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Committee against Torture

REFERENCE: CAT/follow-up to COBs/Jordan

22 July 2026

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the fourth periodic report of Jordan, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 81st session, held from 28 October to 22 November 2024, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations on the fourth periodic report of Jordan (CAT/C/JOR/CO/4, para. 41) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 10, 12, 18 and 20 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 12 January 2026 providing your Government's response to the above-mentioned paragraphs (CAT/C/JOR/FCO/4) and to make the following comments:

Definition of torture (para. 10 of the Committee's concluding observations)

The Committee takes note of the information provided by the State Party indicating that the definition of torture contained in article 208 of the Criminal Code is consistent with the definition established in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also takes note of information provided concerning minimum penalties for acts of torture and the classification of torture as a serious crime in cases where acts of torture result in serious injury or harm. However, the Committee remains concerned that torture is not considered a serious crime unless it leads to death, illness or serious injury, and that penalties are still not commensurate with the seriousness of the crime.

.../...

H.E. Mr. Akram Sa'ud Harahsheh
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The Committee takes note of the State Party's assertion that the Convention contains no provisions preventing States Parties from applying an amnesty or statute of limitations to the crime of torture. However, the Committee underscores that the prohibition of torture is not only considered as absolute and non-derogable by the Convention, which states that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture, but also by customary international law. The Committee further highlights that the absolute and non-derogable prohibition against torture is also considered to be a peremptory *jus cogens* norm of international law. In this regard, the Committee recalls that amnesties or other impediments which preclude or indicate unwillingness to provide prompt and fair prosecution and punishment of perpetrators of torture or ill-treatment violate the principle of non-derogability¹ (3/C).

Fundamental safeguards (para. 12 of the Committee's concluding observations)

The Committee takes note of the information provided regarding the efforts made by the State Party to ensure that all detainees are afforded, by law and in practice, all fundamental legal safeguards from the very outset of their deprivation of liberty, in particular information regarding legal safeguards afforded to persons detained at the General Intelligence Directorate detention centre. However, while noting the State Party's reiteration that nothing in Jordanian legislation prevents suspects from meeting with their lawyer, the Committee remains concerned that no explicit provision guarantees access to a lawyer immediately upon arrest and that the Code of Criminal Procedure still permits the interrogation of detainees without a lawyer present in cases of "urgency." It further expresses concern that article 66 (1) of the Code of Criminal Procedure allows the public prosecutor to prohibit a detainee from communicating with a third party, other than their lawyer, for a renewable period of up to 10 days. Additionally, the Committee is concerned that, pursuant to article 100 of the Code of Criminal Procedure, detained individuals are not consistently brought before a judicial authority within 48 hours and may instead be presented before a public prosecutor, thereby compromising the independence of the judicial review of their detention.

The Committee also takes note of the information provided by the State Party regarding medical examinations which are provided prior to admission to pretrial detention, rehabilitation and correctional facilities, along with information pertaining to medical examinations taking place at the General Intelligence Directorate detention centre. Nevertheless, it regrets that no information was provided regarding access to an independent medical examination immediately upon apprehension in other cases (2/B2).

Special courts (para. 18 of the Committee's concluding observations)

The Committee takes note of the information provided by the State Party indicating that special courts are established by law pursuant to the Constitution, that fair trial guarantees are observed, that persons appearing before those courts are entitled to legal representation and public hearings, and that judgments are subject to appeal, including, in the case of the Public Security Court and the State Security Court, before the Court of Cassation. It also takes note of the information provided by the State Party regarding the composition of both the Public Security Court and the State Security Court. However, the Committee remains concerned that, according to the information

¹ CAT/C/GC/2, para. 5.

provided, no steps have been taken by the State Party to ensure that alleged acts of torture and ill-treatment are tried before ordinary civilian courts. The Committee moreover regrets that the composition of the Public Security Court continues to include members of the Public Security Directorate, and that, in practice, the police justice system remains institutionally embedded within the same security structure whose members may be subject to investigation or prosecution (3/C).

Coerced confessions (para. 20 of the Committee's concluding observations)

The Committee notes the information provided by the State Party indicating that confessions made before judicial police officers are admissible only where the prosecution proves that they were given voluntarily, and that the State Security Court applies article 159 of the Code of Criminal Procedure by scrutinizing the circumstances in which statements were obtained and, where necessary, ordering forensic examination. However, the Committee regrets that the State Party has not provided concrete information demonstrating the practical application of article 159, including disaggregated statistics on its application, examples of cases in which coerced confessions were excluded, or information pertaining to the training of judges and lawyers on the detection and investigation cases of confessions or statements obtained under torture (3/C).

Implementation plan

Lastly, the Committee regrets that the State Party has not provided information about its plans for implementing, within the coming reporting period, the recommendations included in its concluding observations (C).

The Government of Jordan is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State Party pursuant to the Committee's request in its concluding observations on the fourth periodic report of Jordan or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of Jordan on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, consisting of stylized Japanese characters, likely 'Naoko Maeda'.

Naoko Maeda

Rapporteur for Follow-up to Concluding Observations
Committee against Torture