



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

**Consideration of reports submitted by States
parties under article 19 of the Convention**

Second periodic report due in 1996

Jordan *****

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*** In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Introduction

The Government of the Hashemite Kingdom of Jordan should like to present to the Committee against Torture this report combining its second, third and fourth periodic reports under article 19, paragraph 1, of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Jordan has achieved considerable success in various aspects of human development, including the advancement of human rights, the consolidation of democracy and compliance with all international standards on human rights promotion, among them those on the elimination of all forms of torture or cruel, inhuman or degrading treatment or punishment.

These standards are written into legal provisions emanating from the Constitution and also from the Jordanian National Charter, which illustrates the degree to which these laws are consistent with general freedoms and the preservation of human rights and embodies inderogable norms and principles which protect the democratic process. Part II, paragraph 1, of the Charter stipulates: "Jordan is a State governed by the rule of law and is a democracy which derives its legitimacy, authority and effectiveness from the free will of the people." All the authorities in Jordan are committed to providing legal, judicial and administrative guarantees and to protecting human rights, human dignity and fundamental freedoms in keeping with Islamic norms, the Universal Declaration of Human Rights and all relevant international covenants and treaties.

The Jordanian Government is aware of the legal and humanitarian dimensions of the offence of torture, which is an immoral act and an affront to the humanitarian, civilized and religious values that the Government believes in, holds dear and defends in Jordan and in all international forums. The Government understands that these values may on occasion be breached by certain individuals in Jordan, as in other countries. It can confirm that such breaches are isolated incidents and in no way reflect a policy or position of the Government. The Government should also like to reiterate its commitment to the noble humanitarian values inspired by the tolerant Islamic faith and by authentic Arab culture, together with its absolute faith in the pre-eminence of human rights as a fundamental principle from which the Government shall not resile. Indeed, such deviant practices are incompatible with the nature of the social fabric and with moral and cultural norms.

Jordan is satisfied with the progress that it has made in the promotion of human rights, although it does not claim that all its ambitions have been realized in that regard. While it has been able to achieve a great deal, it is convinced that much more remains to be done. To that end, a genuine partnership is needed between the Government and Jordanian civil society organizations, coupled with support for, and an understanding of, Jordan's efforts and circumstances by the institutions of the international community, including the distinguished Committee against Torture.

Jordan's commitment to international laws and the covenants and treaties, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which it is a party is also one of the main planks of its judicial and legal system. Moreover, the Government is very well aware of the gravity of torture offences and of the dangers of ignoring or disregarding such offences.

Procedures and progress in implementing the Convention

1. Further to the procedures which it introduced in past years in implementation of the Convention, the Jordanian Government has recently taken meaningful action to ensure that

the Convention is applied on the ground, whether by establishing or strengthening relevant institutions or by introducing appropriate legislative amendments, as detailed hereunder.

2. Establishment of the National Centre for Human Rights in 2003: the Act establishing the Centre takes due account of the 1993 Paris Principles on the independence of national human rights institutions. The Centre carries out numerous activities, including receiving and processing complaints from the public. It set up a special unit to deal with “reform and rehabilitation centres” in Jordan and has submitted several reports to the Government with recommendations on improving conditions for prisoners. Further to these recommendations, the Government drew up a comprehensive plan to improve conditions in reform and rehabilitation centres by constructing new centres and creating a better living, physical and mental health environment in these centres (closure of Al-Jafr Prison).

3. Given the keen interest which the authorities at the highest level in Jordan take in the situation of prisoners, the Government pays particular attention to the reports that the National Centre and relevant civil society organizations issue on reform and rehabilitation centres and it does everything necessary to improve conditions in prison. Prisons in Jordan are known as “reform and rehabilitation centres”, in line with the Government’s philosophy that their purpose is to rehabilitate and reform prisoners, not just to punish them.

4. The Government follows with constructive interest the reports of most domestic and international human rights organizations and it views the opening of channels for dialogue and discussion with these organizations as an important and necessary means of supporting the reform process on which the State has embarked in regard to the promotion and protection of human rights.

5. In addition, the Jordanian Government has made sure to set up human rights departments in several ministries, including the Ministry of Foreign Affairs, the Ministry of the Interior and the Ministry of Justice. The Public Security Department has also established its own human rights department to receive complaints about any violations committed by members of the public security services. The Ministry of Political Development was furthermore established to raise public awareness of the full spectrum of all democratic and human rights issues.

6. The Ombudsman’s Office was established by law as an independent monitoring authority tasked with following up on citizens’ complaints about government institutions in accordance with the relevant international standards.

7. The Government, through the authorities concerned, has always devoted particular attention to reform and rehabilitation centres and detention facilities, based on the State’s policy of reforming and rehabilitating detainees, protecting them from social isolation and rejection and from cruel or degrading treatment and mobilizing all efforts and resources towards the achievement of this noble aim. Although mistakes or isolated and exceptional violations do occur, those responsible for them are brought to book: it is the rule not the exception that is the important thing to remember. In order to provide a clear picture of the state of affairs in this regard, it is necessary to highlight the following achievements.

8. Trades workshops have been set up and agricultural and vocational activities are organized in some reform and rehabilitation centres, subject to the availability of resources, in order to train inmates, give them useful work to do, raise the level of their productivity in gainful employment, provide them with certificates of competence issued by the Vocational Training Institute and in this way preserve their dignity and facilitate their return to society free from the stigma and psychological effects usually associated with prison life.

9. Recreational, sports and educational facilities such as games areas and libraries are established in reform and rehabilitation centres, general cultural talks are given and emphasis is laid on the spiritual and religious aspects of inmates’ lives through talks, the

allocation of space for mosques and the provision of every facility for the performance of religious rites in these centres.

10. Inmates receive legal assistance, while lawyers' rooms are made available in all reform and rehabilitation centres to enable prisoners to talk to their legal representatives on their own, as a legal guarantee afforded at all stages of proceedings.

11. All reform and rehabilitation centres are open to persons legally authorized to monitor and inspect them, such as the Prosecutor-General, his deputies, court presidents and public prosecutors. These persons pay visits in order to hear complaints, to listen to comments, to make performance assessments, to deal with any failings and to make sure that prisoners' rights are not being violated and that the laws on prisoners are being obeyed.

12. All civil society organizations, including the National Centre for Human Rights, human rights organizations, political parties and associations, together with international human rights organizations and the International Committee of the Red Cross (ICRC), are able to visit reform and rehabilitation centres and meet with inmates on their own. The authorities responsible for these centres take note of constructive comments, accept objective criticisms and give them due consideration. They also provide these organizations with whatever facilities are needed and establish appropriate procedures for them of these organizations. More than 400 visits were carried out in 2006.

13. Al-Jafr Prison was closed down by order of His Majesty the King on 17 December 2006 and was converted into a vocational training school. In addition, new reform and rehabilitation centres with a capacity to accommodate more than 1,000 inmates each are being constructed, one in Muwaqqar that was fitted out and recently began to admit prisoners, and another in Mafrq which is still under construction. The aim is to resolve once and for all the overcrowding problem in some centres and to leave scope for classifying prisoners according to age group, offence and the gravity of the offence.

Implementation of the Convention

Part I

Article 1

14. Human rights occupy a special place in the Jordanian Constitution, which regulates human rights and freedoms in accordance with international conventions and treaties. Indeed, some of these rights were written into the Constitution many years before the adoption of the pertinent universal declarations and international treaties.

15. As soon as the Convention against Torture was ratified and published in the Official Gazette, it became a part of Jordanian law and acquired the force of law. Hence, when a related matter is laid before them, the Jordanian courts must use the definition set out in article 1 of the Convention against Torture.

16. Indeed, from a practical and legal perspective, the applicable Jordanian laws, in particular article 208 of the Jordanian Criminal Code, have been amended to classify the practice of torture as a specific criminal offence in conformity with the Convention against Torture. The article now reads as follows:

"1. Anyone who subjects a person to any form of torture prohibited by law in order to extract a confession to or information about a crime shall be subject to a penalty of from six months to three years in prison.

“2. For the purposes of the present article, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

“3. Where the torture causes an illness or a serious injury, the penalty shall be a fixed term of imprisonment with hard labour.

“4. Notwithstanding the provisions of article 54 bis and article 100 of the present Code, the courts may not suspend a sentence handed down for the offences listed in the present article, nor may they take mitigating factors into consideration.”

17. In addition, under article 333 of the Code, anyone who deliberately batters or harms a person thereby rendering the victim unfit for work faces a penalty of imprisonment. The Jordanian Constitution guarantees everyone the general and absolute right to seek a legal remedy. Under article 256 of the Civil Code, plaintiffs are entitled to seek damages for any injury suffered.

18. According to article 159 of the Code of Criminal Procedures, any evidence or proof obtained under physical or mental duress of any kind shall be deemed inadmissible and legally unsound. An accused person is entitled to challenge, before a public prosecutor or in court, statements which a criminal investigator took from him or her under duress or as a result of physical and mental coercion.

19. The fact that the Jordanian Constitution does not contain a provision on the offence of torture does not signify that torture is in any way permissible. The absence of such a constitutional provision cannot be legally construed as derogating from the legal obligations laid down in the Convention against Torture, nor can it be interpreted as a failing of the Constitution. There are many reasons why this is the case, including the following:

(a) The Constitution contains general norms which place individual rights and freedoms in a general framework, leaving it to other laws to flesh out the details of these rights. In this, it is just like any other Constitution in the world. Moreover, the Convention against Torture does not require States parties to introduce amendments such as to include torture as a specific offence in the text of the Constitution itself;

(b) Torture is defined as a criminal offence in domestic legislation, in particular in article 208 of the Criminal Code, which was recently amended to include explicit reference to the offence of torture, as was article 49 of the Military Criminal Code;

(c) After being ratified by Jordan, the Convention against Torture became part of Jordanian law;

(d) The Constitution guarantees everyone the general and absolute right to seek a legal remedy. Under article 256 of the Civil Code, a plaintiff is entitled to seek damages for any injury suffered.

Article 2

20. Jordan has taken legislative, administrative and judicial measures to prevent torture, as exemplified by the recent amendment to article 208 of the Criminal Code which classifies torture as an unlawful act and prescribes severe penalties for its commission, in conformity with the Convention.

21. With regard to a state of emergency in which the life of the nation may be threatened, article 124 of the Constitution states that if a situation calling for the defence of the nation should arise, a law called "The Defence Act" may be passed vesting the person designated in the Act with powers that include suspending the ordinary laws of the State in order to guarantee the defence of the nation. The Defence Act will enter into effect further to a royal proclamation made pursuant to a decision of the Cabinet.

22. In 1992, martial law, which had been in effect for exceptional reasons, was ended with the approval and at the wish of His Majesty the King. There is no state of emergency in effect in Jordan. The Defence Act published in the Official Gazette in 1992, which allows for the declaration of a state of emergency, gives only limited powers to the Prime Minister and thus contains nothing which detracts in any way from the general rights of citizens.

Article 3

23. Our laws take due account of the provisions of this article on freedom of movement. Hence, the Constitution, in article 9, stipulates that no Jordanian may be expelled from Jordan or forced to live in a particular part of the country, except under the circumstances specified by law. Article 6 of the Extradition Act states:

(a) A fugitive from justice shall not be extradited if the offence for which extradition is sought is a political offence or if a judge (to whom the fugitive is presented) determines that the purpose of the extradition request is to try or punish the offender for a political offence;

(b) A fugitive from justice shall not be extradited to a foreign State unless the law of, or an agreement concluded with, that State precludes the detention or trial of the offender for an offence committed in that State prior to extradition other than the one for which extradition is sought and approval is given, unless the offender was returned to Jordan or managed to return thereto;

(c) A fugitive from justice who is accused of committing an offence in Jordan other than that for which extradition is sought or who is being held in prison further to an order handed down by a Jordanian court may only be extradited after he or she is released having served a sentence or having been acquitted or for any other reason;

(d) A fugitive from justice shall not be extradited until 15 days have elapsed from the date of placement in custody pending extradition.

24. Foreigners who are legal residents in Jordan enjoy freedom of movement in the Kingdom, and everyone has the right to leave Jordan at any time they want unless a court has barred them from travelling for committing an offence of any kind.

25. A number of Supreme Court rulings have annulled expulsion decisions taken by the competent authorities, including rulings 49/2001, 386/2000, 554/99, 385/99 and 86/99.

Article 4

26. The Government instructed all its security services branches to circulate the text of the Convention against Torture among all their officers and ranks. The officials of these services have taken action to make sure that their personnel comply with the Convention and have stressed the gravity of all forms of ill-treatment and torture.

Articles 5, 6 and 7

27. Persons who bring complaints about torture are provided with assistance as soon as they present themselves to a public prosecutor, who is the representative of the judiciary with competence for judicial investigations. As stated in article 63 of the Code of Criminal Procedures, public prosecutors are required to caution accused persons about their right not to respond to the charges against them without their lawyer being present. Under article 66, paragraph 2, of the Code, it is prohibited for a public prosecutor to deny a lawyer access to his or her client.

28. An allegation of torture made against a member of the criminal investigation department must be recorded by a public prosecutor in the investigation file and the complainant must be referred to a police doctor, if necessary.

29. Persons being held in detention are entitled to challenge detention orders before the competent courts at any stage.

30. The statutory limit on the duration of police custody is 24 hours. A designated temporary custody facility which is subject to judicial monitoring must be used for the purpose. Interviews must be conducted within 24 hours, according to article 112 of the Code of Criminal Procedures, and if a public prosecutor decides to detain an accused person, then the place of detention must be a reform and rehabilitation centre which is also subject to judicial monitoring and inspection pursuant to the Reform and Rehabilitation Centres Act No. 9 of 2004. According to this Act, the Minister (of Justice) or his deputy can inspect these centres in order to verify that the law is being applied there correctly. Wardens must submit regular reports each quarter on conditions at these centres and on the situation of inmates and the services available to them.

31. Under article 8 of the Act, court presidents, deputy public prosecutors and members of the Department of Public Prosecutions, each acting within their respective areas of competence, are entitled to enter reform and rehabilitation centres and to follow up on any complaints from prisoners about ill-treatment or torture.

32. Under article 113, individuals may bring proceedings against officials who hold them in custody for more than 24 hours without questioning, since this is defined as deprivation of liberty under the Criminal Code.

Articles 8, 9 and 10

33. The Government disseminates information on human rights principles through awareness programmes delivered by the media, and it recently incorporated these principles into Jordan's academic curricula.

34. Community policing departments were established recently and the concept was launched via a media-based awareness campaign designed as a confidence-building measure that would bridge the gap between the police and citizens and involve the public in the task of maintaining law and order in Jordan. The campaign was called "Asking for a helping hand and working with citizens to maintain security in Jordan".

35. The security services provide their personnel with human rights training in order to enable them to carry out their duties as effectively as possible in line with the applicable regulations and laws and with the obligations which Jordan has assumed under the human rights treaties which it has ratified.

36. Personnel of reform and rehabilitation centres receive the bulk of this training. Programmes and courses are held, some of them locally, some at the Royal Police

Academy and some abroad. Officers and men are sent on mission to other countries to learn about and benefit from their experiences in this domain.

37. The security services, working in cooperation with various training organizations such as NGOs and the National Centre for Human Rights, has run many training courses for officers of the Department of Reform and Rehabilitation Centres, the Criminal Investigation Department and the General Intelligence Department. Several courses have been held, in conjunction with Penal Reform International, on the management of reform and rehabilitation centres, care of inmates and the United Nations Standard Minimum Rules for the Treatment of Prisoners.

38. Other courses have been held, in cooperation with the United Nations Development Programme (UNDP), on providing fair trial guarantees according to international norms. Officers of the Public Security Department and the General Intelligence Department take courses inter alia on crime prevention, human rights protection and the Convention against Torture, in addition to other joint courses run with international agencies such as ICRC and the Red Crescent Society, the Office of the United Nations High Commissioner for Refugees (UNHCR) and various non-governmental organizations.

39. A media office was set up at the Public Security Department and a radio station (Aman (Security) FM) was also established, providing a concrete example of the policy of media openness and transparency in dealing with members of the public, listening to their comments and complaints in phone-ins and responding to them constructively and clearly through press statements or directly on air. The system provides a service to the public and makes things easier for them by saving them the trouble of having to make a journey in order to be able to present their complaints and criticisms.

40. It is noteworthy that the media, including the press and public seminars held throughout the Hashemite Kingdom of Jordan on the subject of domestic violence, point to an increasing awareness of this issue among Jordanians. Furthermore, persons working on family issues, particularly in family protection offices and other relevant government institutions, raise awareness of modern educational techniques which help to eliminate violence. Some non-governmental organizations have begun to broadcast television and radio flashes on the subject of domestic violence, particularly violence against women.

41. The Convention against Torture was incorporated into training curricula for all public security personnel and the text was circulated among all members of the ranks in the public security service. Senior officers and commanders were instructed to inform their men of the necessity of complying with the Convention and to explain the gravity of committing any act that could be classified as torture under the Convention, which is now part of the Jordanian legal system.

42. Last year, the Public Security Department signed an agreement with the Danish Rehabilitation and Research Centre for Torture Victims. Several joint workshops were held with the Centre and with the participation of domestic and international non-governmental organizations. Under the agreement the Centre is required to provide technical and training assistance to public security personnel and to develop their skills in the realization and promotion of human rights in the framework of investigation procedures. This project is due to last for two years.

43. Staff of reform and rehabilitation centres receive training and instruction to show them how to deal with prisoners in accordance with legal principles and professional ethics. They are also offered financial incentives to ensure that they do so. To that end also, criteria are established to identify the qualifications and skills expected of persons employed at these centres.

44. The Jordanian Judicial Institute has run training courses on human rights treaties, in particular the Convention against Torture, to sensitize judges to these issues and involve them in the process of preventing torture in prisons.

Article 11

45. The Government issued a circular to administrative court judges instructing them to end the practice of administrative detention; a large number of persons in administrative detention were subsequently released.

46. Reform and rehabilitation centres and detention facilities are subject to scrutiny and checks are carried out, through judicial oversight and inspections, to ensure that staff comply with directives on the treatment of prisoners. Inspectors use their legal powers to deal with staff who constitute a threat to prisoners and to their safety and well-being.

47. Reform and rehabilitation centres are inspected and staff performance is monitored by the relevant senior officials, the Office of the Inspector General, the Preventive Security Department, the Department of Reform and Rehabilitation Centres and the Complaints and Human Rights Bureau. Appropriate legal action is taken against those found guilty of abusing prisoners, as the official statistics issued by the Public Security Department clearly show.

48. Complaints boxes have been placed in all reform and rehabilitation centres, subject to supervision by the Complaints and Human Rights Bureau, and complaints are dealt with in accordance with the process of law. An operations room has been set up at the Department of Reform and Rehabilitation Centres to monitor court sessions, petitions and attendance.

Article 12

49. The Criminal Code, in article 3, stipulates that there can be no penalty except as prescribed by law. No law imposing a higher penalty [for an offence] will be applied to an offence committed prior to its entry into effect. A new law abolishing an existing penalty or imposing a lighter penalty must be applied to offences committed prior to its entry into effect (the law which is more favourable to the accused). Under article 4 of the Criminal Code: "Any law which modifies the conditions on the classification of offences in the interests of the defendant shall be applied to offences committed prior to its entry into effect, unless an irrevocable judgement has already been handed down in respect of these offences."

50. Any person who considers himself or herself to be a victim of torture may seek a judicial remedy in accordance with the process of law. A person may file a complaint against an individual or an entity (and may also file a civil suit for damages). The principle behind this right is that all Jordanians are equal before the law. The doors of the courts are open to all without distinction, and fair trials are assured pursuant to the Code of Criminal Procedures and the Code of Civil Procedures.

51. With regard to the allegations that some inmates of reform and rehabilitation centres were tortured during questioning, these claims were investigated in a diligent and transparent manner and most of them were found to be frivolous and groundless. The physical injuries sustained by the complainants were either caused by fights with other inmates or by the police, having to use force to restrain them because they resisted arrest or assaulted police officers attempting to arrest them. The police are empowered to take such action pursuant to article 9 of the Public Security Act. In other cases, some complainants,

hoping to evade conviction, tried to argue in court that they had been tortured or ill-treated. In other cases again, however, after in-depth investigations had been carried out and evidence had been gathered on the basis of medical examinations, some complaints were upheld. The security officers involved were brought before the courts so that they could be given an appropriate punishment that would serve as a deterrent for others. Members of the security services accused of committing offences of any kind, in particular torture and ill-treatment, do not enjoy any form of immunity from criminal prosecution.

Article 13

52. A new mechanism for dealing with complaints from inmates of reform and rehabilitation centres and security facilities was established, entailing monitoring of these facilities by the Department of Public Prosecutions and monthly and weekly visits by public prosecutors. In addition, there is a special register of complaints submitted to the Office of the Prosecutor-General. Qualified personnel are assigned to deal with these complaints and to follow up on them with the authorities concerned, in conjunction with the Human Rights Department of the Ministry of Justice. Complaints submitted to the Ministry of Justice by the National Centre for Human Rights and the Arab Organization for Human Rights about ill-treatment of inmates at reform and rehabilitation centres are forwarded to the Prosecutor-General for investigation and a decision.

Complaints recently processed by the Ministry of Justice

<i>No.</i>	<i>Source of complaint</i>	<i>Date submitted</i>	<i>Nature of complaint</i>	<i>Action taken by the Ministry of Justice</i>
1.	National Centre for Human Rights	26 August 2007	Ill-treatment in Sawaqah Prison	Referred to the Prosecutor-General
2.	Arab Organization for Human Rights	3 September 2007	Islamic organizations in Sawaqah Prison	Referred to the Prosecutor-General
3.	Arab Organization for Human Rights	4 September 2007	Ill-treatment in a number of reform centres	Referred to the Prosecutor-General

53. The Complaints and Human Rights Bureau was established at the Public Security Department and reports directly to the Director of Public Security. It deals with complaints from the public about ill-treatment or degrading treatment and brings those found guilty of abuse of authority or arbitrary application of the law to book. The Bureau makes sure that international human rights standards are upheld in reform and rehabilitation centres, detention facilities and all public security units which have any involvement in human rights. A human rights department was recently established at the Ministry of the Interior to follow up on general human rights issues and related complaints.

54. There are several human rights organizations in Jordan which receive complaints from members of the public and follow up on them with the government authorities. The main such organization is the National Centre for Human Rights, which was established by a statute that guarantees its independence and its capacity to deal with human rights issues. The Centre has its own oversight mechanism to follow up on complaints from the public with the government authorities and to make unannounced visits to all reform and rehabilitation centres and detention centres in the Kingdom.

55. Should an individual make an allegation about being tortured by a member of the criminal investigation department, the public prosecution service must record the matter in an investigative report. The person must be referred to a police doctor, if his or her condition so requires.

56. In accordance with the Reform and Rehabilitation Centres Act No. 9 of 2004, the Minister or his representative may inspect these centres in order to ensure that the law is being applied there correctly. Wardens must submit regular reports each quarter on conditions at these centres and on the situation of inmates and the services available to them.

57. Under article 8 of the same Act, court presidents, the Prosecutor-General and members of the Department of Public Prosecutions, each acting within their respective areas of competence, are entitled to enter reform and rehabilitation centres and to follow up any complaints from prisoners about ill-treatment or torture.

58. The police prosecution service and the police court investigate complaints from victims of torture offences. The police court and the police justice system are subject to oversight by the Court of Appeal.

59. Public Security Department data show that a number of complaints have been lodged against the police. The complaints processed with and investigated, in accordance with the established procedure, by the police prosecution department or by the police court.

Data for the past three years on these complaints

- Between 1 January and 31 December 2005:

Total number of cases: 28

Convictions: 14

Did not go to trial: 14

- Between 1 January and 21 June 2006:

Total number of cases: 8

Pending: 3

Convictions: 3

Did not go to trial: 2

Article 14

60. Under Jordanian law, damages may be claimed for an injury no matter who caused it, even by a person who lacks full and legal discretion. Article 256 of the Civil Code states that “any damage done to another person, even by a person who lacks full and legal discretion, must be remedied by the person responsible for it”.

61. The Jordanian Constitution grants all persons residing in the Kingdom the right of judicial recourse and the right to bring proceedings in order to claim any of their rights.

62. The Jordanian courts have awarded damages to victims of ill-treatment in numerous judgements, including, for example, Court of Appeal judgement No. 4433 of 2003.

Article 15

63. Special courts were established in conformity with the Constitution and are subject to oversight by the Court of Appeal, just like any other ordinary court. The Court of Appeal has handed down a number of rulings annulling the verdicts of these courts, because defendants had been put under physical and mental duress during questioning. The following are some of these rulings.

64. Court of Appeal ruling No. 450/2004 of 17 March 2004, which states: “If the court concludes that the confession which the defendant made to the police was obtained under circumstances which must cast doubt on its veracity and under the effects of physical duress and torture, then the court is entitled to disregard the confession.”

65. Court of Appeal ruling No. 1513/2003 of 4 May 2006, which stipulates: “Statements obtained as a result of violence or coercion cannot be relied upon to convict defendants.”

66. A number of other rulings of the Court of Appeal annulling court verdicts may be cited, including, for example:

- (a) Ruling No. 820/2003 of 23 November 2003;
- (b) Ruling No. 552/99 of 23 August 1999;
- (c) Ruling No. 256/98 of 19 May 1998;
- (d) Ruling No. 51/98 of 23 March 1998, which states: “If it is proven beyond all doubt that the statements of a sane person were obtained under duress or torture and without that person’s freely gives consent, the statements must be struck from the evidence on the grounds of inadmissibility”;
- (e) Ruling No. 746/97 of 20 January 1998;
- (f) Ruling No. 327/94 of 22 August 1994;
- (g) Ruling No. 271/91 of 1 October 1992.

Article 16

67. The number of capital offences has been reduced. In 2006, the Government submitted four draft amended laws to the House of Representatives on the abolition of the death sentence for certain crimes and its replacement with a penalty of life imprisonment with hard labour (Criminal Code, art. 38; the Firearms and Ammunition Act, art. 11 (a); and the Drugs and Psychotropic Substances Act, arts. 8 and 9). The draft laws were adopted and were published in the Official Gazette in 2006. The death penalty is not imposed on persons under the age of 18, pregnant women or the insane and the Criminal Code (arts. 50–51) allows for the issuance of general or individual pardons. Under article 34 of the Constitution, the King is furthermore entitled to grant general or individual pardons and to commute sentences. Moreover, the number of persons who are sentenced to death and executed is falling steadily, as shown in the table below.

68. Cases where a death sentence was handed down by the Criminal High Court, 1999–2006.

Year	No. of cases in which a death sentence was delivered	No. of persons sentenced to death and executed	
		Males	Females
1999	25	14	0
2000	10	4	0
2001	13	7	0
2002	16	3	1
2003	13	7	0
2004	7	0	1
2005	5	9	0
2006	12	1	0
2007	-	-	-
Total	101	45	2

69. The death penalty is imposed only for serious crimes such as murder, terrorism and rape of a minor and is carried out subject to a series of procedures which are consistent with the norms set out in the International Covenant on Civil and Political Rights. Under the Jordanian Code of Criminal Procedures, the president of a court trying a capital offence must ask the defendant if he or she has appointed a defence lawyer. If the defendant has not done so, the court must appoint a lawyer and the costs will be borne by the State. Under the Code, death sentences are subject to appeal before an appellate court, even if the condemned person does not seek leave to appeal (art. 275 (c)). Should an appellate court discover any flaws in the way that the law was applied or find that the evidence is insufficient for a conviction, it will annul the death sentence and send the case back to the original court for a fresh trial. Once the death sentence becomes final, the Director of Public Prosecutions will send the case file to the Minister of Justice, enclosing a report summarizing the facts of the case and presenting the evidence on which the judgement was based and the grounds for carrying out the death sentence or commuting it. The Minister of Justice will transmit the case file and the report to the Prime Minister for referral to the Cabinet. The Cabinet will review the file and the report of the Director of Public Prosecutions and issue an opinion as to whether the death sentence should be carried out or commuted. The Cabinet's decision and a statement of its opinion are then submitted to His Majesty the King for a decision. If His Majesty the King endorses the death sentence, the execution will be carried out in the prison building or in another place designated for the purpose in a royal decision.

Part II

Reply to the Committee's requests for clarification further to its consideration of Jordan's report

Incorporation of the Convention against Torture in the Jordanian legal system

70. Most of the articles of the Convention are found in one form or another in the Jordanian legal system. In order to make the Convention a part of Jordanian law, the Government published the text in the Official Gazette in 2006.

Legal status of the Jordanian Charter and its relationship to the Convention

71. The Charter does not replace the Constitution, even if the principles enshrined therein are the same as those set out in the Constitution. The Charter is the measuring rod which points the way and establishes the criteria by which we can gauge whether we are moving in the right direction. Hence, the Charter elucidates and interprets the Constitution, which was written over 50 years ago, and is the touchstone for Jordanian lawmakers and politicians in all domains.

72. At the same time, the Charter contains nothing which contradicts the Constitution; it simply supplements it and clears up any misinterpretations of, and misunderstandings about, the Jordanian Constitution. Some laws such as the Political Parties Act, the Printing and Publishing Act, the Environmental Protection Act, etc., derive their provisions directly from the Charter.

73. The binding nature of the National Charter comes from the inclusion of its provisions in domestic laws; the principles of the Charter have been and continue to be included in these laws, which is a recognized means of giving effect to this binding Charter.

The absence of a definition of torture in Jordanian law

74. In response to this recommendation, article 208 of the Jordanian Criminal Code was amended to include a definition of the offence of torture. In order to ensure that the comprehensive definition in the Convention was adopted, the Jordanian Government, acting in response to the Committee's recommendation on making the Convention part of Jordanian law, published the text of the Convention in the Official Gazette.

75. The Jordanian Criminal Code to a large extent covers all cases of torture and abuse or inhuman or cruel treatment, although it does so in the form of articles and penalties or by defining each serious or major offence separately. This is why the text (on offences) of the Jordanian Criminal Code sometimes omits specific details on the elements of the conduct at issue. It simply mentions the criminal act – the implication being that the conduct which led to its commission is determined by the nature of the act itself.

76. Sometimes the Jordanian Criminal Code does not define but simply mentions different kinds of offences. Since the definition in the Convention against Torture is found in legal texts and is applied in practice, the purpose behind the definition is being served.

Training courses for members of the Armed Forces and the security forces

77. Members of the Armed Forces participate in training courses and numerous study trips in Jordan and abroad. Some courses offer first and advanced university degrees on all kinds of subjects, including international treaties and international humanitarian law. This is in addition to the courses which are taken at Armed Forces colleges and universities. Security services personnel from other countries, in particular neighbouring States, also benefit from these courses.

78. With regard to the public security apparatus, training is a matter of the utmost importance for developing the skills of officers and other ranks, in particular those of them who have direct dealings with the public. Public security personnel take part in many courses, some of them foundation courses and others more specialized courses. In order to give trainees the skills that they need, talks are given on policing, legal sciences, public

relations and human rights. Human rights topics, including the prohibition of torture, are among the main items in the training programme for security personnel.

79. The Public Security Department works and liaises in this area with various local and international governmental and voluntary organizations that operate in the field of human rights. As a result, several training courses have been held in various parts of Jordan for officers of the criminal investigation department and the public security officers who assist them.

Existing laws which guarantee temporary protection to refugees and non-expulsion of foreigners to countries where they would be at risk of torture

80. Even though Jordan has no laws on asylum, refugees receive far better treatment in Jordan than they would receive in many countries and are issued with a certificate by international organizations such as the United Nations Relief and Works Agency (UNRWA) and the Office of the United Nations High Commissioner for Refugees (UNHCR). In order to clarify this matter for the Committee, the situation of refugees in Jordan can be explained as follows.

81. Jordan has received large influxes of refugees over the past 100 years, beginning with the Circassians, the Shishans and the Armenians from Central Asia and the Caucasus, followed by Palestinian refugees, whose problem began in 1947 with the United Nations resolution partitioning historical Palestine, was compounded in 1967 by the occupation of the West Bank and the Gaza Strip and persists until the present day. The Kingdom of Jordan is the major destination for Palestinian refugees for numerous reasons, in particular because these refugees are well treated, because of the homogeneity and close ties that exist between the two peoples and because of the straightforward bureaucratic procedures and the positive approach adopted with respect to these persons, based on humanitarian, not legal, norms.

82. The Government of the Hashemite Kingdom of Jordan granted Jordanian nationality and full citizenship to the first waves of refugees, including Palestinian refugees. Thus it is one of the world's leading States in terms of the number of refugees naturalized as a proportion of the population. Refugees in Jordan can be classified according to one of two groups, depending on the international agency which is responsible for them, namely.

Palestinian refugees

83. There are 13 Palestinian camps in Jordan and UNRWA provides services to only 10 of them, with the Jordanian Government taking entire responsibility for the other three – the Ma'daba camp, the Hayy al-Amir Hasan camp and the Sukhnah camp. The Jordanian Government provides direct and indirect services to all the camps, which were erected on government land or private land leased to the Jordanian Government. The Government retains responsibility for upholding law and order and for establishing and maintaining camp infrastructure. It is worth pointing out that only 18 per cent of the Palestinian refugees registered with UNRWA in Jordan live in camps; most live outside the camps. As UNRWA is facing a severe financial crisis affecting continuity of service delivery for refugees, Jordan has become both the largest host country and the largest donor country. The proportion of the UNRWA budget allocated to Jordan is not more than 21 per cent, while Jordan hosts over 42 per cent of all Palestinian refugees.

84. The decline in UNRWA services and in employment of Palestinian refugees, owing to the lack of funding, has placed an additional burden on the Jordanian Government, which has been obliged to make up for the shortfall in essential refugee services.

85. As evidence of the quantitative and qualitative decline in UNRWA services, we draw attention to the Agency's expenditure per refugee, which fell from around 200 United States dollars in the 1970s to the present figure of just \$70. The decline in funding and the shortage of UNRWA services has affected the refugee community and host countries, which bear most of the burden in making up for the gap in the Agency's health, educational and other social services. This gap can only be filled by providing the Agency with additional funding at a level consistent with the services that it is asked to deliver.

86. It is difficult when talking about the services which the Jordanian Government has provided and provides to Palestinian refugees in Jordan to mention only these services or to put an accurate figure on their value; Palestinian refugees in Jordan are Jordanian citizens, have Jordanian nationality and will continue to have the full rights and obligations of citizenship until their plight is resolved. According to official estimates, these services cost in the order of \$600 million in 2007.

Non-Palestinian refugees of other nationalities and persons of concern to UNHCR

87. The Jordanian Government has never returned an asylum-seeker whose life would be in danger [in the country of return]. Jordan respects human rights and upholds recognized humanitarian principles. The Jordanian Government works closely with the UNHCR bureau in Amman on refugee and asylum issues. The Jordanian Government signed a memorandum of understanding with UNHCR containing a number of clauses that are consistent with the 1951 Convention relating to the Status of Refugees and the additional Protocol thereto of 1967.

88. As mentioned above, Jordan has received large waves of displaced persons of different nationalities, most recently great numbers of Iraqis who were more or less forced to leave their country following the second Gulf War (for the liberation of Kuwait). The number of Iraqis in Jordan can at times be as high as over 1 million.

89. The Jordanian Government does not treat the Iraqis living in Jordan as refugees or as resident aliens, but rather as guests forced by circumstances to leave their country. Therefore, Jordan affords Iraqis special treatment.

90. The Jordanian Government works with international institutions and non-governmental organizations involved in refugee issues to provide as much care and protection as possible to refugees. We refer, in this connection, to UNHCR, ICRC and the Red Crescent Society.

91. The Jordanian Government works with these institutions to provide to our Iraqi brothers health care at Jordanian hospitals and health centres which is the same as that given to Jordanian citizens who have government health insurance.

92. Iraqi children are able to study at Jordanian government schools free of charge and under the same conditions as Jordanian students. Iraqi children are even exempted from paying school fees and for the books which their Jordanian counterparts have to pay for themselves. Iraqi students are also exempted from the legal residence conditions which apply to non-Jordanians seeking a place in a government school. In addition, the Jordanian Government supplies other services which it is not possible to list here.

93. As for the expulsion of persons who are not recognized as refugees by UNHCR, the process is carried out in accordance with the due process of law. Persons who breach the Alien Residence Act in Jordan are asked to leave the country after resolving their legal situation. They may go to any country that they wish and to which they can travel without restrictions.

94. For economic reasons, some groups, particularly migrant workers, claim that they will face torture or ill-treatment in their country of origin. However, the entity which assesses the veracity of these claims is UNHCR. Any person who makes such a claim is summoned by an official of UNHCR to clarify his or her circumstances and to determine whether he or she really would face torture, persecution or cruel or degrading treatment.

95. If the situation is found to be otherwise, then the person is sent to any country of his or her choosing. Some persons spend several years living illegally in Jordan without even trying to regularize their situation. In such cases, the authorities are forced to send them to a country of their choosing where it is possible for them to go, not necessarily to the country of origin. We have already mentioned certain instances where expulsion decisions of the executive authorities have been overturned by the courts.

Increasing the current penalties for torture

96. Jordan consistently reviews its laws and has amended some laws, as mentioned above, in this context.

Review of detention procedures and the investigation of torture practices

97. Special monitoring and complaints office was set up in the Public Security Department and reports directly to the Director of Public Security. A key aim of the office is to verify that police procedures are correct and are implemented in a legal framework that is fair and just. The functions of the office can be summarized as follows:

- (a) Receiving complaints from the public about any violations or erroneous practices that are carried out by public security services personnel and that are prejudicial to citizens' rights or infringe their personal freedoms;
- (b) Coordinating with the relevant authorities in regard to these complaints;
- (c) Investigating complaints in accordance with due process norms and submitting the findings to the Director of Public Security;
- (d) Receiving reports submitted by complaints offices in police departments and taking the necessary action thereon;
- (e) Submitting a report to the Director of Public Security setting out the complaints received, the action taken and appropriate recommendations;
- (f) Following up on complaints, resolving them and informing the parties concerned of the outcomes;
- (g) Producing regular publications for unit chiefs containing information on any erroneous practices among their staff; these publications help to raise awareness and offer advice and guidance in line with the directives issued by the Director of Public Security.

98. The police are treated just like ordinary citizens as far as their conduct and any offences that they may commit are concerned. They are subject to the Criminal Code and any other laws, in addition to the Public Security Act and the Military Criminal Code. The

whole purpose of this system is to prevent public security personnel from breaching military discipline and from damaging the reputation of the Public Security Department.

99. Any person who commits a legally designated offence is tried and punished in accordance with the law. The penalty will be the one prescribed by law, whether it consists of a custodial sentence (such as imprisonment) or a financial sanction (such as a fine). Penalties are only imposed once the existence of the offence has been legally proven and the perpetrator has been tried before the legally competent body. All criminal convictions delivered by the police court are subject to scrutiny by the Court of Appeal.

100. The police court has handed down convictions in many cases concerned with violations of citizens' general rights. The sentences imposed ranged from a fine to a term of imprisonment and demotion, together with administrative and disciplinary action taken by the leadership of the service concerned. All criminal convictions issued by this court can be challenged before the Court of Appeal, as explained in detail above.

101. There is no truth to the allegations that the State Security Court handed down death sentences based on confessions obtained under duress and torture. According to article 148, paragraph 1, of the Code of Criminal Procedures, a court may disregard statements other than those that are made at trial and discussed publicly in the presence of both sides. Judgements of the State Security Court are open to appeal and may be overturned by the civilian courts. If the judgements are upheld, they must then be approved by the Prime Minister and subsequently endorsed by His Majesty the King.

102. The National Centre for Human Rights and the Ombudsman's Office were established as monitoring institutions to follow up on and monitor such cases, in conjunction with non-governmental organizations.

Compensation for victims of torture

103. Article 256 of the Civil Code refers to the subject of material and moral damages and lost earnings resulting from the offence of torture in the following broad terms: "Any damage done to another person, even by a person who lacks full and legal discretion, must be remedied by the person responsible for it."

Corporal punishment in prisons pursuant to the Prisons Act

104. The Prisons Act was amended.

The Committee's concern regarding the continued application of the death penalty

105. Further to the recommendation of the distinguished Committee, Jordan has reduced the number of capital offences. There are no initiatives at present, however, to abolish the death penalty, which is imposed to a minimum extent, for a very circumscribed number of offences and according to strict conditions and procedures which admit of no mistakes. The penalty is not imposed if there is the least doubt in a case and it is applied in accordance with fair trial procedures and the laws in force. Enforcement of a death sentence is subject to royal approval, which makes enforcement very difficult indeed.

The State Security Court

106. This is a special court which derives its legitimacy from the Jordanian Constitution. Investigations and trials before the Court are conducted in accordance with the law and the public prosecutor applies the provisions of the Code of Criminal Procedures No. 9 of 1961.

107. The Court's judgements can be appealed before the Court of Appeal and a trial may be ruled as having been flawed, if it is shown at any stage to have breached the Code of Criminal Procedures. In this way human rights are guaranteed and upheld. Evidence must be provided to show that the arrest was carried out according to the laws in force and was neither arbitrary nor illegal. Moreover, the jurisdiction of the Court is confined to certain offences, such as those relating to the protection of State security and public order. This is acceptable under international treaties, including the International Covenant on Civil and Political Rights (art. 19, para. 2), which allows for the imposition of some restrictions, on condition that they are defined by law and are necessary. This is indeed the situation in practice in Jordan.

108. According to the State Security Court Act, the Court comprises two civilian judges and/or two military judges. At present two civilian judges are permanent members of the Court. The military court bench comprises three judges, one of them a civilian, who all enjoy complete independence in the performance of their duties. Each of them has the right to dissent with the views of the majority by issuing a dissenting opinion. State Security Court judgements are adopted unanimously or by a majority opinion.

109. In addition, the State Security Court has been hearing these kinds of cases for a long time and has become a specialized court, the members of which have sufficient and the necessary expertise to hear such cases and to deliver justice. Since its subject matter jurisdiction is limited in scope, the Court has the time and the opportunity to process cases expeditiously.

110. Proceedings before the State Security Court are the same as those pursued before the ordinary courts. The Court's judgements can be appealed before the Court of Appeal, which has both subject matter and legal jurisdiction for such appeals.

111. The State Security Court Act stipulates that at least five Court of Appeal judges must hear appeals against State Security Court judgements. Moreover, appeals may be brought before the Court of Appeal in cases involving major offences, unlike the situation which obtains in the civil courts where major offences are only subject to appeal in special circumstances.

112. Consequently, the Court of Appeal is the final arbiter; it may quash a verdict of the State Security Court and acquit a defendant, or uphold the verdict based on the case file evidence, or deliver the verdict which the State Security Court ought to have returned. The State Security Court can only defer to the Court of Appeal's decision and accept its findings.

Incommunicado detention, temporary detention, the powers of the General Intelligence Department and the extension of detention terms every 15 days

113. Arrests of accused persons in the Hashemite Kingdom of Jordan are carried out pursuant to an arrest warrant issued by a public prosecutor acting within his or her legal powers. The Jordanian Constitution guarantees this right through three principles: the principle of individual criminal responsibility, meaning that only the author of an act answers for that act; the principle of legal recognition of offences, meaning that no offence

or penalty can be recognized as such without being defined in a specific legal provision and that the legislature alone is empowered to define punishable offences and prescribe the penalties for their commission; and the principle of the non-retroactivity of criminal laws.

114. Article 8 of the Jordanian Constitution stipulates: “No one may be detained or imprisoned other than in accordance with the law.” Article 103 of the Code of Criminal Procedures states: “No one may be arrested or imprisoned other than by order of the competent authorities.” Moreover, trials must be conducted in public, defendants have the right to representation by defence counsel and the law most favourable to the defendant is the one that must be applied.

115. Hence, the Jordanian Constitution and applicable laws safeguard the principles of *nulla poena sine leges*, the non-retroactivity of criminal laws and the individual nature of sanctions. These same principles are recognized in the Universal Declaration of Human Rights (arts. 7 to 11). The prosecution service, which is the judicial body tasked with issuing detention orders and with conducting preliminary investigations, must ask accused persons, before questioning, whether or not they wish to have a lawyer present. If the accused cannot afford or fails to engage a lawyer, then the court seized of the case must appoint a lawyer for the accused and the State will bear the costs.

116. All reform and rehabilitation centres (prisons) in Jordan are subject to the Jordanian Prisons Act and to internal monitoring through visits which are carried out by the judges concerned. Domestic and international non-governmental organizations, the National Centre for Human Rights and ICRC also conduct visits to these centres, including to the prison of the General Intelligence Department. Prisoners are interviewed on their own without prison officers being present, and all procedures taken by prison administrations are verified with the defendants themselves, as are their conditions of detention.

117. The courts have competence for taking decisions on the detention and/or release of prisoners. The criminal investigation department cannot hold an accused person in custody for questioning for longer than 24 hours. Thereafter, the person must be presented to the competent judicial authority — the Department of Public Prosecutions — for questioning.

118. The remit of the General Intelligence Department is confined to State security and terrorism cases. Following investigations, accused persons and the investigation findings are presented to the competent courts in proceedings which will be conducted in accordance with the law and without any interference on the part of the General Intelligence Department. Thus, the Department’s role is confined to that of the criminal investigation department and it is for the courts to decide on any charges which the General Intelligence Department lays before them.

Reply to the Committee’s recommendations and findings

Recommendation 1

119. The Government is requested to review its position on articles 21 and 22 of the Convention. The Jordanian Government does not intend at present to consider changing its position on these two articles. This matter may be considered in the future when the circumstances are ripe, taking into account that we live in an unstable region which is assailed by events. It is a well-known fact that legal stability in any country is contingent upon there being political stability in the region, in order to allow the State to exercise its powers without hindrance and without having to confront exceptional circumstances which requires the adoption of laws and regulations consistent with those circumstances. These two articles may be used for political reasons which have nothing to do with the purposes of the Convention.

Recommendation 2

120. With regard to the incorporation of the Convention into domestic legislation pursuant to the Committee's recommendation, the Convention was published in the Official Gazette in 2006 in order to ensure that it could be invoked before the Jordanian courts, even though the articles of the Convention are found in one form or another in Jordanian laws and regulations and are applied by these laws. Moreover, most of the articles of the Convention articulate principles and are not legal provisions.

Recommendation 3

121. As for the recommendation calling for strengthened measures to protect prisoners' rights and to make torture a specific criminal offence, this matter has been answered in the section above containing information on the achievements that have been realized.

Recommendation 4

122. As for the abolition of the State Security Court, the Government sees no need to take such a measure; the procedural guarantees provided by the Court are the same as those in effect in the ordinary courts. Proceedings in the Court are subject to the Code of Criminal Procedures, which is applied in all courts in Jordan and which safeguards the freedoms and rights guaranteed to citizens under the Jordanian Constitution.

123. The powers of this Court are extremely limited and its decisions can be appealed before the Appeal Court. Proceedings before the Court are regulated by the Code of Criminal Procedures, as with all other courts. Moreover, the Court hears very few cases. The Court consists of two civilian judges and two military judges. Thus, the Government does not intend to abolish this Court, as explained in full above.

Recommendation 5

124. Separation of the functions of detention, interrogation, etc.

125. Interrogations are conducted by public prosecutors in accordance with the procedures laid down in article 63 of the Code of Criminal Procedures, which states that accused persons have the right not to answer charges without their lawyer being present. Interviews must be recorded in an investigation report and the public prosecutor is required, inter alia, to oversee detention and security centres and may inspect them at any time.

Recommendation 6

126. With regard to corporal punishment, reference is made to the amendments introduced to the Reform Centres Act.

Recommendation 7

127. With regard to expulsion to a country where the person may be at risk of torture, no one may be expelled from Jordan without verification that the person will not be subjected to torture or persecution in the receiving country. Expulsion is carried out with the cooperation of international organizations such as UNHCR, ICRC and the International Organization for Migration (IOM). In most cases, international organizations such as ICRC and IOM send persons either to their home country or to a third country and account is taken of the wishes and choice of the person as a matter of priority. This matter is discussed in detail above.

Recommendation 8

128. With regard to educational programmes, Jordan organizes a wide variety of educational and training programmes which are carried out by the following entities:

- (a) Governmental bodies;
- (b) Para-governmental bodies;
- (c) Domestic and international non-governmental organizations;
- (d) International organizations such as ICRC, the Red Crescent Society, UNHCR, etc.
- (e) Programmes run with the support of foreign States.

129. These programmes are designed in particular for members of the criminal investigation department and many examples — too many to mention here — are given above.

Recommendation 9

130. Ensuring that the provisions of the Convention are made more widely known to the public.

131. The task of disseminating information to the public about all human rights, including the Convention against Torture, is undertaken by a series of different organizations in Jordan and abroad. The audio-visual media play a major role in this regard.

132. Jordanian, Arab and international non-governmental organizations play a key role in informing all segments of society about human rights issues, including the Convention against Torture, through seminars, courses, conferences, publications and booklets.

Recommendation 10

133. Dissemination of the report submitted to the Committee, together with the Committee's comments.

134. The Ministry of Foreign Affairs circulated this report and the Committee's recommendations to all the stakeholders concerned, including the media, so that they could review the report and the outcome of its consideration by your distinguished Committee. These parties were then asked to implement your recommendations to the extent possible.

Difficulties in giving effect to the Convention

135. The main difficulties encountered in giving effect to the Convention can be summarized as:

- (a) Certain customs and traditions which are incompatible with some of the norms that are part of the Convention; in this context, the Jordanian Government and a number of civil society organizations are engaged in awareness campaigns to eliminate certain inherited customs and traditions;
- (b) Certain legal constraints: the multiplicity of laws and the fact that they conflict with the interests that they were designed to protect, together with the difficulty of getting laws enacted, owing to parliamentary opposition and requests for amendments which dilute the essence of these laws and impede the realization of certain rights;
- (c) The limited availability of the technical resources necessary for optimal implementation of the Convention and the shortage of judicial resources;

(d) Economic circumstances and the shortage of resources in Jordan, which affect the realization of certain rights or the ability to raise standards for the exercise of these rights;

(e) The political situation and crises in the Middle East region, in particular in neighbouring countries, and the impact that this has on the realization of certain rights and the delivery of services.

Conclusion

136. Jordan has taken concrete and meaningful action to implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

137. The Convention became part of Jordanian law when it was published in the Official Gazette on 15 June 2006. Jordan has amended its laws to bring them into line with the Convention, as best illustrated by the amendment of article 208 of the Criminal Code.

138. On a practical level, in order to give effect to the Convention and to fulfil its purposes, Jordan has done much in the institutional and administrative spheres to facilitate the implementation of the Convention and to prohibit the practice of cruel, inhuman or degrading treatment or punishment. The development of the relevant authorities and their staff, together with awareness-raising and instruction on the content of the Convention and on the importance and necessity of compliance with its provisions have significantly improved the effectiveness of these authorities in combating torture and thus in furthering the higher goal which Jordan wishes to attain, namely, eliminating torture entirely from Jordan.

139. Since the promotion of human rights is an ongoing and a multifaceted process, Jordan continues its efforts to combat torture by legal, educational and cultural means. To that end, it works and engages in dialogue with relevant international institutions and agencies, in addition to Jordanian and foreign non-governmental organizations.

140. The submission of the present report to the esteemed Committee against Torture is evidence of Jordan's commitment to cooperation and dialogue on the implementation of the Convention. The many measures that have actually been taken and the additional measures that may be taken in the future testify to Jordan's determination and desire to implement the Convention against Torture fully.

Annex

List of authorities involved in the preparation the report

Ministry of Foreign Affairs

Ministry of the Interior

Ministry of Justice

Ministry of Social Development

Public Security Department

General Intelligence Department.
