



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Twenty-second session

Summary record of the 456th meeting

Held at Headquarters, New York, on Wednesday, 26 January 2000, at 10 a.m.

Chairperson: Ms. Ouedraogo (Vice-Chairperson)

later: Ms. Gonzalez (Chairperson)

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In the absence of Ms. Gonzalez, Ms. Ouedraogo (Vice-Chairperson) took the Chair.

The meeting was called to order at 10.15 a.m.

Consideration of reports submitted by States Parties under article 18 of the Convention (continued)

Initial and second periodic reports of Jordan (continued) (CEDAW/C/JOR/1 and 2)

1. *At the invitation of the Chairperson, Ms. Sabbagh (Jordan) took a place at the Committee table.*

2. **Ms. Sabbagh** (Jordan) said with regard to article 2 and in response to questions about the non-publication of the Convention in the *Official Gazette*, that the Convention had entered into force with respect to Jordan on the thirtieth day after the date of the deposit of the instrument of ratification with the Secretary-General of the United Nations, in accordance with article 27 of that instrument. The question of its publication in the *Official Gazette* was a mere formality. Jordan had already taken steps to propose the amendment of legislative measures in order to ensure the full advancement of women; some legislation had already been amended, while other legislation was still being studied by various authorities in accordance with the constitutional legislative procedure.

3. The principle of equality between men and women had been laid down in chapter II of the Jordanian Constitution concerning the rights and obligations of Jordanians. The provisions contained in articles 6 to 23 referred to men and women alike, since Jordan was a democratic State that encompassed all its citizens, however their views and endeavours might differ. It derived its strength from the implementation of the principles of equality, justice and equal opportunity. And it afforded practical scope to the Jordanian people for participation in decision-making affecting their lives, thus ensuring psychological stability, security, confidence in the future, respect for State institutions and pride in citizenship. The National Charter provided that men and women were equal before the law, regardless of race, language or religion. The Constitution, the supreme law of the State, required that all legislation that discriminated between men and women should be tested as to its constitutionality, and amended if necessary. Since the ratification of the Convention, those amendments had

been made or were under study. As soon as that procedure was completed, it would be possible to formulate a specific law on the elimination of racial discrimination for submission to the legislature.

4. Women had been introduced into the Jordanian police force in 1973, and the women's police force now worked side by side with the men's in all security units. Women police officers received appropriate training and had reached a high standard of efficiency, with some holding leadership positions. Women jurists were being trained, and international law was included in the syllabi of law schools.

5. The Penal Code had been amended in 1988, and the penalty for rape had been increased to capital punishment where the victim was a minor under 15 years of age. The penalty had also been increased where the victim was over 15 years of age if the perpetrator was a close relative.

6. The National Committee had eventually deemed it advisable to abrogate article 340 of the Penal Code in its totality. The Government, when requested, had agreed, and the relevant draft legislation amending the Penal Code was still pending before the National Assembly. The Government was also currently preparing a new draft Penal Code to ensure greater justice and put an end to all forms of discrimination between men and women with regard to penal measures.

7. Divorce in most cases had a negative effect on society, the family and women in particular, and the competent courts therefore took all measures to achieve a reconciliation between the spouses. A wife might apply for a judicial separation on various grounds and obtain a divorce. A husband might also apply without the agreement of his wife, but in the latter case the divorce was considered arbitrary, and the woman was entitled to all her rights, including appropriate compensation. It had been proposed that the amount of such compensation should be changed to not less than five years' maintenance. Under the Penal Code it was an offence against the family for a husband to fail to register repudiation, and a husband could not bring suit against his wife for adultery after four months had elapsed since his repudiation of her.

8. With regard to the question concerning Palestinian refugees, those who had chosen to reside in Jordan in 1948 had automatically acquired Jordanian nationality and assumed all the rights and obligations

stipulated by law. Moreover, any Palestinian Arab of Palestinian nationality could obtain a Jordanian passport. All Palestinians in Jordan had full rights, including employment in all State institutions and had a right to education, health and work. Many of them held high office and participated in the work of the Senate, the Chamber of Representatives, ministries, the army, general security and other government bodies. Men and women alike had the same citizenship obligations as other Jordanians.

9. With regard to article 3 of the Convention and questions concerning the structure and working methods of the Jordanian National Committee for Women, she pointed out that the presence of high-level government officials on the Committee ensured that the Committee's voice reached three ministers on the Council of Ministers. Further, communication channels were open between the Committee and all the ministries and official departments. All the women on the staff of the National Committee worked full time, five of the posts being technical and two administrative. The secretariat relied to a large extent on the Committee's Legal Committee, its governmental communications network and its Non-Governmental Organizations Coordinating Committee. All members of the latter worked gratis on a volunteer basis. The Government covered the current expenses of the National Committee, and the Committee cooperated with some of the donor organizations in the implementation of certain projects. The Committee was also represented on the National Action Committee for Children, the National Alliance for Children, the National Population Commission and the National Committee for Human Rights Education.

10. With regard to questions concerning complaints procedure, she said that a department for that purpose had recently been established in the office of the Prime Minister, and the National Committee would establish coordination with that department.

11. With regard to the relationship between the National Committee and the legislature, it should be noted that the Rapporteur of the Legal Committee of the Senate and the Chairman of the Legal Committee of the Chamber of Representatives were both members of the National Committee. Having a built-in liaison with those two bodies ensured that they were fully informed of the National Committee's proposals for amendments to legislation. The Government submitted and defended such amendments in the National

Assembly and at the same time, through the Non-Governmental Organizations Coordinating Committee, pressure groups were formed to lobby members of the National Assembly for support of the amendments to benefit women.

12. Amendments to existing legislation were publicized by the National Committee, in cooperation with the media and non-governmental organizations. The past decade had seen positive changes in media coverage of women's issues through specialized and general programmes. The best example was the broad coverage of women's participation in the 1997 parliamentary elections. Stereotypes were still seen, however, in television serials, which attracted large audiences, and in commercial advertising.

13. Article 5 of the Convention was one of the most difficult to implement. The National Committee had adopted two approaches, informational and educational. An information strategy had been drawn up calling for educational and training programmes for those working in the media, but lack of adequate financing to start up and continue such programmes had presented a barrier to their implementation. Despite the cooperation of the Ministry of Education, an effort to change curricula so as to eliminate stereotyping had proved extremely difficult, and in current economic circumstances it could not be financed locally. Nevertheless, Jordan was doing its utmost to ensure the participation of media personnel and educators in numerous programmes and activities of the National Committee. A lack of financing would not deter it from its faith in the importance of targeting those two groups.

14. With regard to the question of violence, it should be made clear once again that the progress made in reducing violence during the past decade had exceeded expectations. When the National Committee drew up the National Strategy for Women in 1992/1993, there were some who wanted to omit any mention of violence. The Strategy had finally been adopted with just one measure relating to violence against women. Now, however, the prevention of violence against women had become one of the goals stated in the main policy document of the State, and Jordan had hosted Arab symposia to discuss the issue. The religious establishment as represented at the ministerial level had played a distinctive role in assisting the National Committee in raising the issue of violence and calling for the abrogation of article 340 of the Penal Code.

Such a change in attitude was a prime example of the elimination of stereotyping, as called for in article 5 of the Convention. However, much remained to be done with regard to violence.

15. With regard to questions concerning information about criminal proceedings, she said that the publication of judicial verdicts in the press and other media was not prohibited under Jordanian law, and such verdicts were published daily. However, the Penal Code imposed a fine of not less than 5 dinars and not more than 25 dinars on any person who published a judicial investigation document before it had been read out in court or other prohibited sensitive material, in order to ensure the integrity of judicial inquiry and guarantee the principle of the independence of the judiciary. Statistics for 1997 showed that there had been 748 crime victims, 27.4 per cent of them women.

16. Women placed under administrative detention for their own protection were not regarded as prisoners. That confusion had arisen from the fact that they had been incarcerated for lack of alternative accommodation in the past. However, they had been separated from ordinary prisoners. Other suitable accommodation had now been found for them, and they had been moved there and were receiving vocational and educational training.

17. With regard to article 7 of the Convention, she said that the women appointed to town and village councils in 1994 had all been chosen from local associations and all had had some practical leadership experience, either as teachers or school directors or in voluntary organizations. The National Committee had organized courses to train them in the necessary skills, particularly since that was the first time that women had acquired membership in town councils. They had performed with distinction in local projects and in the field, where they tried to ascertain the needs of their local communities; this had helped to win over public opinion.

18. The National Committee had supported nominees for political election by forming a higher elections committee of women from all sectors in the Kingdom and setting up an intensive training programme for candidates with the assistance of foreign experts. The proportion of women participating in the 1997 elections had been 49.5 per cent. In some districts, the proportion of women elected had been higher than the proportion of men.

19. Women appointees to the Senate supported women's causes and were in continuous contact with the National Committee and non-governmental organizations concerned with women's affairs through symposia and meetings organized by the National Committee. Only one woman had been elected to the Chamber of Representatives in 1993, and there were no women now sitting in the Chamber. When no female candidate qualified in the 1997 elections, the National Women's Committee, in coordination with the women's non-governmental organizations, had launched an intensive campaign calling for the allocation of 20 per cent of parliamentary seats to women. The Government held that women constituted one half of society and should not be treated as a minority when it came to the allocation of parliamentary seats. The National Committee, in cooperation with women's non-governmental organizations, was continuing its efforts to produce an agreed formula. In the 1997 elections, most women had stood as independent candidates. However, the role of women in political parties had not yet crystallized in Jordan and very few women had attained party leadership positions so far or had qualified for inclusion in party electoral lists.

20. With the aim of intensifying efforts to elect women to office, the National Strategy for Women would concentrate more on the need for women to attain positions in political parties and helping them to overcome their reluctance to participate in public life. The updated Strategy would establish quantitative goals and indicators to measure progress towards that end.

21. In reply to questions concerning non-governmental organizations and the material help afforded them by the State, she pointed out that the annual budget of the Ministry of Social Development allocated funds for distribution among registered non-governmental organizations amounting to 3 per cent of the total budget, and over 10 per cent of such organizations were women's organizations. Some large organizations received annual appropriations from the Ministry of Finance. Unable to provide direct financial support to these organizations, the National Women's Committee provided technical assistance. In addition, the Government helped non-governmental organizations to obtain financing from bilateral and multilateral outside sources. They also received direct assistance from international non-governmental organizations, for example, to finance efforts to

contribute to the implementation of the Beijing Platform of Action.

22. Jordanian women could attain the rank of major in the women's police force. The unit performed a number of functions, including searches, youth work, administration of the women's prison, forensic laboratory work, criminal investigation, preventive security, statistics, residency and aliens' affairs, communications and training. In the diplomatic corps, the highest position held by a woman was that of counsellor, although in the 1980s a woman had risen to the rank of ambassador.

23. With regard to the nationality question, she explained that the National Committee for Women's proposal that Jordanian nationality should be granted to the children of Jordanian women married to non-Jordanians had been intended as a temporary measure pending a comprehensive review of the Nationality Code. Such children were not deprived of the right to education, and there were no obstacles to their enrolling in private schools. They could enrol in government schools provided that the father was legally resident in Jordan. However, they faced difficulties if the father had left them and they could not prove residency in the Kingdom, a prerequisite for the right to education.

24. Jordan had not signed the 1951 Convention relating to the Status of Refugees, but she referred the Committee to her previous explanations concerning article 8 of the Convention. Cases of refugees bearing Jordanian passports but not having Jordanian nationality had arisen in Jordan since 1988 following Jordan's decision to sever administrative and political links with the West Bank and by agreement between the Jordanian Government and the Palestine Liberation Organization (PLO). The Jordanian wife or widow of a non-Jordanian could obtain a family civil status book, but her non-Jordanian children could not be listed in it.

25. Among the steps taken under article 10, she said that the national council for human rights education, composed of both governmental and non-governmental members, planned to hold a seminar in the near future on human rights education and women's and children's educational rights in Jordan. With the aim of changing the traditional approach to girls' vocational training, the economic and social development plan for 1999-2004 called for enhancing vocational training and

guidance for both sexes and providing non-traditional education programmes specifically for women.

26. Statistics were not available to show the exact male-female ratio of Jordanian students studying abroad, but there were indications that the ratio of males had increased. However, the total number of Jordanians studying abroad had fallen during the past decade as a result of the increased number of Jordanian universities, both public and private, and also because economic conditions discouraged parents from sending children to study abroad. Although those who studied abroad were not given preference in public sector appointments there might be some cases of preferential treatment in the private sector.

27. Illiteracy was clearly more widespread among older persons, who consequently accounted for most enrolments in literacy programmes. Non-governmental organizations did much to encourage illiterate women to enrol in those programmes, and in general sought to improve their quality of life. The Ministry of Education was committed to providing teaching staff and facilities wherever a group of at least 10 persons desired to enrol in a literacy programme. Moreover, a breakdown of female university staff showed that some 40 per cent of professors were women.

28. Turning to article 11, she said that the population of Jordan by the end of 1998 had reached approximately 4.8 million, with an annual growth rate of about 3.3 per cent; 2.6 per cent of the total was attributable to natural growth. Despite the decline in the birth rate over the past 10 years, the population was expected to surpass 5 million by the end of the year 2000, hampering efforts to improve living standards.

29. The figure for the economically active population had been approximately 25 per cent in 1998, including 300,000 new workers, some two thirds of whom did not possess a work permit. The figure for economically active women had stood at about 14 per cent in 1998, representing a slight decrease. Youth of both sexes under 26 years of age constituted over half of the unemployed. There were higher rates of unemployment among women graduates of secondary or higher educational establishments.

30. In pursuance of its policy of raising women's participation in economic and social activities and curbing female unemployment, the Government had set a number of objectives in the current development plan. They included reduction of the natural population

growth rate from an annual 2.6 per cent to around 2 per cent by 2005; implementation of the National Strategy for Women with the participation of both public and private sectors, as well as voluntary organizations; non-traditional training for women and the financing of small income-raising projects; and organization of the labour market with a focus on vocational guidance to increase job opportunities, especially for women.

31. Occupations from which pregnant women were excluded, in addition to those enumerated in paragraph 111 of Jordan's second report, included a number of hazardous jobs in such industries as mining, metal smelting, manufacture of explosives or any other jobs that were excessively arduous or involved contact with harmful substances. Furthermore, women were barred from employment between 8 p.m. and 6 a.m. and in addition could not work more than 30 days a year in certain jobs in the service industries, such as hotels, restaurants, theatres, airlines and transport, or on special occasions such as annual inventory or preparation of discount sales. The entitlements of women in all fields were equally accessible to women of Palestinian origin, and the latter were included in all statistics given in the two reports.

32. With regard to men's participation in family planning programmes, she noted that a National Population Commission programme designed to raise men's awareness of and participation in family planning continued to be very successful, especially owing to the support of religious leaders.

33. Equalization between the public and private sectors of the duration of maternal leave continued to be an objective of the National Committee for Women, even though the increase in the period of paid maternity leave (para. 28) had sometimes caused employers to avoid hiring women. Consequently, the Government would not press that reform until it was sure that it would not aggravate female unemployment.

34. With regard to women's mental state following acts of violence, more time was needed to study that phenomenon, as well as the mental state of women who became pregnant as a result of rape, inasmuch as the law did not permit abortion.

35. With regard to the incidence of anaemia among child-bearing women, WHO statistics indicated that 30 per cent of pregnant women in Jordan suffered from that condition, as did women who were not pregnant. The highest incidence of anaemia (34 per cent) was

among women in the 30-39 age bracket. Maternity and child centres were implementing programmes to remedy the condition, including awareness-raising, nutrition and prenatal instruction. The Ministry of Health was providing training to obstetricians and workers in maternity centres, and cases of anaemia were monitored regularly. As part of the national food plan, iron would be added to flour beginning in 2000.

36. By 1999 cases of acquired immunodeficiency syndrome (AIDS) had totalled 213, of whom 22 per cent were women; 55 per cent of those affected were of Jordanian nationality and 82 per cent had become infected outside Jordan. Married women constituted 95 per cent of all women infected. Of that group, 75 per cent were homemakers, 10 per cent teachers, and the remainder nurses or seamstresses. As to their education, she noted that 25 per cent were at the preparatory level and the rest were divided about equally between those with a secondary-education or higher-education certificate and those who were illiterate, while the smallest proportion (5 per cent) consisted of university graduates.

37. Regarding the incidence of drug abuse, she noted that 3.3 per cent of the 512 cases reported in 1998 were women. By 1999, however, the number had risen to 745, with only 1.6 per cent made up of women. The drugs involved were mainly heroin and marijuana.

38. With regard to article 13, she said that following a recent study by the Legal Committee of the National Committee, it was decided to review the proposed amendments to the Income Tax Act No. 57 of 1985 (para. 139 of the second report) in February 2000. They had been drafted with the participation, inter alia, of government and non-governmental representatives, the intention being to reflect Jordanian women's aspirations.

39. Under the proposed amendments, the husband or the wife would receive tax relief as stipulated by law, and either of them could transfer the benefit fully or partially to the other, depending on the circumstances. Wives had been granted increased tax relief including relief for study expenses, as well as the cost of support and study for children and any other persons for whom she was financially responsible. Under another proposed amendment, the wife's personal exemption would be raised from 500 dinars to 1,000 dinars.

40. With regard to housing, she observed that since the extended family was the norm in Jordanian society,

women need not fear having to abandon their living quarters even in the event of death of the breadwinner. The Government had taken a number of measures to facilitate the granting of housing loans to women. They included the financing of new housing units for lower- and middle-income groups; tax relief and the granting of building plots of State-owned land at nominal prices; and encouragement for the establishment of cooperatives and housing associations, which granted low-cost loans to members of both sexes. The prevailing economic conditions militated against establishing a bank specifically for women as a measure to alleviate poverty.

41. In the context of the Government's efforts to alleviate poverty and unemployment, various social projects had been launched providing services to the poor and unemployed, especially women. Social development programmes were being implemented in two stages: the first continued for three years, at a cost of US\$ 250 million, while the second would cover a subsequent period of seven years. The first stage would include increased financing for small production projects and technical-support services, implemented through non-governmental bodies. Additional programmes would train the poor and unemployed and develop infrastructure in poor areas. Women were able to obtain technical assistance and low-cost loans on easy terms through the social development programmes.

42. The latest economic and social development plan recognized that rural women's participation in agriculture had declined, and noted the weakness of farm workers' organizations and the lack of conditions conducive to the participation of farm workers and other rural workers, especially women, in commercial agriculture. The plan also acknowledged the lack of programmes for training rural women and of voluntary programmes to foster their participation in agricultural development and in the protection of agricultural resources and the environment.

43. The plan envisaged Government counselling of small-farm workers and rural women and a project for guidance in marketing and farm management. It also called for the granting of easy-term agricultural loans to individuals and agricultural organizations, including women's organizations and support for small projects set up by women.

44. *Ms. Gonzalez resumed the Chair.*

45. **Ms. Aouij** said that the members of the Committee had engaged in a constructive dialogue with the representative of Jordan, whose replies to their questions were frank and informative. She trusted that the suggestions made in the course of the dialogue would enable the State Party to accelerate the process of broadening women's participation in society, bringing a greater measure of democracy to Jordan. Women's advancement went hand in hand with economic and social development. Moreover, in the geographical region in which Jordan was situated, the emancipation of women served as a bulwark against obscurantism and extremism, whether religious or political.

46. The State Party was to be commended for demonstrating that international law was compatible with the principles of the Shariah and that it was possible to reconcile modernity and tradition. The Jordanian Government had understood that, while programmes of social change required popular support, progressive legislation could encourage the evolution of attitudes and was the best means of expediting women's advancement. The State Party's achievement in raising the educational level of Jordanian women and girls was particularly encouraging, since no educated woman would allow herself to be consigned to an inferior position. She was confident that the State Party would pursue its efforts in that area and that Jordan would continue to advance ineluctably through the joint efforts of women and men.

47. **Ms. Gabr** said that the State Party had made remarkable progress since drafting its initial report and ever since the submission of the second periodic report. It was clear that there existed the necessary political will to bring domestic legislation and social conditions in Jordan into line with the provisions of the Convention.

48. She remained concerned, however, about the situation of children of Jordanian women married to non-Jordanians, whose access to education and employment was restricted because they were regarded as foreigners. It was still not clear to her whether the State Party intended to amend the provision of the Nationality Code which stated that only the father might transmit his nationality. She observed that that provision did not derive from Islamic law, but reflected the political conditions prevailing at the time of its adoption. She was also concerned that abortion remained illegal in cases where women were pregnant

as a result of rape: no such prohibition was explicit in the Shariah.

49. **Ms. Goonesekere** said that the Jordanian Nationality Code no longer reflected reality, since it was based on the assumption that a woman would follow her husband to his country of origin and that both she and their children should therefore take his nationality. There was also a conflict with the provisions on child custody, which was generally awarded to the mother. In view of the disadvantage imposed on children of Jordanian women married to non-Jordanians, the Nationality Code should be urgently reviewed. She looked forward to the Convention's publication in the *Official Gazette*, when it would acquire force of law. However, she wished to know what mechanism would be established in order to ensure that its provisions were enforced.

50. **Ms. Schöpp-Schilling** thanked the representative of Jordan for her exhaustive replies. While recognizing the State Party's commitment to fulfil its obligations under the Convention, she wished to highlight a number of areas in which further action was needed.

51. First, the Government should withdraw Jordan's reservations to the Convention since the provisions concerned were not incompatible with the more progressive interpretations of the Shariah. Second, it should ensure that the necessary formalities for the Convention's publication in the *Official Gazette* were completed at the earliest opportunity so as to render its provisions legally binding. Finally, the Government should consider giving broader powers to the Jordanian National Committee for Women. It might wish to authorize the Committee to receive individual complaints of discrimination or to establish a fully fledged women's ministry, which would send an important signal about its commitment to women's equality.

52. **Ms. Açar** said that the Government was to be commended for its achievements in enhancing the situation of Jordanian women. She urged the Jordanian National Committee for Women to concentrate its efforts on achieving the withdrawal of Jordan's reservations to the Convention, the publication of the Convention in the *Official Gazette*, the revision of the Penal Code and the repeal of article 340 of the Code. The Government should take as a guiding principle when revising the Code the notion of women as human

beings in their own right, rather than as mothers, wives or daughters.

53. **Ms. Sabbagh** (Jordan) thanked the members of the Committee for their many valuable suggestions, which she would communicate to her Government, the Parliament and the women's non-governmental organizations.

54. **The Chairperson** said that the State Party was clearly committed to the advancement of women and the fulfilment of its obligations under the Convention. The Committee considered that the high level of education attained by Jordanian women would facilitate the elimination of the remaining obstacles to the achievement of full equality between men and women. It remained concerned, however, at the lack of recognition of women's rights with respect to the nationality of their children; the problem of violence against women in both the family and society; the phenomenon of honour killings and the impunity of the perpetrators; and the prohibition on abortion in cases where women were pregnant as a result of rape or incest. She trusted that the next report would contain information on the measures taken to address those issues. She urged the Government once again to withdraw Jordan's reservations to the Convention and called on it to disseminate as widely as possible the record of the Committee's discussion of the second periodic report and its concluding observations thereon.

The meeting rose at 12.05 p.m.