

**Questions recommended for inclusion in the  
List of Issues for the consideration of the 3<sup>rd</sup> Periodic Report of Jordan**  
Country Report Task Force of the Human Rights Committee 98th session, 8-26 March 2010

The Centre for Civil and Political Rights and the Amman Center for Human Rights Studies respectfully recommend that the Human Rights Committee, when compiling the List of Issues for the 3<sup>rd</sup> Periodic Report of Jordan (CCPR/C/JOR/3), include the following questions to the Government of Jordan.

**Article 3 and 26**  
Women's civil rights: "Honor Crimes"

**Recommended Question**

Please provide more information on any amendments planned or already implemented of article 89, 99 and 340 of the Penal Code (para. 26 of the State Report).

**Background**

"(...) 2008 saw a more positive development, whereby a new law on domestic violence was ratified, but there is still the issue of 'honour killings' not being addressed by law. The perpetrators stand not as common criminals, but benefit from the "extraordinary circumstances" clause in the Penal Code (Article 98), allowing the accused to take the rôle of a 'hero' who defends the 'honour' of the family. The endangered women are jailed for their protection, and their release can only be granted by one of her male relatives. The detained woman are eventually transferred to a 'home shelter,' or 'Dar Al-Wefaq,' of which in Jordan there are currently 3, with a total of 100 spaces for detainees. (...)"<sup>1</sup>

**Article 3, 16 and 24**  
Women's civil rights: Citizenship

**Recommended Question**

Please indicate which steps have been taken in order to amend the legislation on the rights of women with regard to the transmission of nationality (para. 23, 119 and 120 of the State Report).

**Background**

Women should be granted the ability to pass their citizenship down to their children. If a women marries a non-Jordanian, she should be able to pass her Jordanian Citizenship rights down to her children. "The indirect discrimination against children and mothers through the

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1 See Amman Center for Human Rights Studies, Human Rights Conitions in the Hashemite Kingdom of Jordan, 21 February 2009 available online:

[http://www.achrs.org/english/index.php?option=com\\_content&task=view&id=133&Itemid=37](http://www.achrs.org/english/index.php?option=com_content&task=view&id=133&Itemid=37).

nationality law that does not grant citizenship to children of non-Jordanian fathers is clearly a violation of the rights of the child. The nationality law must be amended so that a Jordanian mother can ensure the citizenship of her child, thus promoting the best interest of her offspring."<sup>2</sup>

## **Article 6** Death Penalty

### **Recommended Question**

Please indicate the number of persons sentenced to death and the numbers of execution between 2006 and 2010 (para. 32 of the State Report). Please provide exact information on the number of provisions which provide for the capital punishment and indicate all crimes for which capital punishment may be imposed (para. 33 of the State Report).

### **Background**

The death penalty is still the method of punishment for a wide array of crimes.

## **Articles 19** Freedom of Expression

### **Recommended Question**

Please provide more information on the limits of the freedom of expression under article 15 of the Jordanian Constitution (para. 86 of the State Report).

### **Background**

Freedom of expression is limited by the looming threat of political persecution. Jordanians don't feel they are allowed to express their opinion freely without persecution.

## **Article 21, 22 and 25** Freedom of Assembly and Association

### **Recommended Question**

Please provide information on how under Jordanian Law assemblies and public events must be registered (para. 102-103 of the State Report).

Please provide information on how the Public Assemblies Act of 2008 regulates the registration of organizations (paras. 105 of the State Report).

### **Background**

"The Association Law that the Jordanian government passed in June/July 2008 makes it nigh-on impossible for many NGOs to continue the valuable work in which they are currently engaged. The changes to the law could effectively mean that NGOs in Jordan become extensions of the government. For example, Article 3 of the law states that NGOs should be prohibited from "pursuing objectives that are part of the domain of political parties." Thus, it could be argued that NGOs could be banned from working on human rights issues or refugee problems, as they could be interpreted as being issues in the domain of the government. In

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<sup>2</sup> See Amman Center for Human Rights Studies, Human Rights Conditions in the Hashemite Kingdom of Jordan, 21 February 2009 available online:

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fact, this ruling could be extended to cover many more issues; the government would effectively have the power to prohibit NGOs from engaging in any activity that the government does not approve of. Moreover, materials from Articles 4 to 8 clearly indicate that the government intends to retain full control with respect to the registration of organizations. Although the law now only talks about the "registration" of the organizations, the government has actually increased its authority to determine which NGOs are formed, and even the manner of their formation. (...)

The law of assembly, despite some improvements in some articles, does not revive the principle of freedom of assembly, which was guaranteed by applicable law in 2001. Whilst the law previously only required organisers to notify the government of any proposed public gathering, the law was previously adjusted so that written approval was required from a minister for any demonstration, gathering or protest. (...) Governmental approval must also be sought for events such as conferences or training courses taking place in common spaces such as hotels or conference centres.<sup>3</sup>

## **Article 21, 22 and 25**

### Political parties

#### **Recommended Question**

Please provide more information on the application of Article 16 paragraph 2 of the Jordanian Constitution and the Political Parties Act No. 19 of 2007 with regard to governmental supervision of political parties (paras. 105 and 109-110 of the State Report).

#### **Background**

In 2007, a new law to govern political parties was passed. This law gave the authorities an increased chance to interfere in the internal life of parties, and automatically puts parties under the control of the intelligence services. The law also allows many punishments to be meted out against parties, and prohibits criticism of Jordan's allies. The law fixes the number of founding members of a party at 500, so a new party cannot be founded with less than 500 members.<sup>4</sup>

## **Article 22**

### Trade Unions

#### **Question**

Please indicate how article 23 (f) of the Constitution deals with the right of teachers and journalists to create and join trade unions (para. 106 of the State Report).

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3 See Amman Center for Human Rights Studies, Human Rights Conditions in the Hashemite Kingdom of Jordan, 21 February 2009 available online:

[http://www.achrs.org/english/index.php?option=com\\_content&task=view&id=133&Itemid=37](http://www.achrs.org/english/index.php?option=com_content&task=view&id=133&Itemid=37).

4 See Amman Center for Human Rights Studies, Human Rights Conditions in the Hashemite Kingdom of Jordan, 21 February 2009 available online:

[http://www.achrs.org/english/index.php?option=com\\_content&task=view&id=133&Itemid=37](http://www.achrs.org/english/index.php?option=com_content&task=view&id=133&Itemid=37).

Please provide further information on the rights of persons not of Jordanian nationality to join trade unions (para. 106 of the State Report).

### **Background**

Under certain circumstances teachers and journalists are not allowed to join or to create trade unions.

“The large number of workers who work under Saudi law are not permitted to join the trade unions. According to statistics with the Ministry of Labour, expatriates, number at 450000, however we believe their number is larger.

Article (108), paragraph c / 1 of the Jordanian Labour Act requires the founder of any trade union of employers and trade unions to join in the request (to have Jordanian nationality), the text does not enable expatriates to defend their rights within union organizations and deprives them of collective bargaining on their behalf. This makes this group vulnerable to exploitation and abuse in the absence of organization. Here, we recommend that there be equality between workers and fellow Jordanian expatriate workers members of trade unions, we hope they will soon enjoy their right to exercise trade union action.”<sup>5</sup>

### **Article 2, 25, 26 and 27**

Political Equality and Fairness of Elections: Elections Act No. 34 of 2001

### **Recommended Question**

Please provide more information on the weighting of votes in Jordan and especially the division of votes between the 94 municipalities, the number of votes and inhabitants per district (para. 126 of the State Report).

### **Background**

Currently there is little voting equality in Jordan. Each vote is divided by 5 or 6 or 7. Resulting in each vote as counting as 1/5 or 1/6 or 1/7 of an actual vote. The government decides how to dissect the votes as it pleases. Furthermore, there is an unequal representation of municipalities. For example, a municipality may have 500,000 resident and be allowed 5 representatives in the parliament. While another municipality may have 120,000 residents and have 15 representatives in parliament. These election and participation laws have ulterior motives to ensure that the people are not given a chance to actually participate in any meaningful manner.

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5 See Amman Center for Human Rights Studies, Human Rights Conditions in the Hashemite Kingdom of Jordan, 21 February 2009 available online:

[http://www.achrs.org/english/index.php?option=com\\_content&task=view&id=133&Itemid=37](http://www.achrs.org/english/index.php?option=com_content&task=view&id=133&Itemid=37).