

## JORDAN

### **CERD A/31/18 + Corr. 1 (1976)**

156. The Committee noted that the initial report of Jordan was very brief and contained little of the information required in accordance with article 9, paragraph 1, of the Convention. It took note of the additional information provided by the representative of the Government of Jordan in his statements.

157. The Committee took note of the explanation made by the representative of the Government of Jordan that article 6, paragraph 1, of the Jordanian Constitution - which had been incompletely cited in the report under consideration - made a specific reference to race and stated that all citizens of Jordan were equal regardless of language, religion or race. The representative of the Government of Jordan, in reply to a question put to him by a member of the Committee, confirmed that, in Jordan, foreigners enjoyed the same legal protection and remedies as Jordanian nationals. However, the statement in the report that Jordan guaranteed “the right of work and education for all” referred to “all Jordanian citizens”. In reply to another question, he said that his Government had always supported the various United Nations resolutions regarding the racist regimes in southern Africa and had implemented the provisions of those resolutions concerning relations with those racist regimes.

## **CERD A/32/18 (1977)**

279. The second periodic report of Jordan was considered together with the introductory statement made before the Committee by the representative of the reporting State. The Committee noted with regret that the report before it contained little information in addition to what had been supplied in Jordan's initial report - which was considered by the Committee at its thirteenth session and found to contain "little of the information required in accordance with article 9, paragraph 1, of the Convention" [A/31/18, para. 156]. In view of the additional information given to the Committee by the representative of the reporting State in his introductory statement, the Committee decided - with his consent - that that statement be issued as a supplement to the second periodic report of Jordan.

280. Members of the Committee noted the statements, in the report before it, that "legislation is not adopted in a vacuum and laws are generally enacted to remedy certain issues or problems that exist or are likely to exist" and that, "since the phenomenon of discrimination in all its forms had been and still is alien to Jordanian culture, religion and political thought, there has been no effort to legislate further on this matter". They recalled that States parties to the Convention had accepted certain binding obligations, including, for example, the obligation to declare the acts described in article 4, paragraph (a), of the Convention as offences punishable by law and to declare illegal and prohibit the organizations and activities described in article 4, paragraph (b), of the Convention. They recalled also that the Committee had consistently maintained that States parties to the Convention whose existing legislation did not satisfy those requirements, and the requirements of other mandatory provisions of the Convention, were obligated to enact the necessary legislation.

281. Members of the Committee took note of the statement of the representative of Jordan that his Government's next report would inform the Committee of relevant existing legislation, of measures taken in implementation of article 7 of the Convention, and of the demographic information available to it, as envisaged by the Committee in general recommendation IV.

282. Members of the Committee noted with satisfaction the statement by the representative of Jordan that his country "has no diplomatic, economic or other relations with any racist regime".

283. Members of the Committee noted with concern the information relating the situation on the West Bank of the Jordan River, currently under Israeli occupation, in so far as it relates to the competence of the Committee under the Convention. At its 346<sup>th</sup> meeting, held on 4 August 1977, it decided to ask its Rapporteur to prepare the text of a draft decision, in the light of the observations made by members of the Committee at that meeting and along the lines of decision 1 (XV). At its 347<sup>th</sup> meeting, held on the same date, the Committee considered the text prepared by its Rapporteur and, after some revisions and amendments, adopted it by consensus. The text adopted by the Committee appears in chapter VIII, section B, decision 1 (XVI).

## **CERD A/37/18 (1982)**

249. The third and fourth periodic reports of Jordan, covering the period of 1978 to 1981 submitted in one document (CERD/C/74/Add. 2), were considered by the Committee in the presence of the representative of the reporting State.

250. Members of the Committee expressed their appreciation of the various steps taken by Jordan to comply with the provisions of the Convention and congratulated the Government on its progressive role in the fight against apartheid and on measures to give effect to the objectives of the Programme of the Decade for Action to Combat Racism and Racial Discrimination.

251. With reference to article 2 of the Convention, it was observed that Jordan was a multiracial society composed mainly of Arabs with some small minorities and, although it was recognized that there was full equality among races in the country, members of the Committee requested detailed information concerning those groups. They asked whether the ethnic groups resident in Jordan were permitted to have their own schools and cultural organizations or whether they felt themselves to be so much part of the Arab race that the need for separate identity did not arise.

252. With regard to article 4 of the Convention, some members pointed out that the Government of Jordan should study the constitutional provisions in the light of its obligations under the Convention and should consider introducing specific legislation to make racial discrimination punishable by law, since article 4 did not refer merely to States parties where racial discrimination existed. Its provisions called specifically for the enactment of legislation not only to fight against racial discrimination in individual countries where it existed but also to avoid any recrudescence of the phenomenon in countries where it had been fought and eliminated or where it did not - but might - exist.

253. In connection with article 5 of the Convention, information was requested on the exercise of the rights enumerated therein in accordance with the constitutional provisions ensuring equality before the law. Referring to article 15 (a) and (b) of the Constitution, further clarification was required concerning the interpretation of the phrase "within the limits of the law", with specific examples of its application. With respect to article 16 (b) of the Constitution, the Committee requested that the relevant text setting out the type of societies and political parties which Jordanians were entitled to establish, should be provided in the next periodic report. In compliance with article 6 of the Convention, it was noted that the Jordanian citizens could submit complaints before a court of law if they were victims of racial discrimination; the Committee asked, however, whether foreigners residing in Jordan also enjoyed the same right.

254. Referring to the measures adopted by the Government in conformity with article 7 of the Convention, members of the Committee asked whether the teaching of material about racism included the study of other civilizations and cultures, whether there was extracurricular teaching or dissemination of information through the media on the evils of racism and apartheid, whether instruction was given on the provisions of the Charter of the United Nations and international conventions, and whether teaching at university level on methods of combatting and preventing racial discrimination took the form of special studies or was part of general university education.

255. Replying to some questions raised by members of the Committee, the representative of Jordan said that since the minorities in his country were extremely small, they were integrated into Jordanian society and had no specific schools. Teaching of their national languages took place in their own institutions and clubs. Regarding the implementation of articles 4 and 5 of the Convention, the representative stated that he would refer the relevant questions to his Government and that his country's future reports would also contain more information on article (15) (a) and (b) and article 16 (b) of the Constitution, as well as on the possibilities open to foreigners of bringing cases of alleged discrimination before the Jordanian courts.

## **CERD A/39/18 (1984)**

454. The fifth periodic report of Jordan (CERD/C/105/Add. 3 and Add. 6) was introduced by the representative of the reporting State. He referred to the main points dealt with in his Government's report and stated, in particular, that, in Jordan, the rights of all religious and ethnic minorities were preserved and that those minorities were allowed to have their own schools, societies and courts. Furthermore, his Government firmly opposed the policy of apartheid and had no economic, political or other relations with South Africa. The representative pointed out that the Parliamentary system had recently been re-established in Jordan and elections had taken place in which, for the first time, women had the right to vote and to stand as candidates. There was a woman Minister in the Government. He also referred to the activities of the Royal Commission on Administrative Development, the task of which was to revise and modernize the administrative and legislative systems of the country, and to the Law of Legal procedure and the Law of Enforcement of Foreign Judgements of 1950, which ensured protection of Jordanian citizens and aliens against discrimination.

455. Members of the Committee commended the Government of Jordan for its report, whose format complied substantially with the Committee's guidelines; it provided ample information on the implementation of article 7 of the Convention, and broadly responded to the points raised during the Committee's consideration of previous reports. They were also grateful for the additional information concerning articles 3 and 5 of the Convention provided by the representative, whose presence testified to the importance that his Government attached to the Committee's work.

456. One member of the Committee observed that articles 6, paragraphs 1 and 2, and 23 (a) of the Jordanian Constitution did not seem commensurate with the comprehensive definition of racial discrimination contained in article 1 of the Convention. Another member asked what measures could be taken if there was a discrepancy between the Constitution and the conduct of the administration.

457. With reference to article 2, paragraph 2, of the Convention, members of the Committee wished to know whether small ethnic groups living in Jordan had been assimilated or whether they preserved their identities, what their demographic composition was, whether they had equal opportunities, whether Bedouins in Jordan received any special attention, what the living conditions of minority groups such as the Circassians, Assyrians, Armenians and Turkish were, whether they were subject to discrimination or whether they were participating in national life. It was also asked how many Palestinian refugees in Jordan still had refugee status and how many had acquired Jordanian citizenship or had been otherwise absorbed into national society.

458. In connection with article 3 of the Convention, one member of the Committee wished to know the attitude of the Jordanian Government to the Namibian question and to the many resolutions of the General Assembly, the Security Council and the various international organizations on the subject.

459. With regard to article 4 of the Convention, the Committee reiterated its view that, despite assertions that no racial discrimination existed in a country, specific legislation should nevertheless

be enacted by States parties to deal with such discrimination, and especially to prevent racist attitudes since there was no way to guarantee that they could never occur. It was observed that the report gave no indication of specific legislation enacted in Jordan to give effect to the provisions of article 4 of the Convention and it was asked whether it might be possible for the Government of Jordan to review its legal system, especially the Penal Code, with the aim of transferring the most important elements of the Convention into its legislation and implementing fully, in particular, articles 4 and 6 of the Convention.

460. Turning to article 5 of the Convention, members of the Committee, while congratulating the Government of Jordan on its measures to ensure equal enjoyment of the rights covered by that article, wished to receive further information on the type of political parties and societies allowed under article 16 (b) of the Jordanian Constitution. They also referred to article 15 (a) and (b) of the Constitution dealing with the right to freedom of opinion and expression and requested clarification of the phrase “within the limits of the law” contained in that article. In addition, reference was made to article 5, paragraph (e) (ii), of the Convention in conjunction with article 1, paragraph 4, and information was requested on the possibility of or options or conditions for the establishment in Jordan of unions or groups associating persons with common interests with a view to being represented and petitioning the authorities as a group. It was also asked what role the unions played in industrial development, how workers were protected and how ethnic groups among workers were treated. Concerning equal enjoyment of the right to education, members of the Committee wished to have some clarification on whether the small ethnic minorities of Jordan actually had their own schools and organizations. They noted that some persons in remote areas had not had an opportunity to take advantage of educational services to the same extent as the populations of towns and villages where services were more accessible and they observed that, since those persons probably belonged to an ethnic minority, it was important to know how numerous they were, where they lived and what means would be taken to redress the situation. They also asked what cultural level the ethnic minorities had attained, what percentage were literate, what the overall literacy rate was in Jordan 10 years ago and currently and what efforts had been made to combat illiteracy.

461. With reference to article 6 of the Convention, it was asked whether more expeditious measures were available to foreigners in Jordan to exercise a right of redress before having recourse to the courts, and what recourse the Jordanian citizen had if he thought that his civil liberties or political rights were not respected or that he was being discriminated against for racial reasons.

462. Replying to the questions and comments of the members of the Committee, the representative of Jordan stated that the various ethnic groups in his country were part and parcel of Jordanian society and enjoyed the same rights and had the same duties as all other citizens. That applied also to the Bedouins who were essentially nomads, but who had settled in specific areas. In Jordan, some 55,000 Bedouins currently lived in their own villages as a settled people. The representative also stated that Jordan was a patriarchal society, where there was easy access to the authorities and it had been possible to handle any specific problem concerning those minorities by direct contact between them and the competent authority. If a Circassian or a Christian felt aggrieved, he would approach the Circassian or Christian member of the Government, Parliament or local authority concerned. In addition, the various ethnic groups had their own associations which could act in their defence. The representative then retraced the history of the Palestinian people who had to leave their land as a result of the Israeli occupation and stated that the 350,000 Palestinian refugees who went to Jordan

from the West Bank were taken care of by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

463. In connection with article 3 of the Convention, the representative expressed his Government's support for the people of Namibia and the many resolutions of the United Nations on that question.

464. With reference to article 4 of the Convention, he welcomed the suggestion that his country's legal system and Penal Code should be reviewed in the light of that article. He stated that he would bring the Committee's comments on that point to the attention of his Government which would certainly give serious consideration to that suggestion, particularly since a reform commission was examining the whole administrative structure of Jordan. The Committee would be fully informed of its work and recommendations.

465. Referring to article 5 of the Convention, the representative pointed out that in his country there were clubs, associations and schools run by the various ethnic groups, which were free to organize such bodies provided that their objectives were in accordance with the law and that they were registered with the appropriate authorities. There were also 192 bodies in the nature of trade union or professional associations as well as other organizations grouping people sharing a common interest. Workers from the ethnic groups were treated in the same way as other workers without any discrimination whatsoever. With regard to education, the representative explained that the Ministry was required by law to open a class in any area where the parents of at least 15 children so demanded. In the case of nomadic Bedouins, however, no such group lived in the same area long enough for such a class to be opened. The inequalities which existed between the nomadic tribes and the urban dwellers were therefore inevitable, but the Government was doing its utmost to reduce them and to make social services equally available to all the inhabitants of the country. He pointed out that schools run by the ethnic minorities did not accept only children belonging to a certain minority, but were also open to children of other ethnic groups.

466. In connection with article 6 of the Convention, the representative stated that foreign individuals and organizations or business companies had access to the appropriate authorities to solve their problems, such as the Ministry of Commerce or the Chamber of Commerce. If those procedures failed to give satisfaction, they could always have recourse to the courts.

467. The representative of Jordan finally assured the Committee that his Government's next periodic report would answer in detail all the questions raised by the Committee members.

## **CERD A/45/18 (1990)**

36. The sixth periodic report of Jordan (CERD/C/130/Add.3) and the seventh and eighth periodic reports, submitted in one document (CERD/C/183/Add.1), were considered by the Committee at its 864<sup>th</sup> meeting, held on 7 August 1990 (CERD/C/SR/.864).

37. The reports were introduced by the representative of the reporting State, who assured the Committee of the total support of his Government. He pointed out that the Government of Jordan had addressed the question of minorities, in particular, the nomadic population of the desert, and had taken certain measures in their favour. With regard to article 2 of the Convention, the representative referred to article 6 of the Jordanian Constitution, which stipulated that Jordanians were equal before the law, and that there was no discrimination among them with regard to their rights or obligations based on race, language or religion, and also noted that article 101 of the Constitution made courts accessible to all citizens. In addition, he said that recent legislation had extended to women the right to vote and to stand as candidates in elections, both at the local and national levels.

38. The representative of the reporting State further noted that the Jordanian Penal Code made racial discrimination a crime but that no case of racial discrimination had been brought before the courts thus far. The Government had also taken a number of measures in the fight against racial discrimination in the field of education and culture.

39. Members of the Committee noted that the report of Jordan had been drawn up in accordance with the general guidelines and contained information and interesting analysis, particularly concerning article 5 of the Convention. Recalling that during the examination of the fifth periodic report certain details were sought from Jordan concerning trade unions and the demographic composition of the population, members expressed satisfaction that such information had been provided in the eighth periodic report.

40. With regard to the right to work, members requested an explanation of the statement in the eighth periodic report that candidates for naturalization should not compete with Jordanians in the labour market; such a stipulation might have a discriminatory effect. They also asked whether the precedence given to Arab workers over foreign workers was compatible with article 5 (e)(i) of the Convention, and wished to know what the percentage was of those actively employed relative to the whole population. A question was asked about the extent to which members of minorities participated in the political life of Jordan, especially the extent to which they were represented in Parliament. In this connection, it was noted that earlier candidates for election to the Jordanian parliament must have been Jordanian citizens for at least five years; by Law 26 of 1986 that had been increased to 10 years. It was asked what were the reasons and whether that situation did not hinder the participation of immigrants in political life.

41. Members also wished to know what limits were fixed by law concerning the right to freedom of opinion and expression, and whether it was possible to have political parties based on ethnic origin. Additionally, members of the Committee wished to know what measures had been taken by the Government in favour of the Bedouins; what differences, if any, existed between the desert regions and the other regions; and what was the percentage of children of the nomadic population



attending school.

42. Finally, members wished to know how many Jordanians of Palestinian origin lived outside the 10 established camps; what was the status of the Palestinian refugees; and whether such refugees were free to settle in any part of the country.

43. In response to the questions raised by members of the Committee, the representative stated that in Jordan citizens were free to use all the methods of expression available, within the limits of the law. The elections of 1989 were free and subsequently freedom of the press had been expanded.

44. With regard to the questions raised under article 4 of the Convention, he said that whoever, in time of war or peace, made propaganda aimed at inciting racial or religious intolerance was subject to punishment pursuant to article 130 of the Penal Code of 1960.

45. Concerning the questions on minorities, he explained that according to two recent electoral laws certain seats in parliament were reserved to minorities. The Province (le Gouvernorat) of Amman and the city of Amman itself had, for example, six Muslim representatives, of which one was Circassien or Chechene, as well as one Christian representative. Generally, most of the provinces in Jordan had reserved seats for minorities.

46. In response to questions raised relating to the right to work, the representative stated that the Labour Code made no distinction between Jordanian workers and foreign workers. However, Arab workers were given priority over other foreign workers on the basis of agreements Jordan had entered into in the framework of the Arab League.

47. In response to the questions of members relating to Palestinian refugees, the representative said that they enjoyed the same rights as Jordanian citizens; that Palestinian citizens and Jordanian citizens were absolutely equal before the law and that Palestinians were free to travel throughout the country and to settle in any region of their choice.

48. The representative informed the Committee that any questions that he had not been able to answer, particularly relating to statistics, would be answered in the next periodic report.

**CERD A/52/18 (1997)**

146. At its 1196th meeting, held on 10 March 1997 (see CERD/C/SR.1196), the Committee reviewed the implementation of the Convention by Jordan based upon its previous reports (CERD/C/130/Add.3 and CERD/C/183/Add.1) and their consideration by the Committee (see CERD/C/SR.864). The Committee noted with regret that no report had been submitted to the Committee since 1989.

147. The Committee welcomed, however, the presence of a delegation of the State party at its meeting and the oral information provided on legal developments relevant to the implementation of the Convention in the State party. The Committee welcomed, in particular, the information that Jordan will resume its reporting obligations under the Convention shortly.

148. The Committee therefore invites the State party to submit its next report in time for the fifty-first session of the Committee and to include in that report information on the legislative, judicial, administrative or other measures giving effect to the Convention, in accordance with the Committee's general guidelines regarding the form and contents of reports to be submitted by a State party under article 9, paragraph 1, of the Convention.

## **CERD A/53/18 (1998)**

388. The Committee considered the ninth to twelfth periodic reports of Jordan (CERD/C/318/Add.1), at its 1288th and 1289th meetings, on 11 and 12 August 1998. At its 1298th meeting, on 18 August 1998, it adopted the following concluding observations.

### **A. Introduction**

389. The Committee welcomes the opportunity to resume the dialogue with the State party on the basis of the ninth to twelfth reports and the core document (HRI/CORE/1/Add.18/Rev.1). While the report did not follow the guidelines established by the Committee for the presentation of reports and more specific information is needed on the implementation of the Convention, the Committee expresses its appreciation for the answers provided by the delegation to the many questions asked in the course of the discussion.

### **B. Factors and difficulties impeding the implementation of the Convention**

390. It is noted that the State party's difficult economic situation may affect the full implementation of the Convention in Jordan.

### **C. Positive aspects**

391. Efforts made by the State to host Palestinian refugees, and to facilitate their integration while retaining their identity, are noted with satisfaction.

392. The establishment of the national Centre for Human Rights is welcomed by the Committee.

393. It is noted with satisfaction that there are a more than proportionate number of seats in the Jordanian House of Representatives which are held by persons who are members of minorities.

### **D. Principal subjects of concern**

394. Concern is expressed that, since the protections in the Penal Code are limited to groups which constitute the nation, the provisions of article 4 are not fully implemented and non-citizens may not receive the protections envisaged in article 5 (a) and (b) of the Convention.

395. With regard to article 7 of the Convention, it is regretted that little further information was provided following the eight paragraphs regarding this article in the previous report.

### **E. Suggestions and recommendations**

396. The Committee recommends that the State party's next report clarify whether article 12 of the Labour Act derives from an agreement concluded between members of the League of Arab States and is applicable to all citizens of those States irrespective of their ethnic or national origin.

397. The Committee recommends that the State party present in its next report information on the number of complaints, judgements and compensation awards arising from racist acts, regardless of their nature.

398. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention.

399. The Committee recommends that the State party's next periodic report, due on 29 June 1999, be a comprehensive report, taking into account all requests for specific information listed above and all the points raised in consideration of the report.