



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: YH/follow-up/Jordan/60

20 April 2015

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the fifth periodic report of Jordan at the Committee's fifty-first session, held in February-March 2012. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/JOR/CO/5). You may recall that in the concluding observations, the Committee requested Jordan to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraph 14 and in paragraph 28 of the concluding observations.

The Committee welcomes the follow-up report received with an eight-month delay in October 2014 (CEDAW/C/JOR/CO/5/Add.1) under the CEDAW follow-up procedure. At its sixtieth session, held in February-March 2015 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 14** of the concluding observations that the State party “revisit its Constitution and to insert the word gender or sex in article 6 as a prohibited ground of discrimination, and to adopt and effectively implement comprehensive legislation on gender equality, including a prohibition of discrimination against women in accordance with articles 1 and 2 of the Convention. The Committee further encourages the State party to pursue its intent, as declared by the delegation during the dialogue, to appeal to the Constitutional Court, once established in accordance with the amended Constitution, to issue a legal opinion on the material scope of the application of the term “Jordanians” as used in article 6 of the Constitution, so as to ensure the equal applicability of the principle of equality before the law on all Jordanian men and women”: The State party indicated that the Royal Commission on the amendment of the Constitution found that there was no need to insert the word gender or sex in article 6 of the Constitution as a prohibited ground of discrimination, because that article provides that Jordanians are equal before the law and that no distinction shall be made among them in respect of rights and duties. The Committee acknowledges the steps undertaken by the State party. However, it considers that the State party did not indicate whether it took any measures to adopt and effectively implement comprehensive legislation on gender equality, including a prohibition of discrimination against women in accordance with articles 1 and 2 of the Convention. The Committee considers that the recommendation **has not been implemented**.

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The Committee recommends that, in relation to paragraph 14 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1) Adopt and effectively implement comprehensive legislation on gender equality, including a prohibition of discrimination against women in accordance with articles 1 and 2 of the Convention.

Regarding the recommendation made in **paragraph 28** of the concluding observations that the State party “strengthen its efforts in training the judiciary, prosecution and police officials on the Penal Code amendments, in particular article 340, so as to ensure that so-called honour crimes are seriously investigated and that perpetrators do not benefit from mitigating circumstances, and thus are prosecuted and punished accordingly”: The State party indicated that a specialized judicial body was established in the High Criminal Court to consider cases in which honour was the alleged motive, and that a number of training sessions on the new amendments to the Penal Code were held for judges and prosecutors. The State party also mentioned that, of the cases in 2013 in which honour was the alleged motive, one case was tried, and the perpetrator was not granted a mitigating excuse. He was sentenced to hard labour for 10 years. The Committee considers that the State party took significant steps towards the implementation of the recommendation. It considers that the recommendation **has been implemented**.

Regarding the recommendation that the State party “repeal remaining discriminatory provisions of the Penal Code in line with article 2(g), with a view to bringing it in full compliance with the Convention”: The State party indicated that a committee has been established to review all penal laws. Accordingly, a comprehensive review of all relevant legislation will be undertaken. The Committee considers that the State party took some steps towards the implementation of the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “take all appropriate measures to ensure that victims of all forms of violence have access to assistance, in particular in rural areas, and provide them with, inter alia, legal, medical and psychological assistance and rehabilitation, including adequate and sufficient shelters”: The State party indicated that a draft amendment concerning legal assistance was submitted to the committee tasked with reviewing all penal laws, in order to expand the scope of the provisions of the Code of Penal Procedure that concern legal assistance. In addition, the State party mentioned that work is under way to establish an agency that will provide legal assistance in Jordan, and that a set of standards for obtaining legal representation has been developed and is pending adoption. It has been proposed that certain groups, including female victims of violence, should have priority in accessing such assistance. The Committee welcomes the measures taken by the State party to enhance access to legal assistance, especially for female victims of violence. However, it considers that the State party failed to indicate whether any steps were taken to provide victims of all forms of violence, in particular in rural area, with medical and psychological assistance and rehabilitation, including adequate and sufficient shelters. The Committee considers that the State party took some steps towards the implementation of the recommendation. The Committee considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to paragraph 28 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

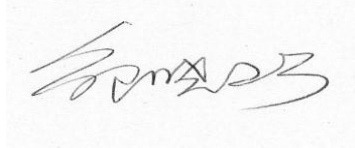
1) Expeditiously repeal remaining discriminatory provisions of the Penal Code in line with article 2(g), with a view to bringing it in full compliance with the Convention; and

2) Ensure that victims of all forms of violence have access to assistance, in particular in rural areas, and provide them with, inter alia, legal, medical and psychological assistance and rehabilitation, including adequate and sufficient shelters.

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

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Xiaoqiao Zou
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women