

Oral Statement
11 June 2009

Jordan NGOs

The International Federation for Human Rights (FIDH) and its member and partner organizations in Jordan, the Amman Centre for Human Rights Studies (ACHRS), the Arab Women's Organisation (AWO) and the Arab Organisation for Human Rights (Jordan) which submitted a report prior to the UPR session, welcome the pledges of the Kingdom of Jordan in supporting several important recommendations formulated in the course of the interactive dialogue during the last session of the UPR process.

Nevertheless, we regret that the government of Jordan refused the most substantive recommendations, in particular: the official investigation on all allegations of torture and the withdrawal of all reservations to CEDAW and to the CRC, as well as the ratification of the Optional Protocols to the CEDAW, to the CAT and to the ICCPR.

We welcome that Jordan has accepted to review the use of administrative detention and ensure that current detainees have access to legal representation and to the courts. The use of administrative detention remains widespread in Jordan. According to the Crime Prevention Law, a procedure can be started by governors against people on the basis of vague suspicions of what could be considered as suspicious behaviour. Those people can be detained administratively and without judicial review. We urge the Jordanian authorities to promptly amend the current legislation and the practice of administrative detention in order to fully comply with its international obligations.

Regarding women's rights, we welcome the decision of Jordan to withdraw its reservation to article 15 paragraph 4 of CEDAW as well as the decision to refer the withdrawal of this reservation to the Parliament. We also welcome the adoption of a law on Protection against Domestic Violence and an Anti-Trafficking, and the establishment of an Office for receiving complaints on abuses against women at the Jordanian National Commission on Women's (JNCW). However we strongly regret that Jordan refused to invite the Special Rapporteur on violence against women and to withdraw its reservation to article 9 paragraph 2 of CEDAW. The Jordanian nationality law and the reservation to article 9.2 has a negative impact on Jordanian women married to foreigners and on the children of those women who cannot pass their nationality to their children and foreign spouses. Our organisation also deeply regret that Jordan refused to lift its reservation to article 16 paragraph 1 (c), (d) and (g) which recognize equal rights in marriage, divorce and custody of children for women.

Moreover, we hope that Jordan will finally provide positive responses to the several recommendations of the working group concerning honour crimes. As of today Jordan has failed to follow-up the recommendations made by CEDAW committee to address all forms of violence against women and girls, adopt and enact legislation in this area. Jordan should as it has been recommended by the working group to amend its Penal Code to ensure that honour crimes are treated on with other serious violent crimes and that perpetrators of honour crimes do not benefit from a reduction of penalty. Indeed, lenient sentences for "honour" crimes under the Penal Code article 98 (which reduces penalties for murders committed in a fit of fury) and article 99 (which halves a perpetrator's sentence when he's excused by the victim's family) are helping perpetrators. Unless crimes in the name of "honour" are treated as seriously as other violent crimes, this shameful social habit shall remain in place.

We also hope that working group's recommendation concerning the necessary review of the legislation applicable to crimes of terrorism, including the criminal code and the law on prevention of terrorism to ensure that they are in line with international human rights standards and standards for combating organized crime will finally enjoy the support of Jordan. Our organisations express their deepest concerns in particular as despite the reform of the Penal Code in 2007 which made torture a criminal offense: the government has not issued effective mechanisms to bring perpetrators of torture to justice. Therefore, torture in prisons remained a routine encouraged by lenient sentences often pronounced against the perpetrators.

Lastly, our organizations remain worried about the new "Association Law" and "Assembly Law" which resulted in more restrictive laws in 2008. The new Association Law leaves at the discretion of the government the decision to licence an NGO and to close it down *without judicial process*, to replace NGO's management with government officials and to reject an internal decision. In addition, NGO must request the authorization prior to receiving any donation or financial grant. The Assembly Law maintains a Governor's power to deny, without justification, permission to hold any meeting discussing public affairs.

Our organisations regrets that Jordan rejected the recommendations of the working group recalling Jordan to examine and revise the recently adopted " Association Law" to ensure that the provisions of this law are in line with

international human rights standards and in particular with the right to the freedom of association enshrined in the ICCPR; and to remove the government approval requirement in the work of NGOs and take steps to ensure that these changes are put into practice in the interest of encouraging broad participation in Jordanian civil society ; consider amending this NGO's legislation in order to reduce restrictions on their activities and allow them adequate freedom of action .