, training is offered to teachers and there are youth projects to encourage student participation in school and public life through the creation of student councils and parent-teacher councils.

- The Ministry of Education, in conjunction with the Ministry of Labour and international organizations, takes action to stop children from dropping out of school.
- The Government allows foreign students to study at government and private schools and also allows Iraqi students to pursue their studies, regardless of whether or not they are in possession of a valid residence permit.

Right to higher education

In keeping with the provision of the Jordanian Constitution which guarantees education, the Ministry of Higher Education and Scientific Research regulates and oversees higher education in Jordan. There are 22 universities in Jordan, 10 of them government-run institutions, which are attended by 73.2 per cent of all students, and 12 of them private universities. Approximately 50.6 per cent of university students in Jordan are female. Jordan has an outstanding record in this domain, being one of the top three countries in the world with the highest ratio of university graduates to total population. The Ministry of Higher Education and Scientific Research has introduced an education strategy entitled “Towards a national strategy for higher education and scientific research for 2005 to 2010” which is an important step in the development of higher education.

Right to health

Jordanian legislation, notably the Jordanian Constitution, guarantees the right to health and the enjoyment of a healthy environment. As a means of safeguarding this right, the Ministry of Health delivers health services to a wide cross-section of the population. There are government hospitals and health centres throughout Jordan which are staffed by qualified health professionals. The Ministry of Health ranks only second after the Ministry of Education in terms of the number of persons that it employs.

The Government is working on a step-by-step basis towards the goal of achieving 100 per cent health coverage. Health services are provided to citizens over the age of 60, children under the age of 6, government employees and impoverished citizens who receive financial assistance from social funds such as the National Aid Fund. The private sector also delivers high quality medical services. Indeed, many persons from Arab and non-Arab countries come to Jordan for treatment, since the country has such an advanced health sector.

- The Royal Medical Services treats army and security services personnel and their families. Hospitals in this sector are found in most large conurbations
- The Government grants Iraqis access to public sector health services and affords them the same treatment as government employees

Right to housing

The Jordanian Constitution guarantees the right to housing. Accordingly, the Jordanian Government has introduced a number of regulations and laws to guarantee the realization of this right. The Government has established institutions to oversee the application of this right on the ground and has allocated financial resources for its realization. The main institutions responsible for giving effect to this right are the Ministry of Public Works and Housing, which executes and oversees housing projects, and the Housing and Urban Development Corporation which carries out

numerous housing projects and concludes partnership agreements with private investors to deliver homes to families on low and limited incomes, with the support of the Government in all the governorates. The Corporation has completed close to 42,000 housing units in the framework of more than 170 housing projects benefiting approximately 400,000 citizens. Subsidized housing loans are offered to citizens through the Housing Finance Subsidy Scheme. A total of 6,000 government employees received loans between 2001 and the end of the current round. Infrastructure development projects have been carried out in areas which are poorly serviced, while areas occupied by informal settlements have been developed and efforts made to improve environmental, social and economic conditions. A total of 38 sites have been developed and services provided to over 375,000 inhabitants.

- The Housing Corporation also carries out charitable projects sponsored by His Majesty the King which include pilot schemes designed for the poorest families. It also follows up on the implementation of housing projects for the poor.
- Military, civilian and trade union organizations offer housing or housing loans to their personnel at nominal prices and on facilitated terms. Housing funds exist in some ministries and government departments, such as the Teachers' Fund at the Ministry of Education.

Women's rights

The Jordanian Constitution stipulates that all Jordanians are equal, while the Jordanian National Charter clearly states that Jordanian men and women have equal rights and obligations. The Jordanian Government published the text of the Convention on the Elimination of All Forms of Discrimination against Women in the Official Gazette on 1 August 2007, having ratified the Convention. Jordan has also ratified the principal conventions on women's rights, such as the Convention on the Political Rights of Women, the Convention on the Nationality of Married Women and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

- The National Committee for Women Affairs formed in 1992 supports women, represents them in international forums and conducts studies on women's rights.
- The Government has amended some laws to increase guarantees of women's participation and representation in legislative assemblies and public office. The following amendments were made.
- The Passports Act No. 5 of 2003 was amended to allow women to obtain a passport without having to go through their legal guardian. The clause requiring a wife to seek her husband's permission to apply for or renew her passport was repealed.
- The Civil Status Code No. 9 of 2001 was amended to allow Jordanian women who are married to foreign men or are widowed or divorced to obtain a family book. With the repeal of the provision on access to passports, women were given their due and granted the unhindered freedom to travel on their own. The Personal Status Code was amended to allow Jordanian women who are married to foreign men or are widowed or divorced to obtain a family book.

- The Protection from Family Violence Act was adopted in May 2008.
- The Maintenance Credit Fund Bill was submitted to the Office of the Prime Minister.
- The entire text of the Labour Code supports the principle of gender equality, which means that women are entitled to all the general benefits provided for under the Code, in addition to a number of benefits and guarantees afforded to women under Arab and international labour conventions, in particular the ILO Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100) of 1951 and the ILO Convention concerning Discrimination in Respect of Employment and Occupation (No. 111) of 1958. These benefits include: 10 weeks of paid maternity leave; breaks for breastfeeding; 2 years' unpaid leave to accompany a husband who is transferred outside the region for work; the creation of in-house nurseries in workplaces with more than 20 married women employees; regulations defining the industries, occupations and hours in which women may not be employed and the exceptions to those regulations; and rules prohibiting the dismissal of a pregnant employee beginning in the sixth month of pregnancy.
- With regard to the Senate, women account for 14 per cent of the current membership. Women have been represented in successive government line-ups and in senior administrative positions as secretaries-general, directors-general and ambassadors.

Children's rights

- Jordan has ratified the Convention on the Rights of the Child and its two Optional Protocols. It has enacted legislation which protects children's rights and safeguards children against all forms of violence and abuse in particular. It has increased the penalties for physical, particularly sexual, abuse of children, whether it occurs in the family or elsewhere and with or without the child's consent.
- In 2002, laws on juveniles were enacted prohibiting the detention of juveniles in reform and rehabilitation centres for adults; authorizing the creation of a social defence bureau in each juvenile court to assist judges in decision-making with a staff made up of specialists in legal medicine, psychology, counselling and social services; designating homeless children as children in need of protection and care; extending protection and welfare procedures to include victims of domestic violence; and allowing the courts wide scope to impose alternative measures, including conditional release.
- The Juvenile Monitoring Act No. 37 of 2006 was issued to replace the Provisional Juvenile Monitoring Act No. 51 of 2000. Under the Act, young persons are prohibited from engaging in activities such as smoking cigarettes, consuming alcohol or taking hallucinogenic or addictive substances. Anyone who uses a minor to sell or purchase such substances is liable to prosecution.
- A draft law amending the Code of Sharia Procedures and the Family Bureaux Regulation was laid before the Chamber of Deputies and is now on its agenda. The purpose of the draft law is to amend provisions on the bringing of sharia proceedings to allow for actions to be referred to a family bureau where a court determines that a bureau could resolve the dispute before it. The Act, as amended, would provide for the establishment of family bureaux pursuant to a regulation drawn up for the purpose.

- The law regulates juvenile labour and provides young persons with the necessary protection in conformity with the ILO Convention concerning Minimum Age for Admission to Employment (No. 138) of 1973 and the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) of 1999. The Ministry runs continuous and extensive inspections focusing on child labour and intends to step up its efforts to provide legal protection to young persons and to increase the penalties for breaching the law on child labour whether with regard to workplace or employment conditions.

Practices and policies on the protection of economic, social and cultural rights

The Government designed an economic, social and cultural change programme aimed at:

- Directly improving the lives of citizens through the delivery of key government services, in particular education, health, water resources and regional development
- Speeding up financial, administrative, legislative and judicial reforms on which a national consensus has been reached
- Strengthening the role of the private sector by involving it more fully in privatization and investment in major development projects
- Creating new decision-making mechanisms which are swift, thorough, transparent and effective
- Preserving monetary and financial stability

The programme comprises the following areas of focus:

- Human resources development (general education, higher education, vocational and technical education, cultural activities and various youth-related activities)
- Basic government services (health care, water resources, infrastructure services)
- Regional development and poverty eradication
- Institutional, regulatory and oversight frameworks
- Private investment: the focus here is on the need to speed up privatization and major development projects in order to attract investment which is crucial for overall development
- The creation of a regulatory, legislative and monitoring environment that supports sustainable economic and social development, including reform of the legislative, institutional, monitoring and regulatory climate and the development of promising economic sectors

Plans have been laid for the implementation of this programme

- Jordan has taken in more than 700,000 Iraqis, which has placed an additional burden on all areas of life, in particular the economy. Jordan delivers health care through public and private health centres and hospitals which offer Iraqis exactly the same treatment as Jordanians. The Government allows Iraqi children to study at public and private schools, regardless of whether or not they hold a valid residence permit, and Iraqis are entitled to have full access to public facilities on the same basis as Jordanians.
- The Ministry of Labour has set up a special department for domestic employees known as the Department for Domestic Workers. Directives, conditions and procedures have been introduced for the licensing of agencies and regulation of their work under the Agencies Regulation of 1 June 2006, which replaced the previous directives issued in 2003. The Regulation was published in the Official Gazette. The purpose behind the directives and the establishment of the Department is to regulate the recruitment and employment of domestic employees using mechanisms and directives designed to prevent violations such as those committed by certain recruitment agencies. The Department carries out continuous and thorough inspections in order to verify the procedures used by agencies and compliance with the legal conditions laid down in the rules regulating the activities of these agencies.
- The Department receives complaints from employers, agencies or female workers and attempts to resolve them amicably. Any intervention on the part of the Department, or even the Ministry of Labour itself, in the work of domestic employees is only intended to find an amicable solution to such problems, since neither entity has any legal power to consider these problems; their role is confined to issuing labour permits. Monitoring of agencies which recruit and employ women workers is confined to ensuring that the standard labour contract is used. Following the introduction of Act No. 48 of 2008, they will have a larger oversight role and will be able to take action against those who breach the rules.
- In 2006, the Ministry set up a hotline which workers can use to register their complaints in five languages: Chinese, Filipino, Bengali, Sinhala and Indonesian.

With regard to employment in industrial zones, the Ministry took the following action:

- Conditions for migrant workers were improved in terms of the issuance of resident and work permits. The status of 5,676 workers was regularized and with work and residence permits were issued to these persons.
- The work environment, particularly in terms of occupational safety and health conditions (working conditions and the workplace environment), was improved and action was taken to improve conditions where workers live and the facilities available to them.
- The directives on the “Golden List” were amended and improved.
- New criteria for the recruitment of migrant workers were adopted.
- Bank sureties or deposits in the name of the Ministry of Labour were set aside to guarantee the rights of workers in the event of the closure of their enterprise.

- A labour inspection bureau or department was set up in each industrial zone and staffed with adequate numbers of labour inspectors.
- Labour inspectors were given training on international labour standards, human trafficking and forced labour.
- Trade union branches were opened up in the spinning and textiles sector to safeguard the interests of migrant workers.
- The Ministry of Labour, in cooperation with the Jordanian Hashemite Fund, is engaged in a programme to get approximately 1,000 children back to school and out of the labour market.
- A provision was added to the draft amendments to the Labour Code allowing migrant workers to join trade unions in Jordan.
- The Education Act was amended by Act No. 12 of 2008.
- A section for protection against abuse was established.
- A hotline (Tel. 5680081) was set up for reporting abuse.
- A website was set up for reporting abuse (cac@moe.gov.jo).
- A set of directives (No. 68/1/43122 of 17 August 2008) was issued on admitting Iraqi children without valid residence permits to school and exempting them from paying school fees and for textbooks.
- A set of directives (No. 68/1/44507 of 21 September 2008) was issued on dealing with children from the Gaza Strip.
- A set of directives (No. 98/1/42134 of 20 September 2007) was issued exempting the children of deceased former Armed Services personnel and disabled veterans from all education costs.
- A set of directives guidelines (No. 68/1/41226 of 5 September 2006) was issued on the admission of foreign students (children of Jordanian mothers).
- Human rights concepts were incorporated into school curricula in keeping with the philosophy of the Ministry of Education and the Act regulating its functions. Entire units on human rights were designed and have now been introduced into all stages of study from the first to the twelfth grade.
- Women have acceded to positions in the judiciary. There are some 45 women judges in the judicial hierarchy and that figure is destined to rise under the Government's policy on women's empowerment. The first Jordanian woman judge was elected by the United Nations General Assembly to the division of the International Criminal Court hearing the case against war criminals in Rwanda. In early 2007:

- A woman was appointed to the position of regional governor by the Jordanian Ministry of the Interior - the first initiative of its kind in the history of Jordan. Women took up a number of other positions for the first time, as local community leaders (*mukhtars*), police prosecutors, forensic pathologists and in other capacities that used to be the exclusive preserve of men. In addition, jobs in all parts of the public sector were opened up to women, with the result that there are now large numbers of women employees in ministries, government institutions, the army and the security services. It has become normal to find women directing the traffic on the streets of Amman and occupying positions and professions that used to be reserved for men.

As for equality in education, the percentage of females in the different stages of education is comparable to that of males. Girls account for 48 per cent of the total number of schoolchildren, while approximately 49 per cent of students in higher education are female.

- Several governmental and non-governmental organizations have been established in Jordan to implement laws on the welfare of children and their protection from abuse, neglect and sexual exploitation, and to receive complaints about violations and deal with them in a skilful manner. The organizations concerned include: the Ministry of Social Development; the National Council for Family Affairs; the Jordan River Foundation; the Family Protection Department of the Directorate of General Security; and the National Centre for Legal Medicine of the Ministry of Health. These institutions play a direct role in the issue and there are also several non-governmental organizations which are active in this domain.
- The National Plan for Childhood, 2004-2013, was adopted in conjunction with several national and international governmental and non-governmental organizations. The Plan is the result of the joint efforts of all these organizations, which are now working together to implement it in practice.

Services for persons with special needs

- Jordan ratified the Convention on the Rights of Persons with Disabilities and is in the process of enacting a law on that subject.
- A number of units have been set up in the public and private sectors to care for persons with special needs (disabilities). In Jordan, special education is delivered to persons of different ages and with different types and degree of disability through 144 centres and institutions which operate in the government, voluntary, private and State sectors. The centres are found throughout the governorates of the Kingdom and deliver services to some 26,000 persons with disabilities.

Restrictions on human rights in Jordan

Although Jordan has taken great pains to protect human rights and build them into its domestic laws, policies and practices, some limiting factors still remain, the effects of which the Government is working with civil society to mitigate. These factors include the constraints imposed by a social heritage that is beginning to disappear. For example, in order to deal with the customs of revenge-taking and honour crimes, the State has had to introduce legal procedures to prevent the commission of a chain of crimes, including murder. Economic restrictions also play a role in this regard. The Government is making efforts, subject to the availability of financial resources, to

disseminate a human rights culture among school and university students and all sectors of society and to train personnel in key institutions in order to raise professional standards and the quality of treatment due to citizens in accordance with the law.

The Government, within the framework of national priorities, is working to overcome certain limiting factors such as resolving the problems of unemployment and poverty, improving standards of public health and social welfare and creating a stable and flourishing economy.

Cooperation with international human rights mechanisms

Human rights treaty bodies

Although the Government has not yet submitted some reports to the international treaty bodies concerned for technical reasons, efforts are being made to complete the reports, which will be submitted shortly.

Mechanism for cooperation with the Office of the United Nations High Commissioner for Human Rights

Jordan has always been committed to strengthening its continuing cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR). It hosted the regional seminar entitled “Upholding Human Rights While Countering Terrorism” held from 27 to 29 October 2008. The event was a success and provided participants with valuable information. Jordan is always pleased to host such seminars and is committed to offering OHCHR and other organizations and specialized agencies every facility. For example, Jordan will be hosting the regional bureau of the United Nations Children’s Fund (UNICEF) and the regional bureau of the United Nations Development Fund for Women (UNIFEM).

Cooperation with the Human Rights Council

Jordan has been a long-standing advocate of the idea of establishing the Human Rights Council. It participated actively in the negotiations preceding the Council’s establishment and continued to play an active part in deliberations and consultations even after the establishment of the Council. Dr. Musa Burayzat was one of the facilitators involved in the adoption of the institution-building structure and took part in the proceedings of several working groups.

- Jordan, as represented by Dr. Musa Burayzat, had the honour to be a member of the Human Rights Council bureau, as Vice-President and Rapporteur, and was also assigned the position of Chairperson/Rapporteur of the 2008 Social Forum

Cooperation with special procedures special rapporteurs

In order to strengthen cooperation with the special procedures and to ensure greater transparency in its interaction with them, in 2006 Jordan issued a standing invitation for a mission to Jordan and the Government offered every facility to the Special Rapporteur on torture when he visited the Kingdom.

Jordan is stepping up its efforts to respond to all the letters, requests for clarification and questionnaires addressed to it by the special rapporteurs and others.